

**DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE**  
**Minutes of the March 12, 2013 Meeting**

The DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE was scheduled for **5:30 p.m. on TUESDAY, MARCH 12, 2013 in the CVIC HALL 1602 ESMERALDA AVE, MINDEN, NEVADA.**

**MEMBERS PRESENT:**

Bob Cook, Chairman  
Craig Burnside, Vice Chairman  
Bob Pohlman  
Mike Turnipseed  
Wes Emery

**STAFF:**

Lorraine Diedrichsen, Recording Secretary

**NOTE:** A tape recording of these proceedings is retained by the Board Chairman and is available for review upon request.

**CALL TO ORDER**

Chairman Cook called the meeting to order at 5:30 p.m. and determined a quorum was present.

**ROLL CALL AND INTRODUCTIONS**

Chairman Cook introduced Marshall Goldy and Nevada Jim Ornellas and thanked them for attending tonight's meeting.

**APPROVAL OF AGENDA**

MOTION by Turnipseed/Burnside to approve the agenda as presented; carried unanimously.

**ACTION ON APPROVAL OF MINUTES – January 28, 2013**

Chairman Cook expressed his thanks to Vice Chairman Burnside for his efforts regarding the minutes.

MOTION by Turnipseed/Pohlman to approve the minutes as presented; carried unanimously.

**PUBLIC COMMENT**

None.

**ADMINISTRATIVE AGENDA**

**1. FOR POSSIBLE ACTION. DISCUSSION REGARDING THE ACTIVITIES OF THE TRI-COUNTY DEER RESTORATION WORKING GROUP AND THE POSSIBILITY OF EXPANDING THE SCOPE OF THE GROUP TO INCLUDE OTHER SIERRA FRONT WILDLIFE ISSUES.**

Chairman Cook stated the agenda for the April 24th meeting for the group has an item to consider a name change to the Wildlife Working Group. Another agenda item scheduled for the meeting relates to trail cameras and the Chairman suggested Mr. Turnipseed and Mr. Burnside take tonight's letter on the subject, if approved, with them.

Mr. Turnipseed talked about a tagged fawn that wandered into the area where his office is and appeared to be limping. The ear tag number was obtained and given to Carl Lackey who was able to track it down and check on it. Mr. Turnipseed has seen it since and it is still limping but seems okay.

Mr. Pohlman reported on an incident in Genoa where a deer was hunted with a bow on Ranch 1 and was shot but not dead. The person who shot it did not come over and finish it off so eventually someone else came over and put the deer out of its misery.

No public comment.

This was a discussion only.

**2. UPDATE (INFORMATIONAL ONLY) ON THE BI-STATE SAGE GROUSE AND THE POSSIBILITY OF A SAGE GROUSE HERITAGE PROJECT.**

Mr. Pohlman discussed a Sage Grouse initiative designed to get others interested in sage grouse. If a landowner presents a plan that meets the requirements for disciplines used and approved conservation measures and it is approved, future listing of the sage grouse would not affect them.

A meeting will be held in Smith Valley on Monday and Ted Koch, U.S. Fish & Wildlife Service, and others will speak. All the data for the bistate sage grouse has been turned in to be used by U.S. Fish & Wildlife Service.

He added USGS has the ability to put in for the Heritage program but was still looking for funding. The deadline was March 1st.

No public comment.

This was a discussion only.

**3. FOR POSSIBLE ACTION. DISCUSSION ON REDUCING THE SPEED LIMIT ON FOOTHILL/JACKS VALLEY ROAD.**

Vice Chairman Burnside stated he spoke with Jeff Foltz, Senior Civil Engineer for Douglas County, and was advised that speed limits cannot be arbitrarily changed and deer populations are not one of the criteria used in any case. Mr. Foltz did offer to do a traffic study if it was the desire of the DCABMW. He explained how speed limits are set.

Mr. Turnipseed thought the county picked up the dead deer along that road and he would be interested in knowing how many there are where the road changes to 45 mph. He said he sees a lot of deer in the 45 mph speed limit area. He indicated he will call Mr. Foltz.

No public comment.

This was a discussion only.

**4. UPDATE (INFORMATIONAL ONLY) ON THE REINTRODUCTION OF LAHONTAN CUTTHROAT TROUT INTO LAKE TAHOE.**

Chairman Cook is still awaiting the report from U.S. Fish & Wildlife Service. He displayed a picture of a large goldfish found in 2011 in the Tahoe Keys.

No public comment.

This was a discussion only.

**5. FOR POSSIBLE ACTION. DISCUSSION ON THE LETTER TO THE NDOW COMMISSIONERS THAT ADDRESSES THE USE OF TRAIL CAMERAS.**

Chairman Cook read the draft letter into the record (including grammatical and language changes made). He stated he would like to consider airplanes and drones too in the future.

Mr. Turnipseed supports the intent of the letter so MOTION by Turnipseed/ to approve sending the letter with the stated changes;

Vice Chairman Burnside suggested the following language changes: .....“just prior to and during” hunting season and....for “all” legitimate hunters.

Mr. Turnipseed suggested adding ....“fair chase and” ethical hunting practices. He thought it would be better to send the letter to each individual separately as opposed to sending one letter.

Vice Chairman Burnside asked if the intent was include the CABs on one letter or to have each write their own letter.

Chairman Cook thought it would be more effective to have each of the 17 CABS send a letter.

A discussion took place on the intent and timeframe of a year round hunt.

### PUBLIC COMMENT

Jared Lees wondered if this was adding a regulation that is not enforceable for non-hunters. Vice Chairman Burnside thought there was plenty of other times during the year for non-hunters to take photos. Mr. Lees likes this idea of this but is concerned it is adding a regulation for the sake of adding a regulation. He wondered if it might be opening a can of worms with non-hunters telling them they cannot put cameras out.

Mr. Emery would like the cameras removed 96 hours before the first season hunt. If during the hunting season a camera is spotted then it should be removed. It is up to the sportsmen to police themselves.

Vice Chairman Burnside thought it would be unreasonable for a non-hunter to have a problem with sportsmen being as ethical as possible.

Mr. Turnipseed believes the Commission and Department have their own legal counsels and they will make the decision on the legality of this.

Chairman Cook thought a future trail camera would be in the form of a drone. In the end, this will need to be considered if a regulation is put into place. It may have to be included in the aerial scouting regulation too.

Mr. Emery talked about the effect aerial scouting has on sheds and feels it should be included in the letter. This is not fair chase anymore when radios and these things are used.

Considering the shed issues, Vice Chairman Burnside wondered if limiting this to just the hunting season was enough. Mr. Emery agreed.

Public comment closed.

MOTION by Turnipseed/Burnside to send the letter with the stated changes; carried unanimously.

This letter will be taken to the Tri County group meeting for their information. It was agreed that DCABMW would sign the letter and the other CABS would send an individual letter if they desire.

6. The following items, 6a through 6k, are items that will be heard before the Nevada Board of Wildlife Commissioners at the next meeting, March 15 & 16, 2013 at the Washoe County Commission Chambers, 1001 East 9<sup>th</sup> Street, Building A, Reno, Nevada. The Douglas County Advisory Board to Manage Wildlife may take the following action, or a variation thereof, on each item: support the item, not support the item or not take a position on the item. Public Comment will be allowed on each item.

**6a–6k. DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER THE DOUGLAS COUNTY ADVISORY BOARD SHOULD TAKE A POSITION ON:**

Chairman Cook read items 6a and 6b into the record as the items are related.

**6a. FOR POSSIBLE ACTION. DISCUSSION ON LEGISLATIVE COMMITTEE ACTION.** The Commission will decide upon a spokesperson(s) for the Wildlife Commission at the Legislature to communicate positions in writing, and/or in person at the Legislature during the 2013 Session (February to June 2013).

**6b. FOR POSSIBLE ACTION. DISCUSSION ON LEGISLATIVE COMMITTEE.** The Commission will hear a report from the Legislative Committee on any positions taken on bills of the 2013 Session, and the Commission will decide whether to affirm the Legislative Committee's positions as official Commission positions.

Chairman Cook indicated Mr. Turnipseed has unofficially served as the DCABMW spokesperson.

Mr. Turnipseed reported on the testimony given and comments made on SB82 (outlaw bear hunting), AB168 (change makeup of CABs) and SB184 (membership of the Wildlife Board of Commissioners).

PUBLIC COMMENT

Jared Lees said he attended the hearing on SB82 and feels Commissioners Drew and Robb handled the questioned asked well.

Public comment closed.

Mr. Turnipseed thought it was a contradiction to be able to hunt everything else in the Pine Nut but then exclude bears.

Chairman Cook worries that first the bears, then what follows?

This was a discussion only and no action.

**6c. INFORMATIONAL AND FOR POSSIBLE ACTION. DISCUSSION ON**

**COMMISSION POLICY #24, 'HUNTING OPPORTUNITIES AMONG WEAPONS AND HUNTER GROUPS' (1<sup>ST</sup> READING).** In accordance with Commission Policy #1, the Commission will conduct a first reading of amendments for Commission Policy #24, "Hunting Opportunities Among Weapons and Hunter Groups."

Vice Chairman Burnside summarized the intent of this is to allocate 10% of the resident tag quota for big game tags to nonresidents unless there are less than 10 tags.

No public comment.

MOTION by Burnside/Turnipseed to support; carried unanimously.

**6d. FOR POSSIBLE ACTION. DISCUSSION ON PETITION.** Henry Krenka, president, Nevada Outfitters and Guides, has submitted a petition to the Commission "to eliminate questionable areas of regulations monitoring the Outfitters and Guides. The new proposed regulations would give a clearer description of Nevada Department of Wildlife (NDOW) and NOGA's position pertaining the guiding industry." The Commission may accept the petition and initiate regulatory action or deny the petition.

Mr. Turnipseed stated there is ambiguity between the interpretation of the regulation between NDOW and Nevada Outfitters.

Mr. Emery said there will be a meeting held in Fallon at the guide draw and he will attend that to determine what this is about. He believes Mr. Krenka wants to see NDOW police the guides a little more.

Chairman Cook cited a few of the beneficial effects of this.

#### PUBLIC COMMENT

Jared Lees read it but does not understand it.

Public comment closed.

Mr. Emery thinks the guides pay a lot of money for the license and the law enforcement is not that good.

No action was taken.

**6e. INFORMATIONAL AND FOR POSSIBLE ACTION. DISCUSSION ON WILDLIFE DAMAGE MANAGEMENT COMMITTEE REPORT AND FISCAL YEAR 12**

**PREDATOR MANAGEMENT REPORT AND FISCAL YEAR 13 PREDATOR MANAGEMENT PLAN.** The Commission will hear a report from its Wildlife Damage Management Committee, and the 2013 report will be presented that describes expenditures and results of Fiscal Year 12 Predator Management activities and Predator Management projects scheduled for Fiscal Year 13 and the Commission will take appropriate action.

Vice Chairman Burnside discussed a sheep protection project in the Virginia Range and asked why a bear was killed. He thought there was disparity between the costs of the projects and the number of carnivore kills made.

Mr. Turnipseed thought the majority of the expense is staff time and flight time.

### PUBLIC COMMENT

Jared Lees said the killing of the bear was an accident. He asked about a proposed study that relates to the interaction between bears and mountain lions and if using \$3 money for on the ground studies was appropriate.

Marshall Goldy explained the conflict brought up at the Commission with using AB291 funds for studies instead of doing on the ground predator management. He added information on a letter from John Carpenter to Governor Sandoval in regard to this concern.

Vice Chairman Burnside read from the executive summary of the report regarding the uses of the \$3 processing fee outlined in NRS.

Jim Ornellas wondered how there can be predator control committees and predator control management when there are no predators in Nevada. Mr. Ornellas added coyotes, bobcats, and mountain lions have been redefined as game and fur bearing mammals. He offered to provide more information on this is anyone would like it.

Vice Chairman Burnside responded there are plenty of them but there is no specific classification for them. Coyotes are an unprotected species; they are a predator.

Public comment closed.

MOTION by Turnipseed/Emery to not take any action on this item; carried unanimously.

**6f. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION POLICY #24, "HUNTING OPPORTUNITIES AMONG WEAPONS AND HUNTER GROUPS" (2<sup>ND</sup> READING).** The Commission will conduct a second reading of the amended Commission Policy #24 "Hunting Opportunities Among Weapons and Hunter

**Groups.”**

*The following was copied from item 6c.*

Vice Chairman Burnside summarized the intent of this is to allocate 10% of the resident tag quota for big game tags to nonresidents unless there are less than 10 tags.

No public comment.

MOTION by Burnside/Turnipseed to support; carried unanimously.

**6g. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 392, LCB FILE NO. R047-11, FALCONRY.** The Commission may adopt a regulation relating to falconry; authorizing the care or possession of raptors by certain persons not possessing a license or permit to possess raptors; authorizing certain transfers of raptors; authorizing the training of raptors by certain persons; authorizing the use of falconry raptors in certain educational programs; authorizing the filming or photographing of falconry raptors in certain circumstances; authorizing the use of falconry raptors for certain abatement activities; providing for the disposition of deceased falconry raptors; providing for the banding or other identification of falconry raptors; requiring certain reporting regarding raptors to the Department of Wildlife and United States Fish and Wildlife Service; providing for the transfer of falconry raptors under certain circumstances; prohibiting certain activities with certain falconry raptors; providing for the housing of falconry raptors; providing for the release to the wild of falconry raptors under certain circumstances; revising provisions regarding applications for and issuance of a license to practice falconry; revising provisions regarding the possession of falconry raptors; and providing other matters properly relating thereto.

No public comment.

There was no discussion on this item and no action taken.

**6h. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 397, LCB FILE NO. R046-11, RAPTOR CAPTURE.** The Commission may adopt a regulation relating to falconry; authorizing the taking under certain circumstances of raptors by a person other than the holder of a permit to take raptors; authorizing the retaking under certain circumstances of raptors that have been previously identified as falconry raptors; specifying the duties of a holder of a permit to take raptors who takes a raptor that is injured during the taking; providing for the banding or other identification of falconry raptors;

authorizing the practice of falconry and the application for and obtaining of a permit to take raptors for falconry by residents of a country other than the United States who have a falconry license issued by that country; amending provisions specifying the conditions under which raptors may be taken; requiring traps used to take raptors to be attended at all times; and providing other matters properly relating thereto.

No public comment.

There was no discussion on this item and no action taken.

**6i. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 424, LCB FILE NO. T002-13, TRANSPORTATION PERMIT (TEMPORARY).** The Commission may adopt a regulation relating to adding a transportation permit to the game tag, and other matters relating thereto.

Mr. Turnipseed expressed support for this and thinks it should be part of the license.

Chairman Cook agreed.

Vice Chairman Burnside talked about an experience he had with having to get a transportation permit for a cow elk he had killed and wanted his brother to transport for him. He pointed out the regulation would require the hunter, the transporter, and a witness to be involved and provide their drivers license number.

#### PUBLIC COMMENT

Jared Lees supports this. He said Idaho has a sworn affidavit available in their hunt book.

Public comment closed.

MOTION by Turnipseed/Burnside to support; carried unanimously.

**6j. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 425, LCB FILE NO. T003-13, TRANSPORTATION DEMERIT POINTS (TEMPORARY).** The Commission may adopt a regulation relating to demerits assessed on game tag transportation permit and trapping visitation and providing other matters properly relating thereto.

Vice Chairman Burnside said this lists the demerit points for violating the game tag transportation permit and trapping visitation regulation.

Mr. Pohlman believes this is a housekeeping item rather than changing the actual number of demerits.

No public comment.

Since voting to recommend approval of the regulation, MOTION by Burnside/Pohlman to approve the associated fines and demerits; carried unanimously.

**6k. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 426, LCB FILE NO. T004-13, DESERT TORTOISE (TEMPORARY).** The Commission may adopt a temporary regulation relating to desert tortoises; prohibiting a person from possessing more than one desert tortoise under certain circumstances; and providing other matters properly relating thereto. The Wildlife Commission will consider taking action to restrict the number of pet desert tortoises for adoption/possession as approved by the U.S. Fish and Wildlife Service to one per person as of the enactment date (May 1, 2013). Pet desert tortoises in possession prior to enactment are not affected by the regulation (only new possessions of pet desert tortoise). The amendment is needed due to the over breeding of pet desert tortoises in captivity primarily in southern Nevada.

Mr. Turnipseed asked what the rationale for limiting this to 1 was.

Vice Chairman Burnside said it applies to breeding in captivity.

Mr. Turnipseed thought the reverse might be beneficial in getting them off the endangered species list.

Chairman Cook said the supporting material indicated the need for the amendment due to the overbreeding of desert tortoises in captivity. This is an issue in southern Nevada.

#### PUBLIC COMMENT

Jared Lees thinks this will be hard to enforce. It sounds to him like the feds trying to justify their job.

Public comment closed.

MOTION by Emery/Pohlman to support the recommendation of one tortoise per person; carried unanimously.

Chairman Cook read items 7 and 8 into the record as both items are related.

7. **FOR POSSIBLE ACTION. TAAHC TOPIC ITEMS** – Previously the TAAHC used the TAACH Topic List to guide its decision making for various tag allocation and application hunt recommendations to the Wildlife Commission. The newly established TAAHC intends to use the same process for making recommendations to the Commission this coming year. Please refer to the existing TAAHC Topic List located at the committee page of the NDOW website (<http://www.ndow.org/learn/com/committee/>). The TAAHC is requesting that each CAB submit up to three (3) topics for inclusion for a new topic list for 2013. CABs are encouraged to submit new topics, but may submit existing or modified topics taken from the previous topic list located at the NDOW website.
  
8. **FOR POSSIBLE ACTION. TAAHC SURVEY QUESTIONS** – Last year during the 2012 big game application period the Department began using an online survey process to seek information from online tag applicants. The TAACH intends to establish a survey process (either online or to be emailed) for 2013. The TAAHC is requesting that each CAB submit up to three (3) questions for TAAHC use in such a survey. Questions should focus TAAHC and Commission attention to tag allocation and application hunt processes of importance to you and your constituents.

Possible suggestions discussed were: trail cameras and drone regulations, the listing or non-listing of Nevada predators, group hunts for species other than deer and include all weapons and hunt numbers, and quality of the hunt and hunting pressure.

#### PUBLIC COMMENT

Jared Lees suggested management of the department and the difference between the Department and the Commission.

Marshall Goldy thought trail cameras/drones and Nevada predators and would be appropriate topic items.

Jim Ornellas thought predator control fees being tied to predator management was an issue that needs to be looked at.

Public comment closed.

MOTION by Emery/Turnipseed to submit the following survey topics: quality of the hunt and the hunting pressure experienced; carried unanimously.

MOTION by Burnside/Cook to submit the following topics: trail cameras/drones; party hunts for species other than deer, and the way predators are listed or not listed; carried unanimously.

9. **CORRESPONDENCE OR COMMUNICATIONS BOARD MEMBERS HAVE RECEIVED.** This is an opportunity for Board members to discuss any correspondence or communication they may have received regarding matters over which the Board has jurisdiction and control. No action will be taken other than to possibly have an item placed on the next agenda.

Chairman Cook stated the budget process is upcoming.

He called attention to an article in the Tahoe Tribune about the Nevada bill to ban bear hunting. Additionally there was an article in the same paper about the mountain lions being caught in the political wildlife crosshair.

Mr. Pohlman said the Sacramento Bee had an article suggesting support for habitat could be increased by an excise tax on all outdoor equipment.

10. **DISCUSSION ON THE RESULTS OF THE FEBRUARY 1 and 2, 2013 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS.** There will be no action taken.

No one attended.

11. **FOR POSSIBLE ACTION. DISCUSSION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO ATTEND UPCOMING WILDLIFE COMMISSION MEETINGS AND TO REPRESENT THE FINDINGS OF THE DOUGLAS COUNTY WILDLIFE ADVISORY BOARD. ONE MEMBER WILL BE DESIGNATED AS A SPOKESMAN FOR THE DOUGLAS COUNTY ADVISORY BOARD.**

Chairman Cook or Mr. Emery will attend Saturday.

12. **FOR POSSIBLE ACTION. DISCUSSION TO SCHEDULE THE NEXT WILDLIFE ADVISORY BOARD MEETING.** The next Commission meetings are scheduled for April with the date to be determined, and May 10 and 11, 2013, in Reno; and the Commission will review and discuss potential agenda items for that meeting. The Commission may change the time and meeting location at this time. The chairman may designate and adjust committee assignments as necessary at this meeting. The next meeting of the Douglas County Advisory Board to Manage Wildlife is tentatively scheduled for Tuesday, May 7, 2013.

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13. **FUTURE AGENDA ITEMS.** This is an opportunity for Board members to request that items be placed on future agendas. There will be no deliberation or action taken other than to request the Chair to place the item on an agenda.

- Tri County Wildlife Restoration Working Group
- Bi-state sage grouse.

- . Reintroduction of Lahontan Cutthroat Trout
- . Speed limit on Foothill Road
- . Legislative update

MOTION by Burnside/Emery to adjourn the meeting at 7:29 p.m.; carried unanimously.

The minutes of the March 12, 2013 meeting of the Douglas County Advisory Board to Manage Wildlife are so approved this 7th day May, 2013.

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Bob Cook, Chairman