

Washoe County Advisory Board to Manage Wildlife

MINUTES

Thursday ~ March 28, 2013 ~ 6:00 p.m.
Regional Emergency Operations Center
Conference Room
5195 Spectrum Boulevard, Reno, Nevada

MEMBERS

Rex Flowers, Chair
Daryl Harwell, Vice-chair
Michelle Spencer, Secretary
John Reed
Sean Shea

1. PLEDGE OF ALLEGIANCE [Non-action item]

Chair Flowers led the Pledge of Allegiance.

2. CALL TO ORDER AND ROLL CALL [Non-action item]

Chair Flowers called the meeting to order at 6:00 p.m. A quorum was established.

PRESENT: Rex Flowers, Sean Shea and Michelle Spencer.

ABSENT: Daryl Harwell and John Reed.

3. PUBLIC COMMENTS [Non-action item]

There were no public comments.

4. APPROVAL OF MARCH 7, 2013, MINUTES [For possible action]

It was moved by Member Spencer, seconded by Member Shea, to approve the March 7, 2013, minutes, as submitted. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

5. BOARD MEMBER MEETING ASSIGNMENT [Non-action item] – *A discussion and selection of member(s) to attend the Nevada Board of Wildlife Commissioners meetings on: 1) April 5, 2013, telephonic; and 2) May 10 and 11, 2013, meetings in Reno, Nevada.*

It was noted that it appears no one from the Washoe County board will be able to attend the Friday, April 5, 2013, telephonic meeting.

Members Reed and Spencer will attend the May 10 and 11, 2013, meetings.

Chair Flowers commented that he will be available to cover future out-of-town meetings of the Nevada Board of Wildlife Commissioners.

6. COMMITTEE, MEMBER AND LIAISON UPDATES [Non-action items]

6-1). Correspondence (including sportsmen's concerns) and Announcements – Chair Flowers noted that only one piece of correspondence had been received (copy on file) from Darin Elmore and had been distributed with the meeting agenda and other support materials.

6-2). Overview of the March 15 and 16, 2013, meetings of the Nevada Board of Wildlife Commissioners – Member Shea noted that the Nevada Board of Wildlife Commissioners had not taken action on any agenda items on March 15, 2013.

Washoe County Advisory Board to Manage Wildlife

Minutes

March 28, 2013

Page 2 of 7

Chair Flowers noted that during the May 16, 2013, meeting the Nevada Board of Wildlife Commissioners was only allowed to take action on the three (3) recommendations brought forward by the Legislative Committee and that the transportation permit was approved. Additionally, demerits for permit errors was not approved as the intent is to seek stricter penalties for intentional violations. The petition was accepted and there was significant discussion about predator control with approval of any NDOW commitments for projects through June 30, 2013. Chair Flowers noted that Policy 24 had been approved. Chair Flowers noted that Mark Jensen State Director for Wildlife Services had not been present at the meeting to discuss how the \$300,000.00 provided to his division were used. Chair Flowers noted that the new meeting schedule distributed had been updated to include tonight's (March 28, 2013) meeting.

7. **COMMISSION LEGISLATIVE ACTION** [For Possible Action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners on proposed 2013 legislative actions. Information on pending legislation may be found on the legislature's website by clicking on <https://www.leg.state.nv.us/App/PLT/A>*

Chair Flowers opened the agenda item and noted that one additional legislative item had been identified but was too late to secure a copy for distribution.

AB128 – This was discussed at the March 7, 2013, meeting and will remove the need for an additional Invasive Aquatic Species fee in waters shared with other states. The legislation is still in the Natural Resources Committee.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners endorse AB128, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

AB168 – Requires the membership of each County Advisory Board to have one qualified member to represent the General Public. During the discussion of the legislation by the Nevada Board of Wildlife Commissioners it was suggested by Tina Nappe, former Commission member that perhaps the legislation should be modified to read may have instead of shall have as the legislations focuses mainly on the two most populous Counties Clark and Washoe.

During the discussion it was noted that the legislation had not been supported during the March 7, 2013, meeting and that the lack of a definition for General Public was somewhat troublesome as it could result in an appointee that has little or no knowledge and perhaps not understand why they are opposed to certain aspects of fishing, hunting and related activities. Other discussion noted that many times individuals attending the local game board meetings do not stay for the entire meeting agenda.

It was moved by Member Spencer, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners oppose AB168, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

Washoe County Advisory Board to Manage Wildlife

Minutes

March 28, 2013

Page 3 of 7

AB345 – Provides for the governing management of certain Wildlife (Sage Grouse) requiring that the species be managed according to the best scientific data available. It appears that this would take money from wildlife to pay what the State needs to do to protect Sage grouse. Currently there are other funds available that can be used without taking monies from wildlife.

During the discussion it was pointed out that Sage Grouse are typically found on federally owned lands and that the State is slow to respond to using such funds on federal lands which generally require the NEPA (National Environmental Policy Act) process, which can take up to five (5) years. Other discussion noted that the only section that can be supported is the section requiring that species must be managed according to the best scientific data.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners oppose AB345, as written and support only Section 1, Paragraph 1 requiring that species be managed according to the best scientific data available. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

AJR3 – This bill would establish a biomass industry to restore the ecosystem on public lands by removing the Pinion and Juniper that are encroaching on public lands. Although there is support for having the BLM involved in the process there is concern about how the biomass would be dealt with and to what benefit to the State of Nevada and its wildlife. As the discussion continued, it was noted that the encroaching Pinion and Juniper needs to be thinned thus allowing the native Sagebrush an opportunity to flourish. However, it is thought that there needs to be some clarification on who gets the money and where it is used, preferably going back into habitat restoration. It is hoped that the biomass process will be similar to that used for mining operations where disturbed areas must be restored with native vegetation.

It was moved by Member Spencer, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners endorse AJR3 with a recommendation to seek clarification on where, preferably in the State of Nevada and how the fund would be used. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB11 – It was noted that this was heard at the meeting on March 7, 2013 and that the board had previously supported the legislation.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners endorse SB11, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB82 – It was noted that NDOW (Nevada Department of Wildlife) had been directed by the Governor's Office (Brian Sandoval) to take a neutral position on the legislation as it deals with Black Bear. Additionally, the Nevada Board of Wildlife Commissioners (Commission) could not make a recommendation to the legislature as they had not taken any specific action.

The meeting recessed at 6:41 p.m. and reconvened at 6:43 p.m.

Washoe County Advisory Board to Manage Wildlife

Minutes

March 28, 2013

Page 4 of 7

Additional discussion of SB82 noted that proponents of the legislation had been allowed more than the 40 minutes allotted for testimony while those speaking in opposition had been directed not to repeat testimony already heard. As the discussion continued, it was pointed out that the Chair of the Committee, Senator Ford had asked several questions concerning the underlying objectives in having the Black Bear classified as a protected species.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners oppose SB82, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB120 – This legislation would convert the Department of Wildlife into a Division of Wildlife under the State Department of Conservation and Natural Resources.

It was moved by Member Shea, seconded by Member Spencer to recommend that the Nevada Board of Wildlife Commissioners oppose SB120 as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB132 – Revises the period of validity of hunting and fishing licenses to make the licenses valid from the date of issue rather than the current system which uses the month of March annually. It was noted that there could be some effect on those holding multiple licenses with the need to apply for Big Game in mid-March annually. It was pointed out that NDOW had opposed the proposed legislation. Additional discussion noted that a duplicate license can be obtained if lost at a cost of \pm \$10.00 and that stamps can be added later in the process.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners oppose SB132 as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB134 – It was pointed out that the board had originally opposed the language as it pertains to the identification of guzzlers at the March 7, 2013, meeting and that it appears that the bill will be rewritten to provide greater clarity of its intent.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners oppose SB134, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB181 – During the discussion it was noted that the board had recommended approval of the measure as it pertains to special fishing permit for adults with disabilities.

It was moved by Member Spencer, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners endorse SB181, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB184 – Revises membership on the Nevada Board of Wildlife Commissioners by removing one sportsman and replacing with an individual having specific areas of expertise and/or education. It

Washoe County Advisory Board to Manage Wildlife

Minutes

March 28, 2013

Page 5 of 7

was noted that the Commission had already discussed the legislation and had pointed out that those requirements were already being met.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners oppose SB184, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB213 – It was pointed out that the board had recommended opposition to the proposed trapping legislation at the March 7, 2013, meeting. Other discussion noted that a hearing had been held today (March 28, 2013) and that Chair Flowers had been unable to attend. As the discussion continued, it was noted that while a board member may speak on legislation or other matter of interest to the Washoe County Advisory Board to Manage Wildlife, that such comments should include a disclosure that the individual is a member of the board and is speaking only as a private citizen.

It was moved by Member Spencer, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners oppose SB213, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB299 – It was pointed out that this particular legislation does not include Nevada specific regulations (CGR 297 and 392) that were reviewed at the March 7, 2013, meeting. Those particular CGR's were intended to bring the State of Nevada into compliance with federal guidelines. It is unclear whether this legislation would take that discretion away from NDOW and the Nevada Board of Wildlife Commissioners or not.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners oppose SB299, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB333 – This proposal would modify an existing Landowner Compensation tag process and could result in an individual getting compensation for a minor number of animals (e.g. 5) rather than 50 as currently required. Additionally, the proposal would introduce high fence game preserves that could have significant and detrimental effect on wildlife (e.g. chronic wasting disease or other foreign animals).

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners oppose SB333, as written. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SB371 – This legislation is intended to prohibit the intentional feeding of any wild animal other than wild birds. It was pointed out that baiting was already illegal and that this would mostly apply to the feeding of animals during harsh winter conditions such as has occurred in the Montreux area. Of particular concern is that the legislation does not specifically prohibit the feeding of wild horses and/or burros even though it states that it applies to wildlife found naturally. It was suggested that the legislation be modified to specifically prohibit the feeding of wild horses or burros.

Washoe County Advisory Board to Manage Wildlife

Minutes

March 28, 2013

Page 6 of 7

It was moved by Member Spencer, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners approve SB371 and suggested that the intentional feeding of wild horses/burros be named specifically in the legislation. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SJR1 – This particular piece of legislation provides for the support of wild horses and burros, which the board heard and recommended opposition to the Nevada Board of Wildlife Commissioners at the March 7, 2013, meeting. Of particular concern is that support for feral horses is potentially an anti-native wildlife position and could led to sanctuaries for invasive aquatic species.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners oppose SJR1. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

SJR7 – This proposal would amend the Nevada State Constitution and make fishing, hunting and trapping a right rather than a privilege. It was noted that should this legislation be approved it would come back to the 2015 legislative session and then go to a public vote and would need a 2/3rds majority to become part of the State's constitution. Other discussion noted that there are some individuals who should perhaps not be allowed to hunt or trap and that there are regulations in place to address that issue. It was pointed out that the issue is one of enforcement.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners endorse SJR7. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and Members Harwell and Reed absent.

AB461 – Chair Flowers recommended that members check out the legislation on the State of Nevada website <http://leg.state.nv.us/Session/77th2013/BDRList/page.cfm?showAll=1>.

8. WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE MEMBERS AND/OR STAFF ANNOUNCEMENTS, REQUESTS FOR INFORMATION AND SELECTION OF TOPICS FOR FUTURE AGENDAS REQUESTS FOR INFORMATION AND SELECTION OF TOPICS FOR FUTURE AGENDAS [Non-action item] – *Selection of additional agenda item(s) for the Thursday, May 2, 2013, meeting. **NOTE:** This meeting is scheduled to be held at the Regional Emergency Operations Center on Spectrum Boulevard.*

Chair Flowers noted that the board will most likely review the Predator Management Program at the May 2, 2013, meeting as well as a first review of Heritage Projects, quota settings and Upland Game season/quotas and Upland Game Stamp Projects at the June 2013 meeting.

It was suggested that an agenda item be added for an update from Game Warden Mike McCusker on non-resident hound permits in the State of Nevada. Also, there may be an update on Ruby Pipeline projects and the Washoe Lake Mitigation Project.

9. PUBLIC COMMENTS [Non-action item]

There were no public comments.

Washoe County Advisory Board to Manage Wildlife

Minutes

March 28, 2013

Page 7 of 7

10. ADJOURNMENT [Non-action item]

Chair Flowers adjourned the meeting at 7:22 p.m.

**AS APPROVED BY THE WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE IN
SESION ON MAY 2, 2013.**