

Nevada Board of Wildlife Commissioners' Meeting
Final Agenda

University of Nevada Cooperative Extension
8050 Paradise Road
Classrooms A & D
Las Vegas, NV 89123-1904

Videoconferencing Locations:

Truckee Meadows Community College
7000 Dandini Blvd. Room Sierra 100
Reno, NV 89512

Great Basin College
1500 College Parkway
High Tech Center Building Room 121
Elko, NV 89801

Public comment will be taken on every action item after discussion but before action on each item, and is limited to three minutes per person. The chairman, in his discretion, may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. Persons are invited to submit written comments on items or attend and make comment during the meeting and are asked to complete a speaker card and present it to the Recording Secretary. To ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments in order to avoid the appearance of deliberation on topics not listed for action on the agenda.

Forum restrictions and orderly business: The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech.

Irrelevant and unduly repetitious statements and personal attacks that antagonize or incite others are examples of public comment that may be reasonably limited.

Please provide the Board of Wildlife Commissioners ("Commission") with the complete electronic or written copies of testimony and visual presentations to include as exhibits with the minutes. Minutes of the meeting will be produced in summary format.

NOTE: Public comment allowed on each action item and regulation workshop items and at the end of the meeting

Friday, September 23, 2016 – 10 a.m.

- 1 **Pledge of Allegiance, Call to Order, and Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Wallace**
- 2 **Approval of Agenda – Chairman Wallace – For Possible Action**
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

- 3 **Member Items/Announcements and Correspondence – Chairman Wallace – Informational**
Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record).
- 4 **County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational**
CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.
- 5* **Approval of Minutes – Chairman Wallace – For Possible Action**
The Commission may approve Commission minutes from the August 12 and 13, 2016, Commission meeting.
- 6* **Washington Department of Fish and Wildlife Request for 20 Wild-trapped Female Sage Grouse for Translocation to the Yakima Training Center to Continue Efforts to Increase Genetic Diversity – Game Division Administrator Brian F. Wakeling and Staff Specialist Shawn Espinosa – For Possible Action**
The Department received a request from the Washington State Department of Fish and Wildlife (WDFW), in cooperation with Joint Base Lewis-McChord Yakima Training Center (JBLM YTC) to capture and translocate 20 female sage-grouse from Nevada to JBLM YTC. This request is in support of a collaborative effort by JBLM YTC, WDFW, and the U.S. Fish and Wildlife Service (USFWS) to continue efforts in conducting genetic augmentation of the JBLM YTC sage-grouse population in south-central Washington. The Department is proceeding to fulfill the request and seeks the support of the Commission. The Commission may vote to support the Department's action.
- 7* **First Reading, Commission Policy 2, Publications – Commissioner and Administrative Procedures Regulations and Policy (APRP) Committee Chairman David McNinch – For Possible Action**
The Commission will have a first reading and may take action on the committee's recommendation to repeal Commission Policy 2, Sale of Publications. The policy is outdated and redundant with the Public Record fee schedule and requirements applicable to Executive Branch agency's limiting fees.
- 8* **Second Reading, Commission Policy 10, Wildlife Heritage Tags and Vendors – Commission Chairman and Wildlife Heritage Committee Chairman Grant Wallace – For Possible Action**
The Commission will conduct a second reading of Policy 10, Wildlife Heritage Tags and Vendors, and may take action to approve recommendations from the policy's first reading.

9* **Second Reading, Commission Policy 11, Wildlife Heritage Grants – Commission Chairman and Wildlife Heritage Committee Chairman Grant Wallace – For Possible Action**

The Commission will conduct a second reading of Commission Policy 11, Wildlife Heritage Grants, and may take action to approve the recommendations from the policy's first reading.

10* **First Reading, Commission Policy 31, Lahontan Cutthroat Trout Management Guidelines – Commissioner and APRPC Committee Chairman David McNinch and Fisheries Division Administrator Jon Sjöberg – For Possible Action**

The Commission will conduct a first reading of Policy 31, Lahontan Cutthroat Trout Management Guidelines. The committee recommends updating the policy with current requirements and Fisheries Division plans will be considered. The Commission may take action on the committee's recommended changes to Policy 31.

11* **First Reading, Commission Policy 33, Fisheries Management Program – Commissioner and APRP Committee Chairman David McNinch and Fisheries Division Administrator Jon Sjöberg – For Possible Action**

The Commission will conduct a first reading on Policy 33, Fisheries Management Program. The committee recommends updating the policy with current requirements and Fisheries Division plans will be considered. The Commission may take action on the committee's recommended changes to Policy 33.

12 **Reports – Informational**

A **Department Activity Report – Secretary Tony Wasley**

Director Wasley will provide a report on recent Department activities.

B* **Litigation Report – Deputy Attorney General Harry Ward**

A status report on litigation will be provided.

13 **Nevada Department of Wildlife Project Updates – Secretary Tony Wasley**

The Commission has requested that the Department provide regular project updates for ongoing projects and programs as appropriate based on geography and timing of meetings. These updates are intended to provide detail in addition to summaries provided as part of the regular Department report and are intended to inform the Commission and public as to the Department's ongoing duties and responsibilities.

Commission Regulations - Workshop – Public Comment Allowed

14* **Commission General Regulation 463, Duties of Person Transporting Vessel or Conveyance, LCB File No. R093-16 – Fisheries Division Administrator Jon Sjöberg and Wildlife Staff Specialist Karen Vargas – Workshop/Public Comment Allowed**

The Commission will hold a workshop to consider amending Chapter 488 of the Nevada Administrative Code (NAC). The change amends Chapter 488 of NAC by adding a new section that requires the owner, operator or person in control of any vessel or conveyance that is launched on any body of water in this State to drain the water from the vessel or conveyance and any equipment on the vessel or conveyance and also requires the owner, operator or person in control of a vessel or conveyance that has been taken out of any body of water in this State ensure that the drain plugs, drain

valves and any other devices used to control the draining of water remain open while transporting the vessel or conveyance on public roads in this State. The proposed regulation also amends language in NAC 488.520 to accommodate the changes above and remove repetitive language.

15* **Commission General Regulation 465, Antelope and Elk Waiting Periods, LCB File R141-16 – Management Analyst 3 Maureen Hullinger – Workshop/Public Comment Allowed**

The Commission will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code (NAC). Existing regulation allows a person to apply in any year for an antelope tag. If they receive an antelope tag for horns longer than ears and harvest an antelope they are in a waiting period of five years before they are eligible to apply again. Existing regulation for antlered elk allows a person to apply in any year if they did not receive a tag in the previous five years and did not harvest, it also stipulates a person is eligible to apply after 10 years if they harvest an antlered elk. The amendment to the regulation would standardize the waiting period for a person to be eligible to apply for each of the species after receiving a tag. Antelope waiting period after receiving a tag would be three years. Antlered elk waiting period after receiving a tag would be five years.

16* **Commission General Regulation 467, Special Assistance Permit, LCB File No. R105-16 – Chief Game Warden Tyler Turnipseed – Workshop/Public Comment Allowed**

The Commission will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code (NAC). Through Assembly Bill 136 of the 2015 Legislative Session, the Nevada State Legislature mandated the Board of Wildlife Commissioners to adopt regulations prescribing the circumstances under which a person may assist a licensed hunter with certain disabilities in the killing and retrieval of a big game mammal. The Commission held a workshop on this regulation change on August 12, 2016, where several changes were considered.

17* **Commission General Regulation 471, Closure of Truckee River to Motorized Vessels, LCB File No. R139-16 – Chief Game Warden Tyler Turnipseed – Workshop/Public Comment Allowed**

The Commission will hold a workshop to consider amending Chapter 488 of the Nevada Administrative Code (NAC). Existing regulation sets forth certain bodies of water on which only vessels without motors are allowed and certain bodies of water on which only vessels without motors and vessels powered by electric motors are allowed. This regulation adds the Truckee River from the California-Nevada state line to the point where the river enters the Pyramid Lake Indian Reservation to the list of waters with such a restriction. This regulation also extends the exception to the restrictions to all such specified waters and to any vessel that is owned, operated and used for official purposes by a federal, state or local governmental entity, or any vessel operating pursuant to a permit for a marine event that is requested by a federal, state or local governmental entity.

18 **Public Comment Period**

Persons wishing to speak are requested to complete a speaker's card and present it to the recording secretary. Public comment will be limited to three minutes. No action can be taken by the Commission at this time; any item requiring Commission action may be scheduled on a future Commission agenda.

Saturday, September 24, 2016 – 8:30 a.m.

19 **Pledge of Allegiance, Call to Order, and Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Wallace**

20 **Approval of Agenda – Chairman Wallace – For Possible Action**

The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

21 **Member Items/Announcements and Correspondence – Chairman Wallace – Informational**

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22 **County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational**

CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.

Commission Regulations – For Possible Action/Adoption

23* **Commission Regulation 16 - 02, Amendment #1, Fishing Seasons and Bag Limits for March 1, 2016 through February 28, 2018 – Fisheries Division Administrator Jon Sjöberg – For Possible Action**

The Commission will consider Amendment #1 of the Fishing Seasons and Bag Limits for March 1, 2016, through February 28, 2018. The Department is proposing an amendment to the harvest limit for fish in that portion of the Truckee River from 1,000 feet below Derby Dam to the boundary of the Pyramid Lake Indian Reservation to be three game fish of which zero (0) may be trout (catch and release only) from February 1 through May 31, in Storey and Washoe Counties, and an amendment to change the harvest limit for trout in Lake Mohave and the Colorado River below Davis Dam to be five trout in Clark County.

Commission General Regulations – For Possible Action/Adoption

24* **Commission General Regulation 468, Bonus Point Transfer, LCB File R104-16 – Management Analyst 3 Maureen Hullinger – For Possible Action**

The Commission will consider amending Chapter 502 of the Nevada Administrative Code (NAC). Existing regulation provides for the accumulation of bonus points by a person who applies for certain drawings for tags required for hunting certain species. Such bonus points accumulate and give the person a mathematical advantage in subsequent drawings for a tag. Under existing regulations, a person who changes his or her state of residence may request a transfer of any accumulated bonus points to himself or herself as a resident or nonresident of this State, as appropriate. This

regulation change provides the authority to the Department to make such a transfer automatic upon the person's change of residence.

The Commission held a workshop on this regulation change on August 12, 2016. The Commission did not have any recommended changes and requested to consider adoption of this regulation at the September Commission meeting.

25* **Commission General Regulation 469, Truckee River Tackle Restriction, LCB File No. R094-16 – Fisheries Division Administrator Jon Sjöberg – For Possible Action**

The Commission will consider amending Chapter 503 of the Nevada Administrative Code (NAC). The change revises NAC 503.504 to require the use of certain types of fishing tackle in portions of the Truckee River. Only artificial lures with single barbless hooks may be used on the Truckee River from 1,000 feet downstream of Derby Dam to the Pyramid Lake Paiute Reservation boundary from February 1 through May 31 each year, to reduce incidental mortality of spawning adult Lahontan cutthroat trout.

The Commission held a workshop on this regulation change on August 12, 2016. The Commission did not have any recommended changes and requested to consider adoption of this regulation at the September Commission meeting.

26* **Commission General Regulation 458, Electronic Rifle Triggers, Caliber and Cartridge Length, and Smokeless Powder Restrictions, LCB File No. R144-15 – Chief Game Warden Tyler Turnipseed – For Possible Action**

The Commission will consider adopting an amendment to Chapter 503 of the Nevada Administrative Code (NAC). The proposed regulation amendment contains several changes. The first change will clarify the use of black powder substitutes that are considered smokeless powder. The second change would make it legal to hunt big game mammals with a handgun if the handgun uses a centerfire cartridge of .22 or larger [and has a barrel length of 4 inches or more]. The third change would make it unlawful to hunt a big game mammal with a rifle using a centerfire cartridge larger than .50 caliber or with a case length longer than 3 inches. The amendment would also make it unlawful to hunt a big game mammal with any firearm equipped with any sighting system using a computer or electronically controlled firing mechanism.

Two workshops have been held on this regulation change; one on January 29, 2016, and March 25, 2016. The Commission directed the Department to change "3.8 inches overall loaded length" to "3 inches case length," change ".46 caliber or larger" to "larger than .50 caliber," change the minimum legal handgun cartridge to "caliber .22 or larger," and change "electronic or computer controlled trigger" to "sighting system using a computer or electronically controlled firing mechanism." Another hearing was held on June 25, 2016; however, the Commission only allowed public comment, the Commission did not discuss the regulation.

- 27* **2016 Fire Related Emergency Antlerless Deer Hunts for Portions of Units 067 and 068 – Game Division Administrator Brian F. Wakeling and Eastern Region Game Division Supervisor Tom Donham – For Possible Action**
The Department will brief the Commission on the effects of the Hot Pot Fire in portions of Units 067 and 068 north of Battle Mountain and provide a description of conditions on critical mule deer winter range in the area. The Department plans to use antlerless deer hunts during fall 2016 to reduce deer abundance and subsequent deer mortality on the winter range and also lessen potential impacts to the remaining habitat. The Commission may vote to support the Department's action.
- 28* **Nevada Department of Wildlife License Simplification Strategy Update – Game Division Administrator Brian F. Wakeling – For Possible Action**
The Department has conducted substantial data analysis and public input since the effort to simplify hunting and angling license structures was initiated about one year ago. The Department will provide an overview of the information obtained to date, along with suggestions for bundled privileges and fees. The Commission may vote to support the Department's license structure proposal.
- 29* **Nevada Department of Wildlife Update of Guidelines for Harvest Management in Nevada – Game Division Administrator Brian F. Wakeling – For Possible Action**
The Department will provide an update on the status and process of refining the draft harvest guidelines for consideration by the Commission. The Department will provide a briefing on feedback received at public meetings held on August 24 - 26 and September 6 - 7, 2016 in Ely, Elko, Winnemucca, Las Vegas, and Reno. The Commission may provide the Department with direction regarding further development. The Department intends to provide the Commission with a final briefing on the Harvest Guidelines at their meeting in November.
- 30 **Future Commission Meetings and Commission Committee Assignments – Secretary Tony Wasley and Chairman Wallace – For Possible Action**
The next Commission meeting is scheduled for Nov. 18 and 19, 2016, 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.
- 31 **Public Comment Period**
Persons wishing to speak are requested to complete a speaker's card and present it to the recording secretary. Public comment will be limited to three minutes. No action can be taken by the Commission at this time; any item requiring Commission action may be scheduled on a future Commission agenda.

*Support material provided and posted to the NDOW website, and updates to support material will be posted at ndow.org. Support material for this meeting may be requested from Recording Secretary Suzanne Scourby at (775) 688-1599; supporting material for this meeting is available for the public at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada, 89511. In accordance with NRS 241.020 this agenda closes three days prior to the meeting date and has been posted on the NDOW website at NDOW.org and at the following Department of Wildlife offices: 1100 Valley Road, Reno, NV, 89512; 380 W. "B" Street, Fallon, NV, 89406; 815 E. Fourth Street, Winnemucca, NV 89445; 60 Youth Center, Elko, NV, 89801; 1218 N. Alpha Street, Ely, NV 89301; 744 S. Racetrack Road, Henderson, NV 89015; and 4747 W. Vegas Dr., Las Vegas, NV, 89108.

Notice to the Public: Nevada Department of Wildlife receives Federal Aid in Fish and/or Wildlife Restoration. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, sex, or disability. Individuals with hearing impairment may contact the Department at 775-688-1500 via a text telephone (TTY) telecommunications device by first calling the State of Nevada Relay Operator at 1-800-326-6868. Disabled individuals in need of special services should contact the Department prior to the meeting at (775) 688-1599.