



Clark County Advisory Board to Manage Wildlife

MEETING MINUTES

Date: November 5, 2014
Location: Clark County Government Center
OPC Classroom 3
500 S. Grand Central Pkwy.
Las Vegas, NV 89155-1111

Time: 5:30 pm

Board Members Present: Paul Dixon, Chair (by phone) J. Michael Reese, Vice Chair
Brian Patterson Joe Luby William Stanley John Hiatt

The agenda for this meeting was posted in the following locations;

- Nevada Department of Wildlife, 4747 West Vegas Drive, Las Vegas, Nevada, 89107;
- Clark County Government Center, 500 Grand Central Parkway, Las Vegas, Nevada, 89108;
- City of Henderson, City Hall, 240 Water Street, Henderson, Nevada, 89015;
- Boulder City, City Hall, 401 California Avenue, Boulder City, Nevada, 89005;
- Laughlin Town Manager's Office; 101 Civic Way, Laughlin, Nevada, 89028;
- Moapa Valley Community Center, 320 North Moapa Valley Road, Overton, Nevada, 89040;
- Mesquite City Hall, 10 East Mesquite Boulevard, Mesquite, Nevada, 89027.

Date: September 3, 2014

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1. Call to Order

- The meeting was called to order at 5:30 pm by Vice Chairman Reese.
- Roll call of Board Members was performed by Stacy Matthews. A quorum was present.

2. Pledge of Allegiance

- Vice Chairman Reese requested all stand and led the attendees in the Pledge of Allegiance.

3. Approval of Minutes of September 9, 2014 CCABMW Meeting (*FOR POSSIBLE ACTION*)

- Vice Chairman Reese asked the Board and attendees for any comments or corrections.
- Hearing none, a motion was made and seconded to approve the Minutes of the Board Meeting held on September 9, 2014 as written. The motion passed unanimously.

4. Approval of Agenda for November 5, 2014 – (*FOR POSSIBLE ACTION*)

- Vice Chairman Reese introduced this topic and asked for comments on the proposed Agenda.
- Hearing none, a motion was made and seconded to approve the Agenda for the November 5, 2014 Board Meeting as written. The motion passed unanimously.

Unless otherwise stated, items may be taken out of the order presented on the agenda, and two or more items may be combined for consideration. The Board may also remove an item from the agenda or delay discussion relating to an item at any time.

5. **CAB Member Items/Announcements/Correspondence: (Informational):** Clark County Advisory Board to Manage Wildlife (CCABMW) members may present emergent items. No action may be taken by the CCABMW. Any item requiring CCABMW action will be scheduled on a future CCABMW agenda. CCABMW board members may discuss any correspondence sent or received. (CCABMW board members must provide hard copies of their correspondence for the written record).
 - Brian Patterson announced that there is a sheep capture in progress in the Muddy Mountains. Law Enforcement announced that 6 elk were poached in Lincoln County last month. In a Las Vegas Review-Journal article, July 1 through October 3 NDOW had captured 42 black bears and released all but 2 habitual trouble bears, and an additional 10 bears were hit by cars in the Tahoe Basin. Willow Beach Hatchery will install a floating intake saving over \$8M from earlier project estimates.
 - Bill Stanley asked for a future agenda item regarding possible Conceptual Management Plan for the Spring Mountains similar to the Overton CMP.
 - John Hiatt shared that latest evidence indicates that the *Mycoplasma ovipneumoniae* found in a game preserve in California may have originated in Southern Nevada.
 - Vice Chairman Reese introduced new board member Joe Luby who shared his background in hunting and fishing.
 - Vice Chairman Reese noted NDOW has new Deputy Director, Jack Robb. Paul Valentine is the new member on Wildlife Commission. He highlighted two articles 1) Maine bear hunt bill passed 2) Mississippi voters passed right to hunt and fish to state constitution. Vice Chairman Reese noted that there were almost 500 shooters at the Clark County Shooting Park last month. Las Vegas Woods & Water will have a shoot November 15th at the CCSP.
 - Bill Stanley noted that the Union Sportsmen's Alliance held their annual clay target shoot at the CCSP as a fund raiser for Silver State Clay Breakers.
6. **Recap of Fallon August Commission Meeting Actions (Informational)** – A recap of actions taken by the Wildlife Commission will be compared to Clark Recommendations.
 - Vice Chairman Reese introduced this topic and asked Chairman Paul Dixon to provide an overview.
 - Chairman Paul Dixon was unable to discuss as he was travelling and left his notes in Las Vegas.
 - Bill Stanley provided some background as to why items from the previous Commission Meeting agenda appear again on the agenda for the upcoming meeting.
 - Jana Wright reminded the CAB that the barbeque was held Friday night so the work shops were held on Saturday therefore several agenda items were not voted on at the last Commission meeting.
7. **Special Incentive Elk Tag Arbitration NAC Issues (Informational)** The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about a draft a new version of NAC 502.42283 that provides pursuant authority set forth in NRS 502.142 that the Commission shall appoint or serve as the arbitration panel and have the discretion to set the procedure in which the arbitration proceeds under Commission's authority.
 - This item was discussed at the September 9th CCABMW meeting and in a unanimous vote (5:0), the Clark CABMW fully supports moving the elk arbitration process to the Commission level.
8. **Commission General Regulation 439, Water Ski Towable Device, LCB File No. R108-14 (Informational)** The Clark CABMW board will review, discuss and make recommendations to the

Nevada Board of Wildlife Commissioners about a regulation relating to watercraft. This regulation is to clarify what is considered a towed device behind a vessel or restricted areas closed to water skiing for public safety in high use areas, narrow channels or certain water bodies not large enough to accommodate the activity. The regulation will clarify what type of device can be towed behind a vessel. It will further clarify what areas are restricted to water skiing for public safety in high use areas, narrow channels and in certain water bodies that are too small to accommodate the activity.

- This item was discussed at the September 9th CCABMW meeting and in a unanimous vote (5:0), the Clark CABMW fully supports the regulation as presented.

9. Commission General Regulation 444, Laughlin Fishermen’s Access, LCB File No. R086-14

(Informational) The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about a regulation relating to watercraft that will prohibit swimming or bathing around a dock or boat ramp or using a dock or boat ramp to swim or bathe; and docking a vessel or otherwise trespassing in a prohibited area at Laughlin Fishermen's Access. The regulation addresses safety concerns of people swimming and/or bathing in a heavily congested boating area. The regulation will reduce potential injuries which may include prop injuries, vessel collisions and trauma injuries incurred by vessel striking users in a swimming and/or bathing in the launch area and will prohibit trespassing or docking in prohibited areas, allowing the area available for emergency vessel use at Laughlin Fishermen’s Access.

- This item was discussed at the September 9th CCABMW meeting and in a unanimous vote (5:0), the Clark CABMW fully supports the regulation as presented.

10. Commission General Regulation 435, Archery Cleanup, LCB File No. R107-14 *(Informational)*

The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about a regulation relating to hunting; authorizing the Department to issue an archery disability permit to a person with a permanent disability; revising the definition of “longbow” for certain purposes; revising the circumstances under which a person may use a crossbow to hunt a big game mammal or a bow to hunt a game mammal or game bird; authorizing a person to use a scope permit during a type of hunt that is restricted to bows; and providing other matters properly relating thereto. The regulation will allow for the use of crossbows in archery seasons for hunters with specific disabilities and clarifies archery equipment legal for any bow hunter in an archery season.

- This item was discussed at the September 9th CCABMW meeting and in a unanimous vote (5:0), the Clark CABMW fully supports the regulation as presented.

11. Commission General Regulation 449 – LCB File No. R111-14 - Tannery/Taxidermist

(Informational) The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about a regulation relating to taxidermy; authorizing a taxidermist who receives a taxidermic item from another taxidermist to maintain certain records in lieu of maintaining a record of the number of the tag, seal or permit for the taxidermic item; and providing other matters properly relating thereto. The Commission will hear a regulation relating to taxidermy; authorizing a taxidermist who receives a taxidermic item from another taxidermist to maintain certain records in lieu of maintaining a record of the number of the tag, seal or permit for the taxidermic item; and providing other matters properly relating thereto. The regulation clarifies the licensing requirements for tanneries by including the activities licensed as a taxidermist and will reduce the amount of record keeping taxidermists must complete when receiving hides, pelts or other wildlife parts from another taxidermist. The regulation was requested through a petition accepted by the Commission.

- This item was discussed at the September 9th CCABMW meeting and in a unanimous vote (5:0), the Clark CABMW fully supports the regulation as presented.

12. Action Items:

Discuss & make recommendations regarding the following Action Items from the Board of Wildlife Commissioners November 14th and 15th, 2014 Agenda and additional items brought forth to the Clark CCABMW from the public for discussion. CCABMW agenda & support materials are available upon request to Stacy Matthews (702) 455-2705 or smatthews@co.clark.nv.us. The final Commission agenda & support at http://www.ndow.org/Public_Meetings/Commission/Agenda/

- A. Commission General Regulation 453, First Come First Serve Bonus Point Program Amendment, LCB File No. R113 - 14 (For Possible Action)** The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about a regulation relating to wildlife; regarding making an exception in the bonus point program and not have the loss of bonus points occur in the bonus point categories if the applicant is successful in the “first come, first serve” draw for a tag; and providing other matters properly relating thereto.
- Vice Chairman Reese introduced.
 - Brian Patterson stated that he feels this is a good idea and is in favor of the regulation.
 - Bill Stanley has a concern about a party vs. an individual.
 - Vice Chairman Reese responded to Bill Stanley's concern, and then opened the floor to public comment.
 - Hearing no public comment, Vice Chairman Reese stated that he too is in favor of the regulation.
 - A motion was made and seconded to recommend approval of the amendment as written. Motion passed unanimously (6:0).
- B. Commission General Regulation 454 (Temporary LCB file) - Firearm Carry During Archery Hunt (For Possible Action)** The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about a regulation relating to the carry of a firearm in the field while hunting under archery regulations. The regulation will change NAC 503.144 to allow the carry of personal protection handguns while archery hunting. This will be a temporary regulation that will require Legislative Commission approval to become permanent after the 2015 Session of the Nevada Legislature. This regulation is in response to a proposed bill draft request from Nevada Assemblyman John Ellison and input from sportsmen to allow the carry of firearms while bow hunting for protection from potential criminal activity and wildlife attacks.
- Vice Chairman Reese introduced this item and provided his understanding of the proposed regulation.
 - Lt. Mike Maynard added further clarification regarding gun calibers.
 - Brian Patterson asked if there have been incidents where the handgun was used during archery hunt to harvest animal.
 - Lt. Mike Maynard could not cite any particular incident but it is potentially possible.
 - Vice Chairman Reese asked if this is in response to growth in number of Concealed Carry permits.
 - Lt. Mike Maynard was not sure of the motivation for this regulation.
 - Brian Patterson expressed some discomfort with allowing firearms in an archery hunt.
 - Bill Stanley asked if there have been incidents of hunter being accosted in the field.
 - Robert Gaudet noted there have been incidents.
 - Lt. Mike Maynard has experience with hunters being confronted in the field with varying degrees of aggression.

- Chairman Paul Dixon speculated that a hunter that gets too close to a hidden marijuana crop could be accosted by someone protecting the crop.
- John Hiatt cannot support this regulation. Feels it is nonsensical considering you already have a bow and arrow.
- Joe Luby stated that he does not see why this was not in place already or why there is a restriction on caliber.
- Neil Dille agrees with Joe Luby's statement. If you have malice in your heart you will be likely to use any handgun.
- Ralph Willits stated that a bow is not usable for personal protection. He endorses adoption of this regulation.
- Vice Chairman Reese is in favor of having personal protection, particularly in the case of hidden grow farms.
- Chairman Paul Dixon agreed with Joe Luby. He agrees with the concept of the regulation but disagrees with restricting caliber.
- Joe Luby pointed out, as a former police officer, from a law enforcement standpoint, if a game warden sees a hunter carrying a sidearm he has to get a hold of the firearm to determine the caliber, if there are caliber restrictions. That can be a dangerous encounter.
- A motion was made and seconded to recommend approval of the proposed regulation without the restriction on firearm caliber. Motioned passed Yeas: 4 Nays: 2 (Bill Stanley and John Hiatt). One board member felt having handgun can lead to potential abuse issues. Not allowing hand guns at all would totally avoid there being misuse issues. One board member felt having a handgun violated the intent of a true archery hunt.

C. Commission General Regulation 416, Shed Antlers, LCB File No. R155-12 *(For Possible Action)* The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about a regulation relating to shed antlers; allowing a person to take shed antlers from the field during an open season and providing other matters properly relating thereto. The regulation prohibits collecting shed antlers from the field from Jan. 1 – April 14, therefore allowing collection of sheds from the field April 15 – Dec. 31. The Nevada Board of Wildlife Commissioners conducted workshops on Jan. 31 and March 21, 2014, and action was taken to approve the regulation on March 22, 2014 at the NBWC meeting. The regulation was heard before the Legislative Commission on June 23, 2014, and was deferred to the agency to add language to add an exemption for private landowners.

- Vice Chairman Reese introduced this item.
- Brian Patterson supports making Nevada similar to neighboring states.
- Bill Stanley noted that this change to the regulation is to allow a landowner to collect.
- Lt. Mike Maynard clarified that this permits landowner, landowner's immediate family, and employees to collect shed antlers.
- John Hiatt noted that the main intent of the original regulation is to stop systematic large scale collection to the detriment of wildlife in the area. He feels that there should be no problem if a juvenile picks up a shed antler when it's not in season.
- Lt. Mike Maynard stated that juveniles have not been and will not be cited for picking up an antler.
- Vice Chairman Reese asked if this change extends to someone with grazing rights.
- Lt. Mike Maynard the wording is specific: landowner, immediate family and employees. Someone with grazing rights is not legally allowed to collect shed antlers.
- Joe Luby proposed being specific on ages and the number of antlers in possession.
- Robert Gaudet expressed praise for NDOW officers and their practice in the field. He trusts their discretion.

- Bill Stanley noted that this regulation originated in the CABs with zero tolerance, but now this change is opening to exceptions. He accepts the provision for allowing landowners the right to collect at any time but feels there should be zero tolerance for anyone else.
- Jalindo Tiberti noted that the animals in Nevada are owned by the State, but the antlers that fall off are not. Bill Stanley disagreed.
- Jana Wright noted the reason this change was added to the original regulation was because members of the Legislative Committee would not approve without landowner rights.
- Motion made and seconded to recommend approval of the proposed regulation as written.
- John Hiatt noted his concern for the use of the term "zero tolerance". He is much more comfortable with the statements made by Lt. Mike Maynard than the concept of zero tolerance.
- The motion passed Yeas: 5 Nays: 1 Joe Luby. One board member wants the regulation to be more liberal and felt by adding language to say collection of up to 1 or 2 antlers per day was not illegal at any time of the year. This would remove law enforcement discretion for someone caught with 1 or 2 antlers out of season.

D. 10 min break

E. Commission Regulation 15 - 02 Taking of Raptors for Falconry for 2015 - 2016 (*For Possible Action*) The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about the 2015 - 2016 season dates, species, quotas, limits, closed areas, application procedures and deadlines, and take for raptors for falconry.

- Vice Chairman Reese introduced this item.
- John Hiatt feels the regulation should not allow unlimited numbers of birds to be collected.
- Chris Tomlinson, NDOW, while it says unlimited, no falconer takes large numbers of birds.
- John Hiatt is also concerned with allowing birds to be taken at any hour of the day or night. He is concerned that taking birds from the nest at night can cause adults to injure the young.
- Joe Barnes, NDOW, is not aware of the intent of allowing any hour collecting, but when the birds meet the age requirements, the adults are rarely at the nest anyway.
- Brian Patterson asked how many falconers in Nevada? Chris Tomlinson answered about 20.
- Brian Patterson asked why make the take unlimited if there are only 20 falconers in the State. Why not 50 or 100?
- Chris Tomlinson noted that they have been working with the falconers to set a realistic regulation.
- Joe Barnes clarified that each falconer can have at most 2 permits for one bird. A Master Falconer can have at most 3 birds. The "unlimited" refers to the number of Falconers drawing permits in the State, not the number of birds a Falconer can take.
- Brian Patterson asked how law enforcement knows that the Red-Tailed Hawk a Falconer has is the same one they have had before.
- Joe Barnes stated that US Fish and Wildlife regulates birds. Birds used to be banded, but that was changed a few years back. Nevada is trying to comply with US Fish & Wildlife to permit falconry in the State.
- Vice Chairman Reese commended NDOW working with the Falconers to develop this regulation.
- Paul Roundy noted that taking a Raptor without a permit is a violation of federal law.
- A motion was made and seconded to recommend approval of the proposed regulation as written. Motion Passed Yeas: 5 Nays: 1 Brian Patterson. One board member felt allowing unlimited permits was wrong and did not support the regulation.

F. Commission Regulation CR 15 - 03 Noncommercial Collection of Reptiles and Amphibians for 2015 - 2016 (*For Possible Action*) The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about the 2015 - 2016 season and limits for noncommercial hobby collecting of live, unprotected reptiles and amphibians.

- Vice Chairman Reese introduced this item.
- John Hiatt stated that he doesn't see how this regulation is enforceable.
- Chris Tomlinson noted that this is directed toward the hobby collector vs. a commercial collector. It sets collection and possession limits.
- John Hiatt asked if this is a problem, has NDOW ever stopped someone in the field.
- Lt. Mike Maynard replied yes they have. Southern Nevada (Clark County) is one of the areas where commercial collectors operate.
- Stephanie Myers asked if there is a market for collected reptiles.
- Lt. Mike Maynard replied yes. Chuckwallas could go for \$50 or more.
- Joe Barnes, NDOW over last 10 years, approx 12k per year collected. Chuckwallas can get \$250-\$500 in Germany.
- Paul Roundy noted that as a kid growing up in Southern Nevada, he and his friends would catch lizards, etc., and have maybe 4 or 5 at a time. If the limit is two, what does that mean to a child?
- Chris Tomlinson limit is mostly 2 per species, with some of the more common species having a higher limit of 5.
- Jalindo Tiberti noted that collectors go where collecting is easy. They don't make a lot of money per animal, and gas is expensive.
- Joe Luby asked if limits were arbitrary or scientific.
- Joe Barnes limits were somewhat arbitrary, but were scaled to protect rare species.
- A motion was made and seconded to support the proposed regulation as written. Motion passed unanimously (6:0).

G. Fiscal Year 2014 - 2015 Big Game Release Plan Amendment (*For Possible Action*) The Clark CABMW board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners to amend the Fiscal Year 2014 - 2015 (through June 2015) Big Game Release Plan to add a California bighorn augmentation for the Massacre Rim in Washoe County.

- Vice Chairman Reese introduced this item.
- Brian Patterson noted this is just adding 20 sheep to Massacre Rim unit.
- John Hiatt asked what the horse population is in that area and what is the habitat like?
- Joe Barnes cannot speak specifically for the habitat in that area.
- Brian Patterson read from the proposed amendment that the habitat should support the additional sheep.
- Vice Chairman Reese asked, in light of the added ewe hunts and moving sheep to other states, how is it that there is now space for 20 additional sheep in Massacre Rim?
- Brian Patterson said that it's great that there's someplace else to put some sheep, so let's do it.
- Joe Luby noted that the background material stated that this release was planned for the Coleman Rim, but they had a wildfire there, so the release had to move to another location.
- Jalindo Tiberti (representing the Fraternity of the Desert Big Horn) the FDBH is in favor of this plan.
- A motion was made and seconded to recommend approval of the Release Plan as written. Motion passed unanimously (6:0).

13. Public Comment: Members of the public who wish to address the Board may speak on matters within the jurisdiction of the Clark County Advisory Board to Manage Wildlife. No action may be taken on a matter not listed on the posted agenda. Any item requiring Board action not on this agenda

may be scheduled on a future agenda. Public comments on posted agenda items will be allowed at the time the agenda item is considered before the Board takes any action on the item. Comments will be limited to three minutes. **NOTE: Please complete the Public Comment Interest - Card and submit to Chairman Dixon.**

- Jana Wright asked that Board Members cite the source and date of any articles they read or refer to.
- Robert Gaudet noted that there is a turkey shoot this weekend at CCSP as fundraiser for homeless veterans.
- Jana Wright video conference for commission meeting is at CSN, Cheyenne Campus.

14. Authorize the Chairman to prepare and submit any recommendations from today's meeting to the Commission for its consideration at its November 14th and 15th meeting in Reno, Nevada.
(For Possible Action)

- A motion was made and seconded to authorize the Chairman to prepare and submit any recommendations from today's meeting to the Commission. Motion passed unanimously (6:0).

15. The next Clark County Advisory Board to Manage Wildlife meeting is scheduled for February 3rd 2015 at the Clark County Government Center to support the scheduled Wildlife Commission meeting on February 6th and 7th in Reno, Nevada.

16. Adjournment

- Meeting was adjourned at 7:21 pm