

DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE
Minutes of the December 2, 2013 Meeting

The DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE was scheduled for 5:30 p.m. on MONDAY, DECEMBER 2, 2013 in the CVIC HALL 1602 ESMERALDA AVE, MINDEN, NEVADA.

MEMBERS PRESENT: Craig Burnside, Vice Chairman
Michael Turnipseed
Bob Pohlman
Wes Emery

MEMBER ABSENT: Bob Cook, Chairman

STAFF: Lorraine Diedrichsen, Recording Secretary

CALL TO ORDER

Vice Chairman Burnside called the meeting to order at 5:30 p.m. and determined a quorum was present. Noted was the excused absence of Chairman Cook.

ROLL CALL AND INTRODUCTIONS

Vice Chairman Burnside thanked Mr. Marshall Goldy, Mr. "Nevada" Jim Ornellas, and Mr. Jerad Lees for attending.

APPROVAL OF AGENDA

MOTION by Turnipseed/Emery to approve the agenda as presented; carried with Cook absent.

ACTION ON APPROVAL OF MINUTES – July 30, 2013

Approval of the minutes was tabled until the January meeting since they were agendized incorrectly.

PUBLIC COMMENT

There was no public comment.

ADMINISTRATIVE AGENDA

- 1. FOR POSSIBLE ACTION. DISCUSSION REGARDING THE ACTIVITIES OF THE TRI-COUNTY WILDLIFE WORKING GROUP.**

The group has not met therefore there was no report.

No public comment.

2. UPDATE (INFORMATIONAL ONLY) ON THE BI-STATE SAGE GROUSE.

Mr. Pohlman stated a Bi-State Working Group meeting will be held on December 3, 2013. Anyone interested in taking part in the meeting but is unable to attend can dial into the meeting by calling 888-844-9904-Passcode-4777455. He quickly reviewed the agenda for the meeting.

Also discussed were the discrepancies between what was recommended and what ended up on the Federal Registry.

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

Due to the absence of the Chairman, no report was provided.

4. DISCUSSION ONLY ON UPCOMING ADVISORY BOARD VACANCIES.

Vice Chairman Burnside noted there are no vacancies for 2014 for the Douglas County Advisory Board to Manage Wildlife.

5. The following items, 5a through 5l, are items that will be heard before the Nevada Board of Wildlife Commissioners at the next meeting, December 6 & 7, 2013 at the City of Reno, Council Chambers, 1 East First Street, 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.

5a–5l. DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER THE DOUGLAS COUNTY ADVISORY BOARD SHOULD TAKE A POSITION ON:

5a. FOR POSSIBLE ACTION. DISCUSSION ON PETITION SUBMITTED BY JARROD MESLOH OF NEVADA TANNERY. Jarrod Mesloh of Nevada Tannery has submitted a petition to the Commission with the stated purpose: “Tannery’s and wholesale providers to taxidermists are subject to and regulated like retail taxidermists.” The Commission may accept the petition and initiate regulatory action or deny the petition.

Vice Chairman Burnside thought it was unclear what is being requested.

Mr. Emery explained how the process currently works.

PUBLIC COMMENT

Jerad Lees thought the intent was to deregulate it. He believes the petition indicates it places an undue hardship on the businesses with the required paperwork, licensing, and permitting fees.

Marshall Goldy thought this was ambiguous too.

Public comment closed.

The consensus of the Board was to take no action on this item.

5b. FOR POSSIBLE ACTION. DISCUSSION ON PETITION SUBMITTED BY TRAVIS E. BERTRAND. Travis E. Bertrand has submitted a petition to the Commission to “allow Blackhorn 209 powder during muzzleloader seasons.” The Commission may accept the petition and initiate regulatory action or deny the petition.

Mr. Emery thought this was similar to Triple 7 or Pyrodex but might be hotter.

PUBLIC COMMENT

Marshall Goldy explained this product is a black powder substitute. It is a relatively new product and was not listed and this is requesting it be listed with Triple 7 or Pyrodex.

Jerad Lees added the Department does not like this powder and there is a dispute that the information the Department provided was inaccurate so the manufacturer is coming back to correct that.

Public comment closed.

The consensus of the Board was to take no action on this item until more is known about this product.

5c. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY #23, PREDATION MANAGEMENT. In accordance with Commission Policy #1, the Commission will conduct a second reading of Commission Policy #23, Predation Management, and may take action to adopt the policy.

PUBLIC COMMENT

Jerad Lees read from the policy (page 5, paragraphs 3 and 4) and said his main concern is with the “the Commission may make recommendations to the Department on all projects”. Nowhere does it state the Commission has to approve the projects and that is eliminating some of the power of the Commission. He cited the language relating to the Commission determining the order of priority for funding but said it does not give them the power of funding.

Vice Chairman Burnside thought it appeared the Commission would recommend approval of all projects if there was adequate funding. A draft plan is developed and there is ample opportunity to provide input on it before the final plan is approved. Also this could provide the ability to do an unidentified project without going back to the Commission if an emergency need arose.

Public comment closed.

Mr. Turnipseed added comments will be taken from the stakeholders and others before they develop the final plan.

Vice Chairman Burnside requested the DCABMW member that attends this weekend's meeting raise the concern about some of the language possibly watering down the Commission's authority by only making recommendations to the Department.

"Nevada" Jim Ornellas stated concerns with there being no definition for what a predator is and no classification for one. There was one in the past but it was changed some time ago. There is a predator management policy but no definition for one or what is listed as a predator. They are collecting predator control fees and they have a predator control agency yet no predators are listed. The lion, coyote, and bobcats were reclassified once NDOW removed the word "predator" and could require licenses, tags, and permits for them. He discussed his past petition requests and said it has never been agendized or presented. NRS requires wildlife to be classified. This is an important issue.

Vice Chairman Burnside pointed out there are three broad classifications: protected, non-protected, and game animals. A predator is something that feeds on something else. He read from Policy 23 regarding predation management and its definition.

Mr. Ornellas talked about the predator control fees collected and the federal money it generates for NDOW. Changing the classification for the lion, the worst predator we have, was wrong.

Vice Chairman Burnside pointed out predators can be game animals too.

Public comment closed.

Mr. Emery stated these same concerns were raised during public comment at the last Commission meeting. This is a two sided issue; they make money off the mountain lions tags but if they are reclassified as a predator then they cannot be classified as a game animal in the Boone & Crockett book.

According to Hunt Nevada, Vice Chairman Burnside said 3400 mountain lion tags were issued last year.

Mr. Emery pointed out the tags are easier to get yet the quota for them was lowered this year because the quota has never been filled.

Vice Chairman Burnside said this item is about the policy. This policy would put a process in place that has timelines every year where the plan has to be submitted, publicly vetted, and approved by a certain meeting every year. With that he supports Policy 23.

MOTION by Pohlman/Turnipseed to support Policy 23, Predation Management; carried with Cook absent.

5d. FOR POSSIBLE ACTION. DISCUSSION ON ELK HUNT MANAGEMENT STRATEGIES. The Department is considering new elk hunt management strategies to include: removal of depredation hunts from the bonus point program; antlerless elk management tag awarded when a deer tag is drawn within specified units; antlerless elk management tag awarded when an antlered elk tag is drawn; allow applications for both antlered elk and antlerless elk in the same draw period; and implementation of spike hunts. The Commission will hear an associated report from the Department regarding the guidelines for these proposals, and County Advisory Boards will have an opportunity to comment and make recommendations regarding the application eligibility options presented.

Vice Chairman Burnside suggested taking each of the Strategies individually and receive public comment on them individually. He read each and the associated proposals as they came to them.

Strategy 1

The Board members agreed bonus points should not be awarded for depredation hunts.

PUBLIC COMMENT

While he does not have any depredation points, Jerad Lees is okay with this but is concerned with how this will affect the people that do.

Public comment closed.

MOTION by Emery/Turnipseed to support Strategy 1; carried with Cook absent.

Strategy 2

The Board indicated they supported the general program under Strategy 2 and would vote individually on the eligibilities within it.

The suggestion was raised that there should be an over the counter cow tag in the areas where there is a desire to decrease the population.

Vice Chairman Burnside said the areas have not been identified but if there is an area where they want to decrease the elk population then they have that option. You would have to pay for the deer tag and the antlerless tag if both were drawn.

Vice Chairman Burnside read the associated eligibility options into the record and the Board provided their input on each of them. He pointed out none of the options include drawing for the people that only put in for elk tags first and then put whatever is left of the quota into the deer tag; to him, that is the best option to eliminate the concerns raised.

- Strategy 2a - No public comment. Mr. Turnipseed thought the goal is to reduce the number of elk so option 2 was a good way to accomplish that. MOTION by Emery/Turnipseed to

support the guidelines of Strategy 2a-option 2; carried with Cook absent.

- Strategy 2b - PUBLIC COMMENT - Jerad Lees supports option 3 because he believes you should only be able to draw one elk tag period. Marshall Goldy supports option 3. Public comment closed. MOTION by Turnipseed/Pohlman to support Strategy 2b-option 3; carried with Cook absent.
- Strategy 2c - PUBLIC COMMENT - Jerad Lees asked if they will call and ask what you want if this were to happen. Public comment closed. MOTION by Turnipseed/Emery to oppose Strategy 2c; carried with Cook absent.

Strategy 3

PUBLIC COMMENT

Jerad Lees does not see this working. If the goal is to kill cows, it will not happen this way.

Marshall Goldy does not support this.

Public comment closed.

The Board indicated disagreement with this proposal.

MOTION by Pohlman/Turnipseed to oppose Strategy 3; carried with Cook absent.

Mr. Turnipseed suggested having an either sex tag to allow a hunter to kill one elk.

Strategy 4

Mr. Pohlman asked how many of the bull hunters put in for the cow tag second draw. He thinks more people will be in the cow draw. He does not think people should be able to get 3 tags so that more people would have the opportunity to hunt.

PUBLIC COMMENT

While he does not like this whole thing, if this is supported, Jerad Lees supports option 5.

Public comment closed.

Mr. Emery supports this and indicated support for option 3. Mr. Turnipseed and Vice Chairman Burnside agreed.

MOTION by Emery/Turnipseed to support Strategy 4-option 3; carried with Pohlman voting Nay and Cook absent.

Strategy 5

Mr. Turnipseed does not support this.

Vice Chairman Burnside stated the timing sequence will be important. The antlered bull tag draw would have to happen first.

PUBLIC COMMENT

Jerad Lees likes this idea and thought doing it at the same time as the cow hunts would not stack more hunter pressure during the bull hunt but stated he had no favorite option.

Marshall Goldy asked where the proposal says they will draw the bull tags first. No one has said the options will take place after the bull tag drawing. Vice Chairman Burnside pointed out one of the Strategies does address timing but that is the only one.

Public comment closed.

Mr. Turnipseed supports option 5 if this is to happen provided the antlered elk draw happens first and no bonus points are lost if a spike is drawn. There could be a lot of mistaken bulls killed that are left to lie.

Mr. Emery does not support a spike hunt but if it is supported, he can accept option 5 with the hope the bull tag is drawn first.

MOTION by Turnipseed/Emery to oppose the spike hunt under Strategy 5; carried with Burnside voting Nay and Cook absent.

5e. FOR POSSIBLE ACTION. DISCUSSION ON ELK DAMAGE AND INCENTIVE COMMITTEE. An update will be provided on the status of exclusionary elk-proof fencing projects statewide and the proposed new antlerless elk landowner tag program as an additional tool to address elk damage on private property.

No public comment.

No position was taken on this item.

5f. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 436, LCB FILE NO. R089-13, RECIPROCAL LAKE MEAD, LAKE MOHAVE AND COLORADO RIVER FISHING LICENSES. The Commission may adopt a regulation relating to wildlife; revising provisions relating to licenses required for fishing in the reciprocal waters of the Colorado River, Lake Mead and Lake Mohave; and providing other matters properly relating thereto.

This regulation amends language making the requirement for a minor to fish in the Colorado River, Lake Mead and Lake Mohave system consistent with the rest of the state. Recent changes in Arizona fishing license requirements, and the Memorandum of Understanding under which both states administer reciprocal waters makes differential age requirements unnecessary.

No public comment.

MOTION by Turnipseed/Pohlman to support; carried with Cook absent.

5g. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 437, LCB FILE NO. R090-13, CREATING EWE HUNT. The Commission may adopt a regulation relating to wildlife; revising provisions relating to the assessment of demerit points for conviction of certain wildlife violations; establishing distinct tags for the hunting of ram and ewe bighorn sheep; and providing other matters properly relating thereto.

The request for regulation change to establish the authority for a ewe hunt will assist the Department in addressing concerns related to bighorn sheep population densities, disease events and water and resource impacts.

Mr. Turnipseed pointed out this is a two part item. He supports demerits for wildlife violations.

Mr. Emery is okay with a ewe hunt since some mountain ranges have too many. The state has worked so hard to get sheep on the mountain and now they want to kill ewes. We have not had a ewe hunt in a long time. He feels we should oppose this.

Both Vice Chairman Burnside and Mr. Turnipseed thought transplanting them to a place that does not have good ewe numbers is a better solution.

Vice Chairman Burnside added the process has timelines on an annual basis so he does not see how a disease event can be tackled with a ewe hunt.

If water is the limiting factor, Mr. Turnipseed said it would be better to build more guzzlers.

PUBLIC COMMENT

Mr. Ornellas stated a Bighorn Sheep is a Bighorn Sheep whether it is a ewe or a ram. Ewes have the same value as a ram-\$5000.

Marshall Goldy agreed with transplanting the sheep but understands that has a cost. If the sheep are hunted instead, money is made. It comes down to either spending money to relocate them to other areas or charge the sportsmen to hunt them and thin the population.

Jerad Lees asked if this is another example of slipping in demerits or is this to establish demerits associated with the ewe hunt. He does not like this idea.

Public comment closed.

Mr. Turnipseed said a yearling ram looks just like a ewe so people will leave them laying.

MOTION by Emery/Turnipseed to oppose a ewe hunt; carried with Cook absent.

Vice Chairman Burnside explained he voted the way he did because he does not want people mistakenly killing rams and leaving them; this inadvertently makes criminals out of honest people.

5h. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 438, LCB FILE NO. R091-13, BONUS POINT PROGRAM. The Commission may adopt a regulation relating to wildlife; providing an exception to the prohibition on the submission of applications for hunting tags and bonus points under certain circumstances; prohibiting the award of bonus points for depredation hunts and management hunts; providing for the award of bonus points in the categories of ewes of certain bighorn sheep; and providing other matters properly relating thereto.

The regulation amendment would provide the Commission the ability to determine species application eligibility in annual regulation to meet the Department's management needs. Additionally the exclusion of depredation and management hunts from the bonus point program is to promote harvest regardless of age or antler size. The premise being that an applicant with a high number of bonus points is more likely to trophy hunt once they draw a tag for these types of hunts. This regulation also addresses the bonus point category for ewe hunts if the hunt becomes established by the Commission.

No public comment.

Mr. Emery identified the depredation hunt areas.

No public comment.

MOTION by Emery/Turnipseed to eliminate the bonus point program on the depredation hunts for any species and not support the bonus point for the ewe hunt, if one is established; carried with Cook absent.

5i. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 431, LCB FILE NO. R054-13, AQUATIC INVASIVE SPECIES DECAL USE DEFINED. The Commission may adopt a regulation relating to watercraft; revising provisions properly relating thereto.

The regulation is needed to exempt certain government vessels and aligns the Aquatic Invasive Species decal regulation with the boating registration decal regulation; allows for less confusion with the public and statewide enforcement personnel and allows the Department to invalidate decals if appropriate fees are not paid.

Vice Chairman Burnside stated stickers would be obtained at the same time as the boat

registration. This is probably necessary clean up language.

No public comment.

MOTION by Turnipseed/Pohlman to support; carried with Cook absent.

5j. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 432, LCB FILE NO. R055-13, JIGGS FLATWAKE. The Commission may adopt a regulation relating to wildlife; revising provisions related to waters on which a reduced speed is required; and providing other matters properly relating thereto.

Currently Jiggs Reservoir has no special regulation limiting boating speed, but does prohibit water skiing. The reservoir is too small (max 45 surface acres) and shallow (max 10 feet) to safely accommodate water skiing and other high speed activities. The reservoir has not been maintained at full capacity for many years since water seeps from the permeable bottom soil. Nevada Department of Wildlife is currently sealing the bottom in order to increase the water level that will restore the trout and bass fisheries. Recreational fishing is the principal management for this reservoir. It is expected that jet ski use will increase as the water level increases and the agency feels that excessive speeds from jet skies and larger boats will become unsafe. Most users are expected to come from Elko, about 35 miles to the north. However, South Fork Reservoir is located 20 miles south of Elko, which has vast boating and jet skiing accommodations and use because of its large size (1,640 acres and depth of 67 feet).

No public comment.

MOTION by Pohlman/Turnipseed to support; carried with Cook absent.

5k. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 433, LCB FILE NO. R056-13, REMOVE FISHING TACKLE RESTRICTIONS. The Commission may adopt a regulation relating to fishing; removing Andorno Creek, Coleman Creek and the North Fork of Battle Creek from the waters restricted to use only artificial lures with single barbless hooks; and providing other matters properly relating thereto.

NDOW proposes to change the special fishing regulations (use of artificial lures and single barbless hooks only) for Andorno, Coleman, and North Fork Battle creeks to a general fishing regulation (any legal fishing method) for Humboldt County. These streams fall within of the Lahontan cutthroat trout (LCT) recovery program and fish populations have been restored and are self-sustaining. These streams are remote and receive very little angling use and, therefore, they are to the point that the public can now harvest some of these fish. Local public support for future LCT restoration may increase by allowing anglers to use less restrictive fishing tackle for catching a Nevada native fish.

PUBLIC COMMENT

Jerad Lees supports reducing regulations for fishing.

Public comment closed.

MOTION by Emery/Turnipseed to support the recommended removal of fishing tackle restrictions on those fisheries; carried with Cook absent.

5I. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 434, LCB FILE NO. R057-13, UNIT BOUNDARIES. The Commission may adopt a regulation relating to wildlife management areas and units; and providing other matters properly relating thereto.

Inconsistencies exist between the hunt units map and corresponding written boundary descriptions. This regulation legally describes wildlife management units throughout the state that are used for the management of wildlife species. The written description provides a legal basis for the enforcement of unit specific harvest regulations.

The Board agreed that the written description should match the map.

No public comment.

MOTION by Turnipseed/Emery to support; carried with Cook absent.

- 6. 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.**

Vice Chairman Burnside stated he received a packet from Mr. Ornellas.

- 7. DISCUSSION ON THE RESULTS OF THE SEPTEMBER 20 & 21, 2013 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS. There will be no action taken.**

Mr. Emery updated the Board on the discussions and next steps relating to the trail cameras.

This was a discussion only.

- 8. 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.**

Mr. Turnipseed will attend Friday's portion of the meeting.

Mr. Emery will attend Saturday's portion of the meeting.

- 9. FOR POSSIBLE ACTION. DISCUSSION TO SCHEDULE THE NEXT WILDLIFE ADVISORY BOARD MEETING.** The next Commission meeting is scheduled for January 31, & February 1, 2014, in Las Vegas, 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 Douglas County Advisory Board to Manage Wildlife meeting is tentatively scheduled for Tuesday, January 28, 2014.

Due to a scheduling conflict, the next meeting is tentatively scheduled for Monday, January 27, 2014.

- 10. 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 Working Group
- Bi-state sage grouse
- Reintroduction of Lahontan Cutthroat Trout

MOTION by Turnipseed/Emery to adjourn the meeting at 8:02 p.m.; carried with Cook absent.

The minutes of the December 2, 2013 meeting of the Douglas County Advisory Board to Manage Wildlife are so approved this 27th day January, 2014.

Bob Cook, Chairman