

DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE
Minutes of the September 22, 2015 Meeting

The Douglas County Advisory Board to Manage Wildlife meeting was scheduled for 5:30 pm on Tuesday, September 22, 2015 in the Douglas County Community Center, Carson Valley Medical Center Room, 1329 Waterloo Lane, Gardnerville, Nevada.

MEMBERS PRESENT: Craig Burnside, Chairman
Bob Cook, Vice Chairman
Mike Turnipseed
Robert Rittenhouse

MEMBER ABSENT: Wes Emery

OTHERS: Travis Hawks, NDOW Fisheries Biologist

CALL TO ORDER

Chairman Burnside called the meeting to order at 5:30 pm and determined a quorum was present. Noted was the absence of Member Emery.

ROLL CALL AND INTRODUCTIONS

Chairman Burnside introduced Travis Hawks, NDOW Fisheries Biologist, and Francis Marsh, member of the public.

PUBLIC COMMENT

Chairman Burnside informed the other members that the nomination period for the Wayne E. Kirch award was open. He requested the members consider any person who might be worthy of nomination and bring suggestions to the November meeting for submission to the judging panel by the November 16th deadline.

Public comment closed.

FOR POSSIBLE ACTION. APPROVAL OF AGENDA.

No public comment.

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

FOR POSSIBLE ACTION. APPROVAL OF MINUTES:

- **August 4, 2015**

MOTION by Cook/Rittenhouse to approve the minutes as presented; carried with Emery absent.

ADMINISTRATIVE AGENDA

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

For the public in attendance, Chairman Burnside provided a quick background on the makeup and purpose of the group. He noted the group is currently inactive.

The group has not met so there was nothing to report.

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

Member Rittenhouse provided an update on the August 25th tour of the Pine Nut and Buckhorn Mountains, which examined the work being done to remove Pinyon Juniper. An emphasis is being placed on private land water source partnerships in an effort to protect those water sources. He stated Sage Grouse Conservation will receive over \$2 million to continue projects.

Regarding the Greater Sage Grouse, he said firefighting strategies are shifting emphasis in priorities in order to protect the sage grouse and its habitat.

This was an update only.

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

Vice Chairman Cook stated the US Fish & Wildlife Service will be presenting the results of the LCT study completed at Lake Tahoe to the Douglas County Advisory Board to Manage Wildlife at its November meeting.

He stated Sudeep Chandra, UNR, along with other agencies, is working on a new project/study to look at the viability of making Emerald Bay, California, a fishery for LCT. Vice Chairman Cook stated support for doing this. Emerald Bay is a natural fishery and the fish there stay there; only 1% of the fish migrate in and out. Currently there is pressure to make Lake Tahoe an LCT fishery as it once was and he feels that will not work.

PUBLIC COMMENT

Travis Hawks, NDOW Fish Biologist, was not aware of this study. Without seeing the study his initial feeling is that it is good to have the focus on something that might be possible. He questioned what would happen in late May or early June when the rainbow trout in the Lake begin to spawn and go up to the tributary; the result could be hybrid fish.

He provided a brief background on a Tahoe Keys project where agencies are shocking the warm water fish in order to eliminate them from Lake Tahoe.

Public comment closed.

This was a discussion only.

4. **The following items, 4a through 4i, are items that will be heard before the Nevada Board of Wildlife Commissioners at the next meeting, September 25 & 26, 2015, at the University of Nevada Cooperative Extension, 8050 Paradise Road, Classrooms A & D, Las Vegas, 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.**

4a–4i. DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER THE DOUGLAS COUNTY ADVISORY BOARD SHOULD TAKE A POSITION ON:

4a. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 454, FIREARM CARRY DURING MUZZLELOADER AND ARCHERY HUNTS, LCB FILE NO. R007-15. The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to the carry of a firearm in the field while hunting under archery and muzzleloader regulations, including language changes from Assembly Bill 136 of the 78th Legislative Session. The regulation will change NAC 503.142 and 503.144 to allow the carry of personal protection handguns while archery and muzzleloader hunting. The regulation was in response to input from sportsmen and Assembly Bill 136 sponsor Nevada Assemblyman John Ellison to allow the carry of firearms while archery and muzzleloader hunting, for protection from criminal activity and wildlife attacks. A workshop on the temporary regulation was held on November 14, 2014, and adopted on February 7, 2015, at the Nevada Board of Wildlife Commission meetings. At the workshop the Commission discussed different alternatives to handgun carry restrictions and the needs for archers to carry a handgun during archery only season. The language was updated to reflect the changes requested by the Commission by allowing a person to carry any handgun that is not scoped and has a barrel length less than 8 inches. The language change clarified the type of handgun to be carried in the field during archery only season. Further language changes were added as a result of Assembly Bill 136 to also allow handgun carry during muzzleloader season. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and no further changes were made. *(This item is agendized as a Workshop on the Nevada Board of Wildlife Commissioners' Meeting Agenda)*

Please note: discussion on this item has been carried forward to item 4e as the item appears on the agenda first as a discussion item and later as an action item.

MOTION by Turnipseed/Cook to recommend approval of Commission General Regulation 454, LCB File No. R007-15;

PUBLIC COMMENT

Francis Marsh thinks the language “ A handgun which has a barrel length of less than 8 inches and is not equipped with a telescopic sight” is too broad. A person carrying a 38 will probably not be able to kill a bear. He feels the regulation should be a 41 or 44. 22s will not be effective either. He compared this regulation to the regulation in Idaho.

Public comment closed.

Chairman Burnside explained that there are few areas within Nevada that have bears. The primary impetus behind this is lion attacks. A 38 would be effective on a lion.

MOTION ; carried with Emery absent.

4b. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 455, TRAPPING QUESTIONNAIRE DEADLINE AND TRAPPING LICENSE VALID DATES, LCB FILE NO. R008-15. The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to trapping questionnaires and trapping license valid periods. The regulation will add language to specify the valid period of a trapping license as July 1 through June 30. The regulation amendment will also update the trapping questionnaire deadline language, changing the deadline from April 30 to May 31, making it consistent with other Department questionnaire language. The amendment includes adding authority for the Department to prohibit the purchase of a subsequent trapping license when a trapper fails to return a questionnaire. This amendment will allow the Department to administer the trapping questionnaire processes effectively in regard to the trapping seasons as established by the Commission, prohibiting sale of a trapping license until the previous years' questionnaire is provided. The regulation is intended to give trappers ample time to return their questionnaires but also provide an efficient license denial procedure if they fail to return their questionnaire. A workshop on the temporary regulation was held on November 14, 2014, and the temporary regulation was adopted on February 7, 2015, at the Nevada Board of Wildlife Commissioners meeting. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting where the word “may” on the last line of subsection 2, was changed to “shall” to eliminate ambiguity. *(This item is agendized as a Workshop on the Nevada Board of Wildlife Commissioners' Meeting Agenda)*

Please note: discussion on this item has been carried forward to item 4f as the item appears on the agenda first as a discussion item and later as an action item.

No public comment.

MOTION by Turnipseed/Rittenhouse to recommend approval of Commission General Regulation 455, LCB File No. R008-15; carried with Emery absent.

4c. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 456, SPECIAL INCENTIVE ELK ARBITRATION PANEL, LCB FILE NO. R031-15. The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to amending NAC 502.42283 by which the Commission may facilitate decisions by appointing or serving as the arbitration panel should arbitration of elk incentive tag awards become necessary; and other matters relating thereto. A workshop on the temporary regulation was held on March 20, 2015, and the temporary regulation was adopted on May 15, 2015, at the Nevada Board of Wildlife Commission meetings. An additional

workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and no further changes were made. *(This item is agendized as a Workshop on the Nevada Board of Wildlife Commissioners' Meeting Agenda)*

Please note: discussion on this item has been carried forward to item 4g as the item appears on the agenda first as a discussion item and later as an action item.

No public comment.

Having watched the Commission serve as the arbitration panel, Chairman Burnside feels it works well and it makes sense to shift the process.

MOTION by Turnipseed/Cook to recommend approval of Commission General Regulation 456, LCB File No. R031-15; carried with Emery absent.

4d. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 457, AWARDS, ISSUANCE, AND USE OF TAGS, LCB FILE NO. R030-15. The Commission will consider a permanent adoption of the temporary regulation which expires November 1, 2015, amending license issuance and use clarification for elk incentive tags. Elk incentive tags were designed to be issued in association with "bull" hunts and seasons. Subsequent to initial NRS and NAC adoption, "spike" hunts have been developed, and "antlered" tags do not clearly denote the appropriate quota or season for which the incentive tags are intended. The amended formula will account for the harvest of "spike" elk, but identify seasons for incentive tag use; and other matters relating thereto. A workshop on the temporary regulation was held on March 20, 2015, and the temporary regulation was adopted on May 15, 2015, at the Nevada Board of Wildlife Commission meetings. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and the definition of TSH was changed to read "The total number of spike elk harvested in spike-only hunts in the previous year in the unit of units within the management area or areas in which the private land is located." The new language inserted was "in spike-only hunts." This is to make clear that the TSH would be limited to the total number of spike elk harvested in a spike-only hunt. *(This item is agendized as a Workshop on the Nevada Board of Wildlife Commissioners' Meeting Agenda)*

Please note: discussion on this item has been carried forward to item 4h as the item appears on the agenda first as a discussion item and later as an action item.

No public comment.

Member Turnipseed explained that this is coming forward to clarify how the spike hunt affects the formula used to determine the issuance of special incentive elk tags.

MOTION by Turnipseed/ Cook to recommend approval of Commission General Regulation 457, LCB File No. R030-15; carried with Emery absent.

4e. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 454, FIREARM CARRY DURING MUZZLELOADER AND ARCHERY HUNTS, LCB FILE NO. R007-15. The Commission will consider permanent adoption of the temporary regulation which expires Nov. 1, 2015, relating to the carry of a firearm in the field while hunting under archery and muzzleloader regulations, including language changes from Assembly Bill 136 of the 78th

Legislative Session. The regulation will change NAC 503.142 and 503.144 to allow the carry of personal protection handguns while archery and muzzleloader hunting. The regulation was in response to input from sportsmen and Assembly Bill 136 sponsor Nevada Assemblyman John Ellison to allow the carry of firearms while archery and muzzleloader hunting, for protection from criminal activity and wildlife attacks. A workshop on the temporary regulation was held on November 14, 2014, and adopted on Feb. 7, 2015, at the Nevada Board of Wildlife Commission meetings. At the workshop the Commission discussed different alternatives to handgun carry restrictions and the needs for archers to carry a handgun during archery only season. The language was updated to reflect the changes requested by the Commission by allowing a person to carry any handgun that is not scoped and has a barrel length less than 8 inches. The language change clarified the type of handgun to be carried in the field during archery only season. Further language changes were added as a result of Assembly Bill 136 to also allow handgun carry during muzzleloader season. An additional workshop was held on Aug. 7, 2015, at the Nevada Board of Wildlife Commission meeting and no further changes were made.

Please note: discussion on this item has been carried forward from item 4a as the item appears on the agenda first as a discussion item and later as an action item.

MOTION by Turnipseed/Cook to recommend approval of Commission General Regulation 454, LCB File No. R007-15;

PUBLIC COMMENT

Francis Marsh thinks the language “ A handgun which has a barrel length of less than 8 inches and is not equipped with a telescopic sight” is too broad. A person carrying a 38 will probably not be able to kill a bear. He feels the regulation should be a 41 or 44. 22s will not be effective either. He compared this regulation to the regulation in Idaho.

Public comment closed.

Chairman Burnside explained that there are few areas within Nevada that have bears. The primary impetus behind this is lion attacks. A 38 would be effective on a lion.

MOTION ; carried with Emery absent.

4f. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 455, TRAPPING QUESTIONNAIRE DEADLINE AND TRAPPING LICENSE VALID DATES, LCB FILE NO. R008-15. The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to trapping questionnaires and trapping license valid periods. The regulation will add language to specify the valid period of a trapping license as July 1 through June 30. The regulation amendment will also update the trapping questionnaire deadline language, changing the deadline from April 30 to May 31, making it consistent with other Department questionnaire language. The amendment includes adding authority for the Department to prohibit the purchase of a subsequent trapping license when a trapper fails to return a questionnaire. This amendment will allow the Department to administer the trapping questionnaire processes effectively in regard to the trapping seasons as established by the Commission, prohibiting sale of a trapping license until the previous years' questionnaire is provided. The regulation is intended to give trappers ample time to return their questionnaires but also provide an efficient license denial procedure if they fail to return their

questionnaire. A workshop on the temporary regulation was held on November 14, 2014, and the temporary regulation was adopted on Feb. 7, 2015, at the Nevada Board of Wildlife Commissioners meeting. An additional workshop was held on August 7, 2015 at the Nevada Board of Wildlife Commission meeting where the word “may” on the last line of subsection 2, was changed to “shall” to eliminate ambiguity.

Please note: discussion on this item has been carried forward from item 4b as the item appears on the agenda first as a discussion item and later as an action item.

No public comment.

MOTION by Turnipseed/Rittenhouse to recommend approval of Commission General Regulation 455, LCB File No. R008-15; carried with Emery absent.

4g. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 456, SPECIAL INCENTIVE ELK ARBITRATION PANEL, LCB FILE NO. R031-15. The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to amending NAC 502.42283 by which the Commission may facilitate decisions by appointing or serving as the arbitration panel should arbitration of elk incentive tag awards become necessary; and other matters relating thereto. A workshop on the temporary regulation was held on March 20, 2015, and the temporary regulation was adopted on May 15, 2015, at the Nevada Board of Wildlife Commission meetings. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and no further changes were made.

Please note: discussion on this item has been carried forward from item 4c as the item appears on the agenda first as a discussion item and later as an action item.

No public comment.

Having watched the Commission serve as the arbitration panel, Chairman Burnside feels it works well and it makes sense to shift the process.

MOTION by Turnipseed/Cook to recommend approval of Commission General Regulation 456, LCB File No. R031-15; carried with Emery absent.

4h. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 457, AWARDS, ISSUANCE, AND USE OF TAGS, LCB FILE NO. R030-15. The Commission will consider a permanent adoption of the temporary regulation which expires November 1, 2015, amending license issuance and use clarification for elk incentive tags. Elk incentive tags were designed to be issued in association with "bull" hunts and seasons. Subsequent to initial NRS and NAC adoption, "spike" hunts have been developed, and "antlered" tags do not clearly denote the appropriate quota or season for which the incentive tags are intended. The amended formula will account for the harvest of "spike" elk, but identify seasons for incentive tag use; and other matters relating thereto. A workshop on the temporary regulation was held on March 20, 2015, and the temporary regulation was adopted on May 15, 2015, at the Nevada Board of Wildlife Commission meetings. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and the definition of TSH was changed to read

“The total number of spike elk harvested in spike-only hunts in the previous year in the unit of units within the management area or areas in which the private land is located.” The new language inserted was “in spike-only hunts.” This is to make clear that the TSH would be limited to the total number of spike elk harvested in a spike-only hunt.

Please note: discussion on this item has been carried forward from item 4d as the item appears on the agenda first as a discussion item and later as an action item.

No public comment.

Member Turnipseed explained that this is coming forward to clarify how the spike hunt affects the formula used to determine the issuance of special incentive elk tags.

MOTION by Turnipseed/ Cook to recommend approval of Commission General Regulation 457, LCB File No. R030-15; carried with Emery absent.

4i. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 16-02 FISHING SEASONS AND BAG LIMITS FOR 2016-2018. The Commission will establish fishing seasons, bag and possession limits for the period of March 1, 2016 through February 28, 2018.

Travis Hawks, NDOW Fisheries Biologist, presented the proposed changes to the fishing seasons and bag limits for 2016-2018. The following statewide changes were presented:

- Humboldt County – Tiger muskie will be stocked in Chimney Reservoir and a zero take is being proposed. Tiger muske can be used as a biological control for the carp. Sterile fish will be stocked so there is no chance of reproducing or overpopulating. Tiger muskie are a top of the line predator and have shown to be successful.
- Lincoln County – The proposed regulation for Eagle Valley Reservoir is designed to clear up the confusion on where fishing is allowed. Also the regulation proposal is to have a zero limit on bass during the spawning period.
- Mineral County – Since the Walker Lake fishery no longer has fish, the residents would like to establish a new fishery and the proposed regulation relates to the establishment of the Rose Creek Reservoir.
- Nye County – Language cleanup is being proposed for the Kirch Wildlife Management Area in order to make it more consistent with the rest of the southern region.

No public comment.

Vice Chairman Cook questioned the limits for Lake Tahoe and its tributaries. He believes they are incorrectly stated in the supporting material; the regulation has always been 5 trout, 10 kokanee, and 10 mountain whitefish. He has concerns about how this regulation is written for Lake Tahoe.

Mr. Hawks indicated he would research Vice Chairman Cook’s concern and report back.

Member Turnipseed asked what the TDS is for Walker Lake and Mr. Hawks stated it is no longer being monitored so he did not know.

Member Turnipseed asked for an update on Comins Lake and Bassett Lake. Mr. Hawks stated the treatments went well. Comins Lake had 200-300 dead pike that were all 20” fish. Comins will be

stocked in the fall. The fish were feeding on each other. Some of Bassett's pike were slightly bigger but all were feeding on the younger pike.

Vice Chairman Cook thought there was a push to stock LCT in every body of water in the state. Mr. Hawks thought the push was really only for Lake Tahoe and Pyramid Lake.

Vice Chairman Cook restated his concerns about the Lake Tahoe limits and he indicated he cannot support these seasons and bag limits until they are corrected back to what they were for the Lake.

MOTION by Turnipseed/ to recommend approval of Commission Regulation 16-02 Fishing Seasons and Bag Limits for 2016-2018; withdrawn by the maker.

MOTION by Burnside/Turnipseed to recommend approval of the proposed changes to the fishing regulations and bag limits as presented at this meeting by the Department for the 2016-2018 seasons; carried with Cook voting Nay and Emery absent.

5. CORRESPONDENCE OR COMMUNICATIONS BOARD MEMBERS HAVE RECEIVED.

Member Rittenhouse said the judgment stopping the BLM wild horse roundup is concluding on October 20th. He requested a future agenda item on this subject in order to give the DCABMW an opportunity to weigh in.

6. DISCUSSION ON THE RESULTS OF THE AUGUST 7 & 8, 2015 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS. There will be no action taken.

Member Turnipseed attended the meeting and highlighted the following topics:

- Resource Enhancement Stamp and Dream Tag Raffle Tickets as it related to State Treasurer concerns.
- Presentation on mining ponds/pits; the fund is being depleted.
- WAFWA Report on the amount of sportsmen's money spent on nongame management and ways to reduce that.

7. 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.

Member Emery will attend the Las Vegas meeting.

8. FOR POSSIBLE ACTION. DISCUSSION TO SCHEDULE THE NEXT WILDLIFE ADVISORY BOARD MEETING. The next Commission meeting is scheduled for November 13 and 14, 2015, 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 Douglas County Advisory Board to Manage Wildlife meeting is tentatively scheduled for Tuesday, November 10, 2015.

9. FUTURE AGENDA ITEMS.

- Tri County Wildlife Working Group
- Bi-State Sage Grouse
- Results of the Lahontan Cutthroat Trout study
- Pine Nut Wild Horse Management Area

MOTION by Turnipseed/Cook to adjourn the meeting; carried with Emery absent.

There being no further business to come before the DCABMW, the meeting adjourned at 6:53 p.m.

The minutes of the September 22, 2015 meeting of the Douglas County Advisory Board to Manage Wildlife are so approved this 10th day of November, 2015.

Respectfully submitted:

Craig Burnside, Chairman