

DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE
Minutes of the February 6, 2017 Meeting

The Douglas County Advisory Board to Manage Wildlife meeting was scheduled for 5:30 pm on Monday, February 6, 2017 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
Robert Rittenhouse
Chad Foster

MEMBER ABSENT: Mike Turnipseed

OTHERS PRESENT: Carl Lackey, NDOW, Wildlife Biologist

PLEDGE OF ALLEGIANCE – Held.

CALL TO ORDER

Chairman Burnside called the meeting to order at 5:35 pm and determined a quorum was present. Noted was the absence of Member Turnipseed.

ROLL CALL AND INTRODUCTIONS

Chairman Burnside recognized the members in attendance and thanked Carl Lackey for attending.

PUBLIC COMMENT

There was no public comment.

FOR POSSIBLE ACTION. APPROVAL OF AGENDA

No public comment.

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

FOR POSSIBLE ACTION. APPROVAL OF MINUTES:

- **November 14, 2016**

No public comment.

MOTION by Cook/Foster to approve the minutes as presented; carried with Turnipseed absent.

1. FOR POSSIBLE ACTION. DISCUSSION ON THE ELECTION OF A CHAIRMAN AND A VICE CHAIRMAN OF THE DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE.

Chairman Burnside mentioned he has been Chairman for several years and he thought the new members have brought new energy to the board. He wondered if any of the other members would like the opportunity to be Chairman. Both Members Foster and Rittenhouse thought they needed another year's experience on the board before stepping into the role of Chairman. Member Rittenhouse wondered if Chairman Burnside would consider continuing in the position for another year. Chairman Burnside indicated he would be willing to do so and pointed out that learning is ongoing even though he has been on this board for a while.

No public comment.

MOTION by Rittenhouse/Cook to nominate Craig Burnside as Chairman of the Douglas County Advisory Board to Manage Wildlife; carried with Turnipseed absent and Burnside abstaining.

The remaining members were asked if any would consider the Vice Chairman position and it was suggested that Member Cook remain in that role.

No public comment.

MOTION by Foster/Rittenhouse to nominate Bob Cook as Vice Chairman of the Douglas County Advisory Board to Manage Wildlife; carried with Turnipseed absent and Cook abstaining.

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

The group has not met but all parties have expressed interest in meeting to discuss and come to some consensus on issues that affect all three counties such as urban deer issues and black bear regulations.

Member Foster thought meeting twice a year would be productive.

Chairman Burnside said the previous meetings of the group had been very worthwhile.

Member Rittenhouse offered to be of assistance to the group.

3. FOR POSSIBLE ACTION. DISCUSSION ON USING TRAINED TRACKING DOGS FOR BIG GAME RECOVERY.

Member Rittenhouse would like to pursue legislation that allows the use of dogs for the recovery of big game. He would like to get people throughout the state interested in training dogs for blood and wounded animal tracking because currently there is no one registered in the state to use dogs to scent. This use is common in Germany and can be found in Utah and Montana too. The intent is to use the dogs to find a wounded animal but not to harass the animals.

A discussion took place regarding training dogs using “barn hunting” and “nose training.”

This was a discussion only.

4. The following items, 4a through 4p, are items that will be heard before the Nevada Board of Wildlife Commissioners at the next meeting, February 10 & 11, 2017, at the Nevada Senate Capitol Building, Capitol Assembly Chambers, Second Floor, 101 North Carson Street, Carson City, 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–4p. DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER THE DOUGLAS COUNTY ADVISORY BOARD SHOULD TAKE A POSITION ON:

4a. FOR POSSIBLE ACTION. DISCUSSION ON NEVADA DEPARTMENT OF WILDLIFE REPORT ABOUT HUNTING NEAR DWELLINGS AND RESIDENTIAL AREAS. The Department will provide an update on recent complaints and incidents involving people hunting in or near residential areas. (*Wildlife Commission Agenda Item 9*)

Chairman Burnside recalled a recent situation where a hunter(s) were bow hunting bucks on Genoa Lane.

Carl Lackey, NDOW Wildlife Biologist, talked about how that event played out in social media. While this was investigated by a Game Warden, he said no charges were filed because the definition for a “firearm” varies between state law and county code.

Chairman Burnside restated his opinion that actions such as this will make non-hunters into anti-hunters.

Member Rittenhouse passed around a photo of a sign posted on East Valley Road about shooting in that area.

The consensus was to take no action.

4b. FOR POSSIBLE ACTION. DISCUSSION ON NEVADA DEPARTMENT OF WILDLIFE UPDATE OF GUIDELINES FOR HARVEST MANAGEMENT IN

NEVADA. 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 revisions since the first reading of the current draft presented at the November 2016 Commission Meeting. This draft for possible adoption includes only the segment addressing big game management; the segment addressing upland game will be addressed at a subsequent Commission meeting. The Commission may vote to amend or adopt this draft of the harvest guidelines. (*Wildlife Commission Agenda Item 10*)

PUBLIC COMMENT

Carl Lackey, NDOW Wildlife Biologist, pointed out a typo under Black Bear and said it should read “greater than 40%.”

Public comment closed.

MOTION by Foster/Cook to support the Guidelines for Harvest Management; carried with Turnipseed absent.

4c. FOR POSSIBLE ACTION. DISCUSSION ON DRAFT FISCAL YEAR (FY) 2018 PREDATION MANAGEMENT PLAN. The draft Fiscal Year 2018 Predation Management Plan will be presented to the Commission for initial review. Following this review, the draft plan will be updated and shared with the State Predatory Animal and Rodent Committee (PARC). All comments from the PARC, County Advisory Boards to Manage Wildlife, and any other interested entity will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at their March 2017 meeting. The Commission will receive an update at the March 2017 meeting from the Wildlife Damage Management Committee and may provide additional direction at that time. (*Wildlife Commission Agenda Item 11*)

The draft predation plan was reviewed.

No public comment.

MOTION by Cook/Rittenhouse to recommend approval of the draft fiscal year 2018 Predation Management Plan; carried with Turnipseed absent.

4d. FOR POSSIBLE ACTION. DISCUSSION ON THE LEGISLATIVE COMMITTEE REPORT. A report will be presented on the committee’s recent meetings. The Commission may review bills of interest, consider legislative committee recommendations and may take official positions on those bills. The Commission may also choose to develop platforms on bills by supporting or opposing general concepts contained within bills rather than specific language. The Commission will consider and may approve a spokesperson(s) who will relay Commission positions and platforms to the Legislature. (Support materials are as of the Legislative Committee meeting held on January 23, 2017. These materials may be updated at the Commission meeting based on the outcome of the February 8, 2017 Committee meeting. Bill and BDR language may be viewed online at: <https://www.leg.state.nv.us/App/NELIS/REL/79th2017>) (*Wildlife Commission Agenda Item 12*)

The members feel this item is fluid at this point and the list of bills will be narrowed down as the legislative session goes on. At that time, the bills can be more closely examined.

The consensus was to take no action.

4e. FOR POSSIBLE ACTION. DISCUSSION ON THE FIRST READING OF COMMISSION POLICY 26A, TRANSPARENCY. The Commission will conduct a first reading of Commission Policy 26A, Transparency, and may take action to amend or repeal. The policy is outdated and unnecessary. (*Wildlife Commission Agenda Item 13*)

Chairman Burnside explained why the need for the policy no longer exists.

No public comment.

MOTION by Foster/Cook to discuss the merits of amending Commission Policy 26A; the Policy should be left in place in case it is ever needed again;

After discussion, the motion was rescinded by the maker of the motion and the second.

MOTION by Burnside/Foster to support the idea of modifying Commission Policy 26A to bring it into compliance with NRS; carried with Turnipseed absent.

4f. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 464, APPEALS, LCB FILE NO. R074-16. The Commission will consider adopting amendments to Chapter 501 of the Nevada Administrative Code (NAC). This regulation revises provisions relating to practice before the Commission. It provides more efficiency in scheduling appeals, will define that "calendar" days are used for calculation of deadlines, and more clearly notify the appellant in advance of a hearing that the Commission has limited jurisdiction. It will also provide for two, separate Attorneys General (one for the Commission and one for the Department) to avoid conflicts with one attorney advising two sides of the appeal. It also requires the appellant to give the agency advance notice of legal representation to improve scheduling for a separate lengthier time needed on agendas.

These changes were approved at the May 12, 2016, meeting of the Board of Wildlife Commission's APRPC Committee which included relevant suggestions from the public and legal counsel. The Commission held a workshop in Reno on August 12, 2016, where the Commission asked to include information regarding the notice to the appellant and also to insert language that if a party fails to file certain information within 14 days they may waive their right to a hearing on the appeal. A revision of the regulation was requested from the Legislative Counsel Bureau (LCB); which, contained additional edits. No Changes were suggested by the Commission at the November 19, 2016 meeting. (*Wildlife Commission Agenda Item 19A*)

Regarding appeals, Member Foster thought the number of days relating to the steps to file an appeal is very inconsistent and that makes it confusing.

Chairman Burnside thought this language would make it clear that the Commission cannot hear an appeal to overturn anything that was done by the courts; those are the biggest number of appeals that come before the Commission.

No public comment.

MOTION by Cook/Foster to recommend approval of the regulation as presented; carried with Turnipseed absent.

4g. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 467, SPECIAL ASSISTANCE PERMIT, LCB FILE NO. R105-16. The Commission will consider adopting amendments to 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 on August 12, 2016, where several changes were considered. The Commission held another workshop on September 23, 2016 to consider public comment and changes that were implemented at the last meeting. (*Wildlife Commission Agenda Item 19B*)

Member Rittenhouse feels this does not consider a handicap that includes a lack of arms or hands. A person with an upper body disability would not be able to pull an animal out.

Chairman Burnside thought the special assistant was intended to help recover an animal for someone who has lower body issues. The special assistant is charged with dispatching a wounded animal, punching the tag for the hunter, and helping to retrieve the animal.

Member Foster added the licensed assistant would be able to dispatch the animal and bring it back. This applies to the ability to get from point A to point B.

Vice Chairman Cook stated the Department was mandated to develop language that addresses the assistance that a person with certain disabilities will have when hunting big game animals.

No public comment.

MOTION by Foster/Cook to recommend approval of LCB File No. R105-16 as written; carried with Turnipseed absent.

While he voted in favor of approval, Member Rittenhouse feels this regulation should be expanded to include other disabled hunters.

4h. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-03, 2017 BLACK BEAR SEASONS. The Commission will consider adopting 2017 hunting season dates, open management units, hunting hours, special regulations, animal sex, legal weapon requirements, hunt boundary restrictions, and dates and times for indoctrination courses for black bear. (*Wildlife Commission Agenda Item 20*)

Chairman Burnside reiterated the desire of the DCABMW to have the boundaries for

open areas for black bear expanded to include the Tahoe Basin and to allow shotgun as a legal weapon for bear.

Member Foster expressed an interest in having a spring hunt and Carl Lackey, NDOW Wildlife Biologist, stated a spring hunt would work if done in March before sows with newborn cubs have left the den. He explained the delayed implantation process and gestation period for bear.

Vice Chairman Cook asked why there are three separate seasons when the language and time periods are the same for all of them. Mr. Lackey stated those are basically unit groups that would have a separate harvest limit but the harvest limits would be part of the sum of the allowed quota.

Mr. Lackey pointed out the season would end on December 1st instead of December 31st as it had in the past.

No public comment.

MOTION by Cook/Rittenhouse to recommend adoption of Commission Regulation 17-03, Black Bear Seasons ONLY if the following changes are made: the season is extended to December 31st; the number of tags is increased to 51 with the quota remaining the same and a Governor's Tag is considered; the boundaries of the Lake Tahoe Management Unit is extended down to the Lake; and shotgun be allowed as a legal weapon for bear as it is for other big game animals; carried with Turnipseed absent.

4i. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-04, 2017-2018 MOUNTAIN LION SEASON AND HARVEST LIMITS. The Commission will consider adopting 2017 - 2018 mountain lion hunting season open units, harvest limits by unit group, hunting hours, and special regulations. (Wildlife Commission Agenda Item 21)

Carl Lackey, NDOW Wildlife Biologist, explained the major change to the way lions are managed. The harvest limit will be statewide instead of being done by unit groups. The harvest data will be analyzed based on six management zones and once the thresholds are met within a management zone then that zone can be pulled out and a separate harvest limit could be established for it.

No public comment.

MOTION by Cook/Foster to recommend the Commission vote to adopt Commission Regulation 17-04, 2017-2018 Mountain Lion Season and Harvest Limits as presented; carried with Turnipseed absent.

4j. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-05, 2017-2018 AND 2018-2019 BIG GAME SEASONS. The Commission will consider adopting 2017 - 2018 and 2018 - 2019 hunting seasons and dates for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat, including limits, hunting hours, special hunt eligibility, animal sex, physical characteristics and legal weapon requirements, hunt boundary restrictions, and legal weapon

requirements, and emergency depredation hunt structure and statewide quotas. (Wildlife Commission Agenda Item 22)

Carl Lackey, NDOW Wildlife Biologist, stated there are no local changes being proposed.

The board members reviewed the big game season recommendations.

No public comment.

Member Rittenhouse pointed out information regarding Hunt 3281 is missing from the support material.

MOTION by Cook/Foster to recommend the Commission vote to adopt Commission Regulation 17-05 as presented. No information for the season established for Hunt 3281 was provided so the DCABMW is not making a recommendation on it; carried with Turnipseed absent.

4k. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-06, 2018 HERITAGE TAG SEASONS AND QUOTAS. The Commission will consider the adoption of the 2018 Heritage Tag hunt species, seasons and quotas. (Wildlife Commission Agenda Item 23)

A brief discussion took place on what significant differences there might be between all the tags listed below.

Carl Lackey, NDOW Wildlife Biologist, suggested one difference could be the opportunity to receive one tag over another. However, the monies raised from each tag are earmarked for different things.

No public comment.

MOTION by Foster/Cook to recommend approval of CR 17-06, 2018 Heritage Tags as written; carried with Turnipseed absent.

4l. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-07, 2017 DREAM TAG SEASONS. The Commission will consider the adoption of the 2017 Dream Tag seasons. (Wildlife Commission Agenda Item 24)

Chairman Burnside read from correspondence received from Judi Caron requesting that this be put off and the Commission regulation be drafted a year in advance for Dream Tags just like it is for Heritage Tags if they move forward with closing an area ahead of time. This way people will know ahead of buying tickets which areas will be open for hunting.

No public comment.

MOTION by Cook/Foster to recommend Commission approval of Commission Regulation 17-07, Dream Tags, including the modification suggested by Judi Caron which reads "within Commissions authority to adjust any necessary changes as determined through the public process and Commission regarding the proposed CR 17-

07 language with implementation beginning Sept. 1, 2017 – in essence taking effect for the 2018 Hunt Year”; carried with Turnipseed absent.

4m. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-08, 2017 PARTNERSHIP IN WILDLIFE SEASONS AND QUOTAS. The Commission will consider the adoption of the 2017 PIW hunt species, seasons and quotas. (*Wildlife Commission Agenda Item 25*)

No public comment.

MOTION by Foster/Cook to recommend approval of CR 17-08, Partnership in Wildlife Tags for 2017; carried with Turnipseed absent.

4n. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-09, 2017 SILVER STATE TAG SEASONS AND QUOTAS. The Commission will consider the adoption of the 2017 Silver State Tag hunt species, seasons and quotas. (*Wildlife Commission Agenda Item 26*)

No public comment.

MOTION by Foster/Cook to recommend approval of CR 17-09, 2017 Silver State Tags as written; carried with Turnipseed absent.

4o. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-10, 2017 BIG GAME APPLICATION DEADLINE INFORMATION. The Commission will consider adopting language regarding the 2017 big game tag application deadline information. (*Wildlife Commission Agenda Item 27*)

No public comment.

MOTION by Foster/Cook to recommend approval of CR 17-10, Application Deadlines as written seeing as there are no changes; carried with Turnipseed absent.

4p. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-11, 2017 BIG GAME TAG APPLICATION ELIGIBILITY. The Commission will consider adopting language regarding the 2017 big game tag application eligibility, to include ability to apply for bull and spike elk, and ram and ewe of same bighorn subspecies. (*Wildlife Commission Agenda Item 28*)

The proposed changes were reviewed.

No public comment.

MOTION by Foster/Rittenhouse to recommend approval of CR 17-11, Application Eligibility for draw applicants as written; carried with Turnipseed absent.

5. CORRESPONDENCE OR COMMUNICATIONS BOARD MEMBERS HAVE RECEIVED.

Member Rittenhouse discussed the Walker River Park and Conservancy and the high tech sighting systems sent back by the legislature to the Wildlife Division.

Chairman Burnside disclosed correspondence from:

- Jeremy Drew regarding the Wild Harvest Initiative.
- Larry Johnson, Coalition for Nevada's Wildlife regarding the Washoe County lands bill and the Fallon Naval Air Station land closures.
- Doug Martin regarding urban deer interface.
- Judi Caron regarding the Dream Tag.

Member Foster received correspondence from Bob Pohlman regarding the Walker River and a Southern Nevada land acquisition.

Vice Chairman Cook disclosed correspondence from Bob Pohlman, Doug Martin, and Larry Johnson. He referenced an article in the local paper regarding the Ascuaga Ranch being considered for conservation.

6. DISCUSSION ON THE RESULTS OF THE NOVEMBER 18 & 19, 2016 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS.

Chairman Burnside and Member Rittenhouse attended. Member Rittenhouse provided a brief report.

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.

Chairman Burnside will attend the upcoming February meetings.

8. FOR POSSIBLE ACTION. DISCUSSION TO SCHEDULE THE NEXT WILDLIFE ADVISORY BOARD MEETING. The next Commission meeting is scheduled for March 24 and 25, 2017, in Southern Nevada 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 and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

The next Douglas County Advisory Board to Manage Wildlife meeting is tentatively scheduled for Tuesday, March 21, 2017.

9. FUTURE AGENDA ITEMS.

- Tri County Wildlife Working Group
- Trained Tracking Dogs for Big Game Recovery

- Wayne Kirsch award

CLOSING PUBLIC COMMENT.

There was no public comment.

MOTION by Burnside/Foster to adjourn the meeting; carried with Turnipseed absent.

There being no further business to come before the DCABMW, the meeting adjourned at 7:57 p.m.

The minutes of the February 6, 2017 meeting of the Douglas County Advisory Board to Manage Wildlife are so approved this 21st day of March, 2017.

Respectfully submitted:

Craig Burnside, Chairman