Meeting Minutes Monday November 14, 2016

THE CHAIR RESERVES THE RIGHT TO CHANGE THE ORDER OF THE AGENDA AND IF THE AGENDA IS NOT COMPLETED TO RECESS THE MEETING AND CONTINUE ON ANOTHER SPECIFIED DATE AND TIME. THE PUBLIC CAN COMMENT ON ANY AGENDA ITEM BY BEING ACKNOWLEDGED BY THE CHAIRPERSON WHILE THE ADVISORY BOARD CONSIDERS THAT AGENDA ITEM.

THE NEVADA BOARD OF WILDLIFE COMMISSIONERS (NBOWC) WILL RECEIVE RECOMMENDATIONS FROM THIS MEETING ALONG WITH THE ELKO COUNTY COMMISSION.

6:00 P.M. -- CALL TO ORDER-Bert Gurr

-- PLEDGE-Wyatt Mesna

-- ROLL CALL-Jim Cooney, Bert Gurr, Wyatt Mesna

1. APPROVAL OF MINUTES FOR POSSIBLE ACTION
   Approved

2. APPROVAL OF THE AGENDA FOR POSSIBLE ACTION
   Approved

3. BOARD MEMBER ITEMS: NON-ACTION ITEM
   Pursuant to advice from the Nevada Attorney General’s Office, this time is devoted to comments by Board Members for general information or update purposes. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item. Any correspondence received by a Board member may be read and attached for the record.
   Jim Cooney-South Fork Water Fowl hunting closures. Will be added to the next agenda.
   Bert Gurr-Van Norman Access. Will be on a following agenda.

4. COMMENTS BY THE GENERAL PUBLIC: NON-ACTION ITEM
   Pursuant to N.R.S. 241.020, 2(c) (3), this time is devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item. None.

5. NEVADA DEPARTMENT OF WILDLIFE BIOLOGIST: NON-ACTION ITEM
   Informational update and all other matters related, thereto. Update from Department staff.
   Caleb Macadoo NDOW- Gave Department update on new methodology of mule deer surveys.
6. **Commission Regulation 17-01, Taking of Raptors for Falconry for 2017- 2018 – For Possible Action**
The Commission will consider and may take action to approve the 2017 - 2018 season dates, species, quotas, limits, closed areas, application procedures and deadlines, and take of raptors for falconry. 
*State agenda #7*
No Comments

7. **Commission Regulation 17-02 Noncommercial Collection of Reptiles and Amphibians for 2017 – 2018 For Possible Action**
The Commission will consider and may take action to approve 2017 - 2018 season and limits for noncommercial hobby collecting of live, unprotected reptiles and amphibians.  
*State Agenda #8*
No Comments

8. **Commission General Regulation 470, Miscellaneous Petitions, LCB File No. R095 16 – Administrative Procedures Regulation and Policy Committee For Possible Action**
Workshop/Public Comment Allowed  The Commission will hold a workshop to consider amending Chapter 501 of the Nevada Administrative Code (NAC). The regulation was developed by the Wildlife Commission’s APRPC after several public meetings incorporating relevant suggestions from the public, legal counsel, the Department and the committee. The amendments will simplify petition form requirements and the petition process overall. 
*State Agenda #9*
Jim Cooney provided clarification on these petitions.  
Wyatt Mesna-Does not want to vote against this without more information.  
Henry Krenka Nevada Guides and Outfitters-Against the changes to this regulation.  
Board makes recommendations at this time.

9. **Tag Allocation and Application Hunt Committee (TAAHC) – Non-Action Item**
   A* Tag Allocation and Application Hunt Committee (TAAHC) Report – The Commission will hear a report on the committee’s recent meetings.  
   B* Partnership in Wildlife (PIW) Drawing and Restricted Nonresident Guided Deer Draw Applicant Eligibility – For Possible Action  
The Tag Allocation and Application Hunt Committee (TAAHC) conducted public meetings on two related amendments to Chapter 502 of the Nevada Administrative Code. The first amendment is to change the PIW drawing to precede the main drawing. The change would allow all applicants who choose to apply for the PIW program to participate in the PIW drawing. The second amendment is allowing restricted nonresident guided deer hunt applicants to also apply for deer tags in the Silver State tag, PIW drawing and the main drawing if eligible. The Department has prepared a document that explains fees, tag eligibility, and the implementation of proposed changes. The Department is requesting the Commission to provide guidance to the Department for the drafting of possible regulation changes.  
*State Agenda #10*
Henry Krenka Nevada Guide and Outfitters-Provided clarification on TAAHC meeting.
Jim Cooney—Recommends supporting PIW for non-successful guided applicants to apply in general draw.
Wyatt Mesna—Is there any way to do a second draw for the guided applicants to meet the guides quota? Also, is against the guided applicants being able to put into the main draw after applying in the guided draw due to them having to opportunities to draw.
Caleb Macadoo—Self—Thinks that having the guided applicants being put into the main draw is double dipping and gives more wealthy people a better chance of drawing a tag. He does not think that they should be able to put in for both draws.
Jim Cooney—Recommends that the board should support question 2.
Bert Gurr—Motion dies for lack of a second.
Wyatt Mesna—Recommends a clarification on what was originally asked.
Bert Gurr—Asks for the TAAHC commission gets info to the board so we can make an educated recommendation.
Jim Cooney—Moves for more info.
Wyatt Mesna—Seconds motion for more info.
Board Recommends asking for a workshop on this and more information on this and how it works. Roughly scheduled sometime in January 2017.

10. **Nevada Department of Wildlife License Simplification Strategy Update** –
    For Possible Action
The Department has conducted substantial data analysis and public input since the effort to simplify hunting and angling license structures was initiated just over one year ago. The Department will provide an overview of the information obtained to date, along with suggestions for bundled privileges and fees. The Commission may vote to support the Department’s license structure proposal.

*State Agenda #11*
Wyatt Mesna—Motion to Support.
Jim Cooney in support.
Board Moves to support.

11. **Nevada Department of Wildlife Update of Guidelines for Harvest Management in Nevada** –
    For Possible Action
The Department will provide an update on the status and process of refining the draft harvest guidelines for consideration by the Commission. The Department will provide a briefing on revisions since the September 2016 Commission Meeting. The Commission may provide the Department with direction regarding further development.

*State Agenda #12*
Jim Cooney—Provided clarification on this item.
Wyatt Mesna—Also provided some additional clarification on this.
Tom Donham NDOW—Also provided some clarification on this new guideline.
Jim Cooney moves to support.
Wyatt Mesna seconds to support.
Board supports this update of the hunt guidelines.

12. **Second Reading, Policy 2, Publications** –
    For Possible Action
The Commission will conduct a second reading of Commission Policy 2, Publications, and may take action to officially repeal the policy as recommended by the APRPC.

*State Agenda #13*
No Comments.
   For Possible Action  
The Commission will conduct a second reading of Policy 31 with edits incorporated from the first reading on September 23, 2016. The Commission may take action to approve the policy.  
   State Agenda #14  
   No Comments.

   For Possible Action  
The Commission will conduct a second reading of Policy 33 with edits incorporated from the first reading on September 23, 2016. The Commission may take action to approve the policy.  
   State Agenda #15  
   No Comments.

15. Fallon Naval Air Station and Nellis Air Force Base Public Land Withdrawals Update –  
   Support material for Fallon Naval Air Station available on www.FRTCModernization.com and support material for Nellis Air Force Base available at www.nttleis.com  
   A Fallon Naval Air Station and Nellis Air Force Base Public Land Withdrawals Update–  
   Non-Action Item  
   In accordance with the Commission’s request a presentation will be provided on proposals being analyzed through the National Environmental Policy Act (NEPA) process for legislative action to extend the current administrative withdrawals and to consider additional areas for withdrawal at both the Fallon Naval Air Station and the Nevada Test and Training Range.  
   B Fallon Naval Air Station and Nellis Air Force Base Public Land Withdrawals –  
   For Possible Action  
The Commission will discuss the land withdrawal proposals and may take action to develop a letter with the Department’s assistance stating the Commission’s position.  
   State Agenda #21  
   No Comments.

16. Proposed Washoe County Federal Lands Bill Update –Support material available at the following link: www.washoecounty.us/csd/planning_and_development/conservation-act.php  
   A Proposed Washoe County Federal Lands Bill Update Habitat Division  
   Non-Action Item  
The Department will provide a report on the proposed Washoe County Federal Lands Bill.  
   B Proposed Washoe County Federal Lands Bill –  
   For Possible Action  
The Commission will discuss the proposed Washoe County Federal Lands bill and may take action to develop a letter with the Department’s assistance stating the Commission’s position.  
   State Agenda #22  
   No Comments.

For Possible Action

The Commission will discuss a prior draft of a Wildlife Contest Policy forwarded by the Administrative Procedures, Regulations, and Policy Committee, which was discussed by the Commission at their August 12, 2016 meeting. The Commission may choose to discuss the merits of the policy and may amend, forward, discard, or reinitiate development of a policy that articulates the Commission's perspective regarding contests of take of wildlife.

State Agenda #25

No Action Taken at this time.

18. Commission General Regulations for Adoption – For Possible Adoption

A* Commission General Regulation 463, Duties of Person Transporting Vessel or Conveyance, LCB File No. R093-16

For Possible Action

The Commission will consider amending Chapter 488 of the Nevada Administrative Code (NAC). The change amends Chapter 488 of NAC by adding a new section that requires the owner, operator or person in control of any vessel or conveyance that is launched on any body of water in this State to drain the water from the vessel or conveyance and any equipment on the vessel or conveyance and also requires the owner, operator or person in control of a vessel or conveyance that is transported on a public road in this State or has been taken out of any body of water in this State ensure that the drain plugs, drain valves and any other devices used to control the draining of water remain open while transporting the vessel or conveyance on public roads in this State. The proposed regulation also amends language in NAC 488.520 to accommodate the changes above and remove repetitive language. The Commission held a workshop on September 23, 2016, and no changes were recommended by the Commission.

B* Commission General Regulation 471, Truckee River Motorized Vessel Closure, LCB File No. R139-16

For Possible Action

The Commission will consider adopting an amendment to Chapter 488 of the Nevada Administrative Code (NAC). Existing regulations set forth certain bodies of water on which only vessels without motors are allowed and certain bodies of water on which only vessels without motors and vessels powered by electric motors are allowed. This regulation adds to the list of waters with such a restriction, the Truckee River from the California-Nevada state line to the point where the river enters the Pyramid Lake Indian Reservation. This regulation also extends the exception to the restrictions to all such specified waters and to any vessel that is owned, operated and used for official purposes by a federal, state or local governmental entity, or any vessel operating pursuant to a permit for a marine event that is requested by a federal, state or local governmental entity. The Commission held a workshop on September 23, 2016, and no changes were recommended by the Commission.

C* Commission General Regulation 464, Appeals, LCB File No. R074-16

For Possible Action

The Commission will consider amending 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 Wildlife Commission's APRPC 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.

D* Commission General Regulation 465, Antelope and Elk Waiting Periods, LCB File R141-16 For Possible Action
The Commission will consider amending Chapter 502 of the Nevada Administrative Code (NAC). The TAAHC recommended the amendment to the regulation to standardize the waiting period for a person to be eligible to apply for each of the species antelope and elk after receiving a tag. Regardless of harvest, the antelope waiting period after receiving a tag would be three years, and the antlered elk waiting period after receiving a tag would be five years. The Commission held a workshop on this regulation on September 23, 2016. The Commission did not have any recommended changes.

State Agenda #26
Board is already on record in support of the proposed waiting periods for Antelope and Elk.

19. Discuss any other State agenda items –

20. Future Commission Meeting: FOR POSSIBLE ACTION
The next Commission meetings are scheduled for February 20th and 11th, 2017, in Reno and March 24th and 25th, 2017, in Southern Nevada Location; 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 Elko County Wildlife Board's future meeting date will be Monday prior to the next state meeting.

21. COMMENTS BY THE GENERAL PUBLIC: NON-ACTION ITEM
Pursuant to N.R.S. 241.020, 2(c) (3), this time is devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item.

ADJOURNMENT

* SUPPORT MATERIAL PROVIDED AT WWW.NDOW.ORG