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## **Eureka County Wildlife Advisory Board**

### Minutes

The Eureka County Wildlife Advisory Board (CAB) met in the Eureka County Administrative Facility on March 12, 2015 at 7:00 p.m.

Members Present: Chairman Lester Porter, Raymond Hodson, and Jim Evans

Members Absent: Dale Hornickel

Others Present: Mike Podborny-Nevada Department of Wildlife (NDOW), John Elliott-NDOW, Jake Tibbitts-Eureka County Natural Resources Manager, Jessica Santoyo-Natural Resources Asst./CAB Secretary, and Bill Hicks-Public

#### **Call to order**

Chairman Porter called the meeting to order at 7:04 p.m. A quorum was determined to be present.

#### **Public Comment**

None

#### **Board Business**

*Review and approval of minutes-*

Jim Evans moved to approve the minutes as written from the January 30, 2015 meeting. Ray Hodson seconded, motion carried unanimously.

*Correspondence and Member Reports-*

None

#### **Wildlife Habitat Enhancement Projects-**

*Update on pinyon-juniper thinning project, wildlife guzzler installation, and other potential projects, and consider further efforts to move forward for successful implementation of projects.* Jake Tibbitts stated he met with Doug Furtado in Battle Mountain and Mr. Furtado said that the Bureau of Land Management (BLM) would be moving forward with a district wide programmatic Environmental Assessment (EA).

Mr. Porter stated they should begin to make plans soon on the guzzler installation.

Mr. Evans asked if they have all of the needed materials.

Mr. Porter answered it wouldn't hurt to get a list of materials on a weekend and get everything together. Mike Podborny had agreed to get all of the fencing material and Mr. Porter would get the piping material. By the time they get the installation planned out, it will be spring time.

#### **Nevada Board of Wildlife Commissioners Meeting Agenda and Support Material**

##### **Action Item 7:**

**Petition – Don Molde and Fred Voltz** – Don Molde and Fred Voltz have submitted a petition to the Commission, requesting that the Commission take action to ban coyote killing contests in Nevada. The Commission may accept the petition and initiate regulatory action or deny the petition.

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Mr. Porter stated he put together a letter that he will be sending to the NV Wildlife Commission (NWBC) on his behalf, as an individual. Mr. Porter stated that the board can sign the letter too if they would like. Mr. Porter stated that Mr. Tibbitts has another letter on behalf of Eureka County regarding the petition. The CAB should consider supporting the county's letter.

Mr. Tibbitts stated the County Commission will meet next week Thursday for a budget meeting and they will have this letter on the agenda for approval. Once the commission approves it and signs it, the CAB can decide to either sign the same letter or put it on the CAB letterhead. Mr. Tibbitts stated the letter covers two concepts one is the contest and the other is the predator policy. The petition from Don Molde and Fred Voltz goes through a big effort to show how coyote contests go against the tenets of the North American Model of Wildlife Conservation, it's the model on how they operate to manage wildlife. Mr. Tibbitts read through the letter. *\*(A copy of the letter is available upon request)*

Mr. Hodson thanked Mr. Tibbitts for putting the letter together so quickly.

After brief discussion, Mr. Evans moved to support the Eureka County Commission letter regarding the coyote hunt and that the Eureka County Wildlife Advisory Board also signs the letter once it is finalized. Mr. Hodson seconded, motion carried unanimously.

### **Action Item 8C:**

**Commission Position and Platforms on Bills – Chairman Drew** –The Commission will 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.

Mr. Tibbitts stated there is a Senate Bill (SB) regarding registration of traps and if an individual is on their own property they won't have to register them, this bill passed in the Senate. Bill SB130 was heard and it had a lot of opposition. Senator Hammons bill had a lot of individuals providing a lot of support and there was also a lot of opposition. The whole deal is to set up a committee on education and outreach. Mr. Tibbitts stated the other thing that it will do is propose a new \$3 fee is to fund their activities. The NV Department of wildlife (NDOW) put out a fiscal note and there would be a fiscal impact tot the state.

Mr. Evans asked about Assembly Joint Resolution (AJR) 2 regarding ravens.

Mr. Tibbitts answered it passed the committee, the county provided support because it would take the bird off of the Migratory Bird Treaty Act. There is another bill draft request (BDR) that just became a bill. Pete Goicoechea carried the bill but Eureka County wrote the language. It would change the definition of wildlife in the NV Revised Statutes (NRS), the language includes if the species isn't managed by NDOW or Fish and Wildlife Services (FWS) then they are not considered wildlife.

Mr. Porter stated there has been some concerns regarding SJR1 by outdoorsmen on the BLM land becoming state land. Mr. Porter stated when looking at the fine print they need to look at the land that is involved.

Mr. Tibbitts stated he attended the hearing on SJR1 and there was a lot of support and opposition. SJR1 is to support the report prepared by the NV Land Management Taskforce. If they read the recommendations, the report says that public land stays public, rights of access

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would be kept, limited privatization, and the only land that can be sold would be land that is already marked for disposal.

No Recommendation.

**Action Item 9A:**

**Commission Regulation 15 - 09 – Amendment #1 – Emergency Depredation – Big Game Seasons – Wildlife Staff Specialist Mike Cox** –The Commission will consider amendment of 2015 – 2016 and 2016 – 2017 hunting seasons and dates for elk emergency depredation hunt structure and quotas.

Mr. Evans moved to support Commission Regulation 15-09 Emergency Depredation Big Game Season hunts. Mr. Hodson seconded, motion carried unanimously.

**Action Item 9B:**

**Commission General Regulation 453 – LCB File No. R113-14 – First Come First Serve Bonus Point Program Amendment – Management Analyst 3 Maureen Hullinger** – The Commission will consider 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.

The regulation was workshopped on February 6, 2015 and was moved forward to take action at the March 2015 Commission meeting. Tags in the “first-come, first-serve” draw are unissued tags which are remaining tags after the big game tag draw (i.e., the Main Draw) and the subsequent remaining tag draw. Currently, bonus points are reverted to zero for those species categories when an applicant draws a tag for any of these draws. This regulation amendment would exclude an applicant from having their bonus points revert to zero on species categories if they draw a remaining tag in the “first-come, first-serve” draw.

Mr. Tibbitts stated the board supported this regulation last time, it is just flushed out. Mr. Porter stated there are different scenarios showing that they won't lose their bonus points. Mr. Podborny stated basically they have the first drawing and there are leftover tags, then they have the second drawing and there are still leftover tags, and finally those tags become the first come first serve tags. If the tags are first come first serve the individual doesn't lose their points.

After brief discussion, Mr. Evans moved to support Commission General Regulation 453 First Come First Serve Bonus Points Program Amendment. Mr. Hodson seconded, motion carried unanimously.

**Public Comment Item 10A:**

**Commission General Regulation 457 T-15 (Temporary LCB File) – Awards, Issuance, and Use of Tags – Proposed Changes to NAC 502.42279 – Game Division Administrator Brian F. Wakeling – Workshop/Public Comment Allowed** The Commission will hear a temporary regulation 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 Department will propose language that clarifies the original intent of the legislation and rule promulgation to clearly articulate the association between the incentive tags and “bull” seasons, excluding any “spike,” “antlered,” or “antlerless” seasons.

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Mr. Podborny stated when they give out elk incentive tags the law states that they can pair them with the amount of bull tags that are issued. They are just clarifying the language that elk incentive tags will only be issued on bull tags not spike tags.

After brief discussion, Mr. Hodson moved to support Commission General Regulation 457 Awards, Issuance, and Use of Tags. Mr. Evans seconded, motion carried unanimously.

### **Public Comment Item 10B:**

**Commission General Regulation 456 T-15 (Temporary LCB File) – Elk Arbitration Process – Game Division Administrator Brian F. Wakeling – Workshop/Public Comment Allowed** The Commission will hear proposed processes describing the newly amended arbitration NAC 502.42283 by which the Commission may facilitate decisions should arbitration of elk incentive tag awards become necessary.

Mr. Podborny stated they took the elk arbitration from county boards and it is now at the commission level. This is the wording on how the commission will set up that process.

After brief discussion, Mr. Hodson moved to support Commission Regulation 456 Elk Arbitration Process. Mr. Evans seconded, motion carried unanimously.

### **Action Item 16:**

**Wildlife Damage Committee Report and Fiscal Year 2016 Draft Predation Management Plan (Second Draft) – Commissioner Bliss, Game Division Administrator Brian F. Wakeling, and Wildlife Staff Biologist Pat Jackson** – The Commission will hear a report from the Wildlife Damage Management Committee chair and the second draft of the proposed Fiscal Year 2016 Predator Management Plan will be presented and the Commission may take action to provide recommendations for modification of the second draft for the May Commission meeting.

Mr. Tibbitts stated when the predator policy came out last fiscal year it contained projects that leveraged where work would get done. Originally, the policy had the Diamonds/Roberts mule deer fawn project and it was determined that they would move forward with that project. This board then hired a private contractor to get some predator work done on the ground. They designed that project to meet the predator policy guidance and work together. This year the policy changed and the project is now only a study. The study will not have a true baseline because of the work they did in those areas. Chad Bliss has asked to weigh in on the matter and provide comment on the predator policy. The letter that is written from the Eureka Commission regarding coyotes also includes literature on the predator policy. They spent \$100,000 on PJ removal on the Diamonds/Roberts areas, \$20,000 on the coyote project, and 792 horses were removed. Mr. Tibbitts stated they will be asking them to re-evaluate the proposal and consider going back to last year's plan. Mr. Bliss has requested they provide all of the totals for everything, so Mr. Bliss can advocate for a ground work project. Mr. Tibbitts recommended that if NDOW is proposing \$20,000 towards the project they can provide match of the same amount. They want to work together on the project and if NDOW does work in the fall, they can follow up with spring work.

After brief discussion, Mr. Hodson moved to include the work they have done in the letter, push for spring work, and make a commitment to come up with some matching funds. Mr. Porter seconded, motion carried unanimously.

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**Humboldt County Elk Species Management Planning Process – Game Division Administrator Brian F. Wakeling** – The Commission will begin the elk sub-planning process in accordance with the Nevada Elk Species Management plan for Humboldt County, and the Commission may begin to form and solicit nominations for a Steering Committee.

Mr. Porter moved that they proceed with an elk plan in Humboldt County. Mr. Hodson seconded, motion carried unanimously.

**Action Item 18:**

**Elk Depredation Damage Claim – Game Division Administrator Brian F. Wakeling** – In accordance with NAC 504.431, the Department has the authorization to compensate landowners for a damage claim when submitted in compliance with this rule. A claim has been submitted and investigated by the Department, but this same NAC limits the Department for approving any claims for greater than \$10,000. John Grady has submitted an elk depredation claim for \$13,720. The Commission will consider authorizing this claim.

Mr. Podborny stated by department policy anything over \$10,000 has to go before the commission for approval.

Mr. Porter asked does the property owner get depreciation tags.

Mr. Podborny answered no because they don't issue depredation tags for agricultural fields. Elk incentive tags don't come from elk use on agricultural land, they come from elk use on rangelands.

No Recommendation.

**Action Item 19:**

**Draft Process for use by the Commission in Arbitration as Described in NAC 502.42283 – Game Division Administrator Brian F. Wakeling** – The Commission will review a proposed process for arbitration as described in proposed amendment to NAC 502.42283 arbitration panel that will outline the responsibilities of the Department and landowner applicant when contesting issues associated with awards of special incentive elk tags, the establishment of a subcommittee to hear the contest, timelines associated with contest and decision, and recommendations to the Commission as decision-making arbitration panel. The Commission may provide the Department with direction on further revisions or approve the draft process pending adoption of temporary regulation CGR 456 re: NAC 502.42283.

Mr. Tibbitts stated the board took action on the change of regulation itself and this is the process of how they would step through it.

No Recommendation.

**Reports-Informational 20C:**

**Draft Treatment Plan for Comins and Bassett Lakes-Supervising Fisheries Biologist John Elliott-** The Fisheries Division will present the draft treatment plan to eradicate invasive northern pike form Comins and Bassett Lakes, White Pine County, to the Commission. The document is available for public review and comment though April 3, 2015.

John Elliott introduced himself as the Eastern Region Fisheries Supervisor. Mr. Elliott stated the population at Comins Lake has crashed and the fish are basically killing each other. Mr. Elliott

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presented his power point presentation to the board. Mr. Elliott stated they have already received letters of support from the White Pine County Commission, the Ely City Council, the Economic Diversification Committee, the Water Advisory Committee, and the tribe.

Mr. Evans stated the Eureka County CAB can support the initiative but would it be best to comment on the proposal.

Mr. Elliott answered he would love to see their comments but he would also like to request a motion to the NWBC because Eureka is right next to this project. If they like the project they can still provide their comments to Mr. Elliott via email. Mr. Elliott stated they still have to apply for a Sport Fish Restoration Grant through FWS for the project.

After brief discussion, Mr. Hodson moved that the Eureka County Wildlife Advisory Board supports the treatment plan for Comins and Bassett Lakes. Mr. Evans seconded, motion carried unanimously.

**Next Meeting Date**

The next meeting date was scheduled for May 7, 2015 at 7:00 p.m.

**Public Comment**

Bill Hicks stated he supports the treatment plan for the Comins and Bassett Lakes and he also supports the coyote hunts.

Mr. Tibbitts asked the board if they had received in interest to fill the vacancy on the board.

Mr. Porter stated he received some interest and he told the individual to submit a letter to the board for consideration.

Mr. Hodson stated Jamie Haplan showed some interest but he doesn't know if he will submit a letter.

Mr. Tibbitts stated they have to keep in mind that the vacancy is for an individual representing the public interest seat. If someone joins the board who is a hunter, it will probably shine a light on the CAB.

**Adjournment**

A motion to adjourn the meeting was made by Mr. Hodson and seconded by Mr. Evans. There being no further discussion, the meeting was adjourned at p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

Respectfully submitted: \_\_\_\_\_, Secretary  
Jessica Santoyo

Approved: \_\_\_\_\_, Chairman  
Lester Porter