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Eureka County Wildlife Advisory Board (CAB)

Minutes

The Eureka County Wildlife Advisory Board (CAB) met in the Eureka County Administrative Facility (Annex) on June 16, 2016 at 5:00 p.m.

Members Present: Lester Porter and Jim Evans

Members Absent: Raymond Hodson

Others Present: Jake Tibbitts-Eureka County Natural Resources Manager, Jessica Santoyo-CAB Secretary, and Jerad Lees-Public

Call to order

Vice-Chairman Porter called the meeting to order at 5:01 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 from the May 5, 2016 meeting. Mr. Porter 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 that the tree cutters were here for two weeks and they cut down a total of 975 acres. The tree cutters are done for this year but dependent on funding he may be able to bring them back out sometime in July. The total amount spent was \$55,485.00, the \$35,000.00 from Heritage will be used up on this bill and the \$16,000.00 from the Conservation District will be used as well. All of the BlackPoint chaining was cut down which was a total of 503 acres. They also cut trees down at Fiorenzi's place, Pastorino Canyon, and Banks Ranch.

Nevada Board of Wildlife Commissioners (NBWC) Meeting Agenda and Support Material

Action Item #6

Duck Stamp Request – Wildlife Staff Specialists Mark Farman and Mike

Zahradka – The Commission will review and may take action to approve projects submitted for funding from duck stamp funds.

Mr. Evans stated they have a list of projects and it looks like they have the funding determined already.

Jared Lees asked the board why is the department using upland game funds for waterfowl projects.

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Mr. Tibbitts stated the food plots probably target both waterfowl and upland game and they use that as justification to use some of those funds.

After brief discussion, Mr. Evans moved to support the Duck Stamp Request. Mr. Porter seconded, motion carried unanimously.

Action Item #7

Upland Game Bird Stamp Request – Wildlife Staff Specialists Mark Farman and Shawn Espinosa – The Commission will review and may take action to approve projects submitted for upland game bird stamp funds.

Mr. Evans moved to support Upland Game Bird Stamp Request for Fiscal Year 2016-2017. Mr. Porter seconded, motion carried unanimously.

Action Item #8B

Fiscal Year 2017 County Advisory Board Budget Requests – Committee Chairman Gil Yanuck – The Commission may approve budgets for County Advisory Boards to Manage Wildlife for fiscal year 2017.

Mr. Tibbitts stated this year the Eureka County CAB only requested \$2,400.00 but on the State Fiscal Year 2017 NDOW CAB Budget Requests it shows that the Eureka County CAB is asking for \$6,765. Why does the department request the CAB's to submit a budget request if they are just going to go through the numbers, adjust them, and make it look like they are asking for a lot of money. When the budget request is submitted it includes all of the travel expenditures to attend the meetings for the year and it also takes into account the balance on hand and it is adjusted to only request what is needed. Mr. Tibbitts stated the board does not have to submit anything on the issue he just wanted them to be aware of what was going on.

No Recommendation.

Action Item #8C

Fiscal Year 2018 – 2019 NDOW Biennial Budget – Deputy Director Liz O'Brien – The Commission may make recommendations to the Department for the biennial budget request.

No Recommendation.

Action Item #9A 1

Heritage Project Extension Requests – Commissioner and Committee Chairman Wallace – Pursuant to NAC 501.340, the Commission will review committee recommendations and may approve requests for extension of projects approved in previous years.

No Recommendation.

Action Item #9A 2

Heritage Funding Reallocation – Commissioner and Committee Chairman Wallace – The Commission will review committee recommendations and may approve reallocation of unused Heritage funds from previously approved projects to any other previously approved projects from the same fiscal year.

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No Recommendation.

Action Item #9A 3

Fiscal Year 2017 Heritage Project Proposals – Commissioner and Committee Chairman Wallace – For Possible Action

The Commission will hear the recommendations from the Heritage Committee and may take action to approve 2017 project applications for funding.

No Recommendation.

Action Item #17

Commission Policy 1, General Guidelines for the Commission, Second Reading – Commissioner and APRP Committee Chairman David McNinch – The Commission will have a second reading of Commission Policy 1, General Guidelines for the Commission, and may take action as recommended by the APRP Committee. Recommendations include editorial changes from the May committee and Commission meetings, changes to reflect current practices and standards, including a section on Commission record-keeping, and spacing the number of a Commission Policy’s “first and second readings” from one meeting to the next before a change to a policy is adopted. This is the final reading to adopt revisions to Commission Policy 1.

Mr. Evans moved to continue to support Commission Policy 1, General Guidelines for the Commission, Second Reading. Mr. Porter seconded, motion carried unanimously.

Action Item #18

Nevada Department of Wildlife License Simplification Strategy Update – Director Tony Wasley and Loren Chase, Chase and Chase Consulting – The Department will provide the Commission with an update on the comparative, qualitative, and quantitative data collected regarding the formulation of the License Simplification Strategy that the Department plans to implement through the upcoming legislative session. The Department’s consultant, Chase and Chase Consulting, will provide a detailed briefing on the data obtained through comparisons of license structures with other states, qualitative data collected through focus groups, and quantitative data collected through a phone survey. The Commission may choose to provide the Department with guidance on license structure, strategy, and associated costs.

No Recommendation. Until further information and/or support material is received.

Action Item #19

Commission Resolution of Support for the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources – Chairman Drew and Wildlife Diversity Division Administrator Jennifer Newmark – The Commission will consider and may approve a resolution of support for the recommendations of the Blue Ribbon Panel that Congress dedicate reliable annual funding from existing revenue towards implementation of the State’s Wildlife Action Plan and state delivered conservation.

Mr. Porter stated it’s basically the funding that goes towards wildlife resources but it’s mainly from Congress.

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Mr. Tibbitts stated it's for Congress to allocate \$1.3 billion dollars annually in existing revenue for the development of energy and mineral resources on Federal Lands and Waters to the Wildlife Conservation Restoration Program.

After brief discussion, Mr. Evans moved to support the Commission Resolution of Support for the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources. Mr. Porter seconded, motion carried unanimously.

Action Item #20

Amendment of Biennial Fiscal Years 2016 and 2017 Upland Game Release Plan – Wildlife Staff Specialist Shawn Espinosa – The Commission will hear a request to amend the Biennial Upland Game Release Plan for Fiscal Years 2016 and 2017 to consider additional release locations for wild turkeys.

Mr. Tibbitts stated they developed the plan and this is just amending it. It looks like the only thing they are doing is releasing Moriah's turkeys and that's it.

Mr. Porter stated it's still pending approval from the Great Basin National Park because the release is in Mt. Moriah.

Mr. Lees stated he isn't familiar with this area but NDOW has a track record of releasing wild turkeys where no sportsmen can get access to them. Basically, he would like to know if there is private land around this area that the turkeys could get too because if there is private land, the home owner tends to not want to allow the hunters on the private property.

Mr. Evans stated according to their release plan the area is all public, it's all wilderness. There shouldn't be any concern out there.

After brief discussion, Mr. Evans moved to support the Amendment of Biennial Fiscal Years 2016 and 2017 Upland Game Release Plan for the release of wild turkeys on Mt. Moriah. Mr. Porter seconded, motion carried unanimously.

Action Item #21

Commission Regulation 16-13, 2016–2017 and 2017–2018 Upland Game and Furbearer Seasons and Bag Limits – Wildlife Staff Specialists Shawn Espinosa and Russell Woolstenhulme – The Commission will establish regulations for seasons, bag limits, and special regulations for upland game birds, rabbits, wild turkey, furbearers, and falconry seasons for 2016 – 2017 and 2017– 2018 seasons.

Mr. Porter stated NDOW made a lot of changes and they all looked pretty positive.

Mr. Evans stated most changes were on possession limits in order to make them compatible with Federal Regulations. He doesn't have any issues with any of it and he reviewed everything closely.

After brief discussion, Mr. Evans moved to support Commission Regulation 16-13, 2016-2017 and 2017-2018 Upland Game and Furbearer Season and Bag Limits. Mr. Porter seconded, motion carried unanimously.

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Action Item #22

Commission Regulation 16-03 Amendment #1, 2017 Heritage Tag Organization/Vendor Selection and Special Regulations – Management Analyst 3 Maureen Hullinger – The Commission will consider selection of the 2017 Heritage Tag vendors/organization recommendations; and will also consider language changes associated with the sealed bid process to potentially address any outstanding Heritage tags not allocated to vendors.

No Recommendation.

Action Item #23

Commission General Regulation 458, Electronic Rifle Triggers, Caliber and Cartridge Length, and Smokeless Powder Restrictions, LCB File No. R144-15 – Chief Game Warden Tyler Turnipseed – The Commission will consider amending Chapter 503 of the Nevada Administrative Code. The proposed regulation amendment contains several changes. The first change will clarify the use of black powder substitutes that are considered smokeless powder. The second change would make it legal to hunt big game mammals with a handgun if the handgun uses a centerfire cartridge of .22 or larger [and has a barrel length of 4 inches or more]. The third change would make it unlawful to hunt a big game mammal with a rifle using a centerfire cartridge of caliber .50 or larger or case length longer than 3 inches. The amendment would also make it unlawful to hunt a big game mammal with any firearm equipped with any sighting system using a computer or electronically controlled firing mechanism.

Two workshops have been held on this regulation change; one on January 29, 2016 and one on March 25, 2016. The Commission directed the Department to change “3.8 inches overall loaded length” to “3 inches case length”, change “.46 caliber” to “.50 caliber”, change the minimum legal handgun cartridge to “caliber .22 or larger”, and change “electronic or computer controlled trigger” to “sighting system using a computer or electronically controlled firing mechanism.”

Mr. Porter stated this regulation has been going around for a long time.

Mr. Evans stated the board has supported this language in the past and now they have modified the language but it contains the same idea.

Mr. Evans moved to support Commission General Regulation 458, Electronic Rifle Triggers, Caliber and Cartridge Length, and Smokeless Powder Restrictions. Mr. Porter seconded, motion carried unanimously.

Action Item #24

Commission General Regulation 459, Unmanned Aerial Vehicles (Drones), LCB File No. R145-15 – Chief Game Warden Tyler Turnipseed – The Commission will consider amending Chapters 501 and 503 of the Nevada Administrative Code. The proposed regulation amendment contains several changes. The first change would make the prohibition of using aerial devices for the purpose of hunting and scouting from July 1 to the last day of February each calendar year rather than the current prohibition of 48-hours prior to and during any open season. The second change is to clarify existing language that prohibits the use of unmanned aerial vehicles for the purpose of hunting, locating, or observing big game animals. The changes would extend aerial scouting prohibitions and clarify the existing regulation by explicitly listing unmanned aerial vehicles. The third change is to clarify real-time satellite images. The proposed amendment

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would also add game birds and fur-bearing mammals to the aerial scouting and hunting prohibition.

Two workshops have been held on this regulation change; one on January 29, 2016 and one on March 25, 2016. The Commission directed the Department to add “game birds and fur-bearing mammals” to the season closure on aerial scouting and hunting, change the closure dates to say July 1 to the last day of February each calendar year, and to add and define the term “real-time” to clarify satellite imagery.

Mr. Porter stated the board has supported this regulation in the past.

Mr. Evans stated they had previously provided recommendation or made no recommendation on utilizing the fixed wing during the same time frame.

Mr. Lees stated the biggest thing they are changing in the regulation is the flying over 48 hours to July 1st and they are adding the word drones. Mr. Lees stated he assumes that the current language excludes department staff but he would like it to include department staff. Mr. Lees stated that he knows a staff member who used flying to their advantage because they were working and they ended up getting one of the biggest animals out there because of this. Therefore, he recommends that the language include staff and that it does not exclude them.

Jake Tibbitts stated the recommendation can include language stating that there are concerns about department employees potentially abusing the exemptions if they draw a tag and they are flying the area that they drew the tag from.

After brief discussion, Mr. Evans moved to support Commission General Regulation 459, Unmanned Aerial Vehicles Drones. The Eureka County CAB would like their recommendation to reflect their concern regarding department employees who potentially abuse the exemptions if they draw a tag and they are flying the area that they drew the tag from. Mr. Porter seconded, motion carried unanimously.

Action Item #25

Commission General Regulation 460, Definition of "Spike Elk," LCB File No. R013-16 – Game Division Administrator Brian F. Wakeling – The Commission will consider adopting amendments to NAC 502.104 and 502.1045 to define "Spike Elk" in a manner that limits inadvertent errors in the field. The intent is to consider and possibly broaden the definition of spike in a manner that is consistent with the management objective of defining a spike while reducing the likelihood of errors in harvest identification. A workshop was held in Yerington on March 25, 2016 and further discussion on the proposed amendment occurred in Reno on May 14, 2016. The Commission amended the version of language for consideration at the June meeting that defines "spike" as any antlered elk having no more than two points above the top of the ear on either antler.

Mr. Evans moved to support Commission General Regulation 460, Definition of "Spike Elk". Mr. Porter seconded, motion carried unanimously.

Action Item #26

Commission General Regulation 461, Industrial Artificial Pond Permits (IAP), LCB File No. R014-16 – Habitat Division Administrator Alan Jenne – The Commission will consider adopting

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regulation changes relating to Chapter 502 of the Nevada Administrative Code (NAC). It revises provisions relating to artificial industrial ponds; adds a provision on the purpose of permits; adds definitions for permanent closure and stabilized; adds new provisions and revises existing provisions relating to application, compliance, modification, renewal, and transfer of permits; and modifies provisions relating to assessment fee structure and payment tiers.

A workshop was held in Reno on May 13, 2016, where the Commission asked that the following language be added to Section 8 "...specifications for the design of any facility associated with the artificial or artificially created body of water according to the highest applicable payment tier within any of the following schedules:" This language was added to provide clarity that only the maximum amount found in any one of the applicable tiers will be assessed and that calculation will not be additive.

No Recommendation.

Action Item #27

Commission General Regulation 462, Issuing and Verifying Hull Numbers of Vessels, LCB File No. R015-16 – Management Analyst 3 Maureen Hullinger – The Commission will consider the adoption of regulation changes to address federal regulatory changes the U.S. Coast Guard (USCG) has requested states to implement pertaining to hull numbers for vessels and the verification and issuance of these numbers; the processing of certificate of number applications for vessels to include language definitions, standardization of terminology regarding vessels and personal identification information of owners.

In order to receive federal matching funds associated with the Dingle Johnson Act, all states report vessel information annually to the USCG. In an effort to modernize and standardize their vessel database information, which the USCG collects from all of the states, the USCG amended federal law. This federal change standardizes terminology across all of the states and provides direction regarding the method that states assign and verify hull numbers. Ultimately, these federal changes are expected to improve state reporting. As a result the Department must amend state regulation to implement this standardization effort in order to meet the USCG reporting requirements. These changes must be implemented by Jan. 1, 2017. A workshop was held in Reno on March 13, 2016. The Department provided several cleanup language changes, which were accepted by the Commission.

No Recommendation.

Next Meeting Date

The next meeting date was scheduled for August 4, 2016 at 5:00 p.m.

Public Comment

None

Adjournment

A motion to adjourn the meeting was made by Mr. Porter and seconded by Mr. Evans. There being no further discussion, the meeting was adjourned at 6:07 p.m.

Approved this _____ day of _____ 2016.

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Respectfully submitted: _____, Secretary
Jessica Santoyo

Approved: _____, Chairman
Raymond Hodson