

**CABMW RECOMMENDATIONS for the November 2016 Wildlife Commission Meeting
Eureka County Advisory Board to Manage Wildlife Meeting Results**

Submitted by Chairman Raymond Hodson via: Eureka County Natural Resources Dept.

To: Wildlife Commission, c/o Executive Assistant to the Director Suzanne Scourby, sscourby@ndow.org and
Ashley Sanford, aesanford@ndow.org

Board Members Present: Chairman Raymond Hodson and Jim Evans

Members Absent: Lester Porter

Others Present: Tom Donham- Eastern Region Supervising Game Biologist NV Department of Wildlife (NDOW),
Clint Garret- Biologist NDOW, Jake Tibbitts- Eureka County Natural Resources Manager, Jessica Santoyo- CAB
Secretary, and Jared Lees- Public

Nevada Board of Wildlife Commissioners Meeting Agenda and Support Material

Action Item #7

Commission Regulation 17-01, Taking of Raptors for Falconry for 2017- 2018 – Wildlife Diversity Administrator Jennifer Newmark – 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.

*Jim Evans moved to support Commission Regulation 17-07, Taking of Raptors for Falconry for 2017-2018.
Raymond Hodson seconded, motion carried unanimously.*

Action Item #8

Commission Regulation 17-02 Noncommercial Collection of Reptiles and Amphibians for 2017 - 2018 – Wildlife Diversity Administrator Jennifer Newmark – 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.

No Recommendation.

Public Comment Item #9

Commission General Regulation 470, Miscellaneous Petitions, LCB File No. R095 -16 – Administrative Procedures Regulation and Policy Committee (APRPC) Chairman and Commissioner David McNinch – 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.

No Recommendation.

Action item #10B

Partnership in Wildlife (PIW) Drawing and Restricted Nonresident Guided Deer Draw Applicant Eligibility – Operations Division Administrator Bob Haughian– 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.

Clint Garrett stated currently an individual is only allowed to enter the Partnership in Wildlife (PIW) drawing after the general drawing and this will allow for restricted nonresident guided deer hunts.

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Jared Lees asked why are they only opening it up to guided hunts when they have such a low amount of tags.

Jake Tibbitts stated the silver state tag was put in place for silver state residents and he doesn't see why they would open that to non-residents, opening it up to non-residents goes against what the silver state tag was put in place for.

Mr. Hodson stated they can agree with the PIW drawing and the main drawing but the silver state drawing should be restricted residents.

After brief discussion, Mr. Evans moved to support the PIW drawing and the main drawing but the Silver State drawing stay restricted only to residents. Mr. Hodson seconded, motion carried unanimously.

Mr. Tibbitts stated he thinks it should be clear to the commission as to why to exclude the Silver State tag because it's for Silver State residents.

Tom Donham stated reading over the action item, the wording on this makes him think that nonresidents in the general draw are eligible for the silver state tag draw. The action item states that "Under current regulations those individuals who participate in restricted nonresident guided deer hunt drawings are not eligible for the main drawing and in turn are not eligible to participate in the PIW or Silver State tag draws". Mr. Donham looked up the Silver State tag regulations and currently Silver State tags are open to both resident and nonresidents. So basically the nonresident guided deer hunt individuals are not eligible for the PIW or the Silver State tag draws.

After more continued discussion, Mr. Evans moved to amend his original motion regarding the silver state restriction to residents only and suggested that all classes be included such as resident and nonresident including the nonresident guided class with a comment in reference to the silver state tag. Mr. Hodson seconded, motion carried unanimously.

Note: The Eureka County Wildlife Advisory Board would like it to be noted that the Silver State Tag should only be made available to the Silver State residents.

Action #11

Nevada Department of Wildlife License Simplification Strategy Update – Game Division Administrator Brian F. Wakeling – 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.

Mr. Evans moved to support Nevada Department of Wildlife License Simplification Strategy Update. Mr. Hodson seconded, motion carried unanimously.

Action Item #12

Nevada Department of Wildlife Update of Guidelines for Harvest Management in Nevada – Game Division Administrator Brian F. Wakeling – 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.

No Recommendation.

Action Item #13

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Second Reading, Policy 2, Publications – Commissioner and APRPC Chairman David McNinch –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.

No Recommendation.

Action Item #14

Second Reading, Policy 31, Lahontan Cutthroat Trout Management Guidelines – Wildlife Staff Specialist Pat Sollberger –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.

Mr. Evans recommended that any streams that are viable with healthy populations of rainbow and brown trout are not eradicated because they have other streams out there where the Lahontan Cutthroat can be re-introduced.

Action Item #15

Second Reading, Policy 33, Fisheries Management Program – Wildlife Staff Specialist Pat Sollberger – 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.

No Recommendation.

Action Item #21B

Fallon Naval Air Station and Nellis Air Force Base Public Land Withdrawals – Chairman Grant Wallace – 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.

Mr. Tibbitts stated there is airspace that will be changing over Eureka and he just received notice that the comment period has been extended until December 21, 2016. The current land withdrawal is 202,000 acres and they are proposing to withdraw an additional 650,000 acres, so the total land withdrawal will be almost 900,000 acres and the bombing ranges will be completely fenced off with no public access. Sportsmen would lose any hunting opportunities that are currently out there. They are withdrawing land from the BLM and right now they are in the scoping process working with NDOW to determine if they can have special hunts in those areas for wildlife management. The concern that he has heard about is for the B-16 range because there is Big Horn Sheep out there that will be off limits due to the bombing range. Right now they are in the scoping process and they want everyone to submit their concerns so then they can look at an analysis of all of the concerns.

Mr. Evans moved that the Fallon Naval Air Station allow sheep hunts for at least the minimum amount of tags in that designated zone for wildlife management. Mr. Hodson seconded, motion carried unanimously.

Action Item #22B

Proposed Washoe County Federal Lands Bill – Chairman Wallace –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.

No Recommendation.

Action Item #25

Development of a Commission Policy Regarding Wildlife Contests –Chief Game Warden Tyler Turnipseed -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.

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The Commission may choose to discuss the merits of the policy and may amend, forward, discard, or reinstate development of a policy that articulates the Commission's perspective regarding contests of take of wildlife.

Mr. Hodson moved to support Development of a Commission Policy Regarding Wildlife Contests. Mr. Evans seconded, motion carried unanimously.

Action Item #26A

Commission General Regulation 463, Duties of Person Transporting Vessel or Conveyance, LCB File No. R093-16 – Wildlife Staff Specialist Karen Vargas

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.

Mr. Evans moved to support Commission General Regulation 463, Duties of Person Transporting Vessel or Conveyance. Mr. Hodson seconded, motion carried unanimously.

Action Item #26B

Commission General Regulation 471, Truckee River Motorized Vessel Closure, LCB File No. R139-16 – Chief Game Warden Tyler Turnipseed –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.

No Recommendation.

Action Item #26C

Commission General Regulation 464, Appeals, LCB File No. R074-16 – APRPC Chairman and Commissioner David McNinch – 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

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revision of the regulation was requested from the Legislative Counsel Bureau (LCB); which, contained additional edits.

Mr. Evans moved to support Commission General Regulation 464, Appeals. Mr. Hodson seconded, motion carried unanimously.

Action Item #26D

Commission General Regulation 465, Antelope and Elk Waiting Periods, LCB File R141-16 – Management Analyst 3 Maureen Hullinger – The Commission will consider amending Chapter 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.

Mr. Evans moved to support Commission General Regulation 465, Antelope and Elk Waiting Periods. Mr. Hodson seconded, motion carried unanimously.