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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 September 15, 2016 at 5:00 p.m.

Members Present: Lester Porter and Jim Evans

Members Absent: Raymond Hodson

Others Present: Tom Donham- Eastern Region Supervising Game Biologist NDOW, Jessica Santoyo-CAB Secretary, and Jared Lees- Public

Call to order

Vice-Chairman Evans called the meeting to order at 4:58 p.m. a quorum was determined to be present.

Public Comment

None

Board Business

Review and approval of minutes-

Lester Porter moved to approve the minutes from the August 4, 2016 meeting. Jim Evans seconded, motion carried unanimously.

Correspondence and Member Reports-

Tom Donham stated that the NV Department of Wildlife (NDOW) has officially filled Mike Podborny's vacancy. The position was offered to Clint Garrett, who is currently the Water Development Guzzler Biologist and he has accepted the position. Mr. Garrett's first day is September 26, 2016.

Wildlife Habitat Enhancement Projects-

Update on pinyon-juniper thinning project, wildlife guzzler installation, and other potential projects including fisheries, and consider further efforts to move forward for successful implementation of projects.

Mr. Porter stated that he recently worked with Mr. Garrett to get the potential guzzler sites map from Mr. Podborny. Mr. Garrett informed Mr. Porter that he fully intends to continue moving forward on that project and get the Bureau of Land Management (BLM) process going.

Nevada Board of Wildlife Commissioners

Action Item #6

Washington Department of Fish and Wildlife Request for 20 Wild-trapped Female Sage Grouse for Translocation to the Yakima Training Center to Continue Efforts to Increase Genetic Diversity – Game Division Administrator Brian F. Wakeling and Staff Specialist Shawn Espinosa

– The Department received a request from the Washington State Department of Fish and Wildlife (WDFW), in cooperation with Joint Base Lewis-McChord Yakima Training Center (JBLM YTC) to capture and translocate 20 female sage-grouse from Nevada to JBLM YTC. This request is in support of a collaborative effort by JBLM YTC, WDFW, and the U.S. Fish and Wildlife Service (USFWS) to continue efforts in conducting genetic augmentation of the JBLM YTC sage-grouse population in south-central Washington. The Department is proceeding to fulfill the request and seeks the support of the Commission. The Commission may vote to support the Department's action.

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Mr. Porter moved to support the Washington Department of Fish and Wildlife Request for 20 Wild-trapped Female Sage Grouse for Translocation to the Yakima Training Center to Continue Efforts to Increase Genetic Diversity. Mr. Evans seconded, motion carried unanimously.

Action Item #7

First Reading, Commission Policy 2, Publications – Commissioner and Administrative Procedures Regulations and Policy (APRP) Committee Chairman David McNinch – The Commission will have a first reading and may take action on the committee’s recommendation to repeal Commission Policy 2, Sale of Publications. The policy is outdated and redundant with the Public Record fee schedule and requirements applicable to Executive Branch agency’s limiting fees.

Mr. Porter moved to support First Reading, Commission Policy 2, Publications – Commissioner and Administrative {Procedures Regulations and Policy (APRP). Mr. Evans seconded, motion carried unanimously.

Action Item #8

Second Reading, Commission Policy 10, Wildlife Heritage Tags and Vendors – Commission Chairman and Wildlife Heritage Committee Chairman Grant Wallace – The Commission will conduct a second reading of Policy 10, Wildlife Heritage Tags and Vendors, and may take action to approve recommendations from the policy’s first reading.

Mr. Porter moved to support Second Reading, Commission Policy 10, Wildlife Heritage Tags and Vendors. Mr. Evans seconded, motion carried unanimously.

Action item #9

Second Reading, Commission Policy 11, Wildlife Heritage Grants – Commission Chairman and Wildlife Heritage Committee Chairman Grant Wallace – The Commission will conduct a second reading of Commission Policy 11, Wildlife Heritage Grants, and may take action to approve the recommendations from the policy’s first reading.

Mr. Porter moved to support Second Reading, Commission Policy 11, Wildlife Heritage Grants. Mr. Evans seconded, motion carried unanimously.

Action #10

First Reading, Commission Policy 31, Lahontan Cutthroat Trout Management Guidelines – Commissioner and APRPC Committee Chairman David McNinch and Fisheries Division Administrator Jon Sjoberg – The Commission will conduct a first reading of Policy 31, Lahontan Cutthroat Trout Management Guidelines. The committee recommends updating the policy with current requirements and Fisheries Division plans will be considered. The Commission may take action on the committee’s recommended changes to Policy 31.

Mr. Evans stated he will need to see more information before he can provide a recommendation because he has some issues with limiting the stocking to only rainbow.

No Recommendation will be made until further background information is provided.

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First Reading, Commission Policy 33, Fisheries Management Program – Commissioner and APRP Committee Chairman David McNinch and Fisheries Division Administrator Jon Sjöberg

The Commission will conduct a first reading on Policy 33, Fisheries Management Program. The committee recommends updating the policy with current requirements and Fisheries Division plans will be considered. The Commission may take action on the committee's recommended changes to Policy 33.

No Recommendation will be made until further background information is provided.

Public Comment Item #14:

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

– The Commission will hold a workshop to 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 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.

Mr. Porter moved to support Commission General Regulation 463, Duties of Person Transporting Vessel or Conveyance LCB File No. R093-16. Mr. Evans seconded, motion carried unanimously.

Public Comment Item #15

Commission General Regulation 465, Antelope and Elk Waiting Periods, LCB File R141-16 –

Management Analyst 3 Maureen Hullinger – The Commission will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code (NAC). Existing regulation allows a person to apply in any year for an antelope tag. If they receive an antelope tag for horns longer than ears and harvest an antelope they are in a waiting period of five years before they are eligible to apply again. Existing regulation for antlered elk allows a person to apply in any year if they did not receive a tag in the previous five years and did not harvest, it also stipulates a person is eligible to apply after 10 years if they harvest an antlered elk. The amendment to the regulation would standardize the waiting period for a person to be eligible to apply for each of the species after receiving a tag. Antelope waiting period after receiving a tag would be three years. Antlered elk waiting period after receiving a tag would be five years.

Mr. Porter stated that the individuals that are in the 10 year waiting period agree with this regulation but the individuals who haven't drawn their first elk tag do not agree with this.

Jared Lees stated that he doesn't agree with the regulation because he just got done with the bull tag, he is currently waiting for the antelope tag, and it sucks to be waiting.

Mr. Donham stated this is something that has been discussed about for a long time and it's all sportsmen driven. The 10 year waiting period was brought up when the elk numbers were relatively limited and most of the guys who have a lot of points are being very picky about the hunt.

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Mr. Lees stated that he doesn't agree with the antelope because someone has to harvest for three and he thinks those individuals should be allowed to put in for every year. Changing the regulations for hunters is a lost cause because they are still trophy hunting over here. He agrees with the elk but he isn't agree with the antelope why change it.

No Recommendation.

Public Comment Item #16

Commission General Regulation 467, Special Assistance Permit, LCB File No. R105-16 – Chief Game Warden Tyler Turnipseed – The Commission will hold a workshop to consider amending 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 change on August 12, 2016, where several changes were considered.

Mr. Evans moved to support Commission General Regulation 467, Special Assistance Permit, LCB File No. R105-16. Mr. Porter seconded, motion carried unanimously.

Public Comment Item #17

Commission General Regulation 471, Closure of Truckee River to Motorized Vessels, LCB File No. R139-16 – Chief Game Warden Tyler Turnipseed – The Commission will hold a workshop to consider amending Chapter 488 of the Nevada Administrative Code (NAC). Existing regulation sets 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 the Truckee River from the California-Nevada state line to the point where the river enters the Pyramid Lake Indian Reservation to the list of waters with such a restriction. 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.

No Recommendation.

Action Item #23

Commission Regulation 16 - 02, Amendment #1, Fishing Seasons and Bag Limits for March 1, 2016 through February 28, 2018 – Fisheries Division Administrator Jon Sjöberg – The Commission will consider Amendment #1 of the Fishing Seasons and Bag Limits for March 1, 2016, through February 28, 2018. The Department is proposing an amendment to the harvest limit for fish in that portion of the Truckee River from 1,000 feet below Derby Dam to the boundary of the Pyramid Lake Indian Reservation to be three game fish of which zero (0) may be trout (catch and release only) from February 1 through May 31, in Storey and Washoe Counties, and an amendment to change the harvest limit for trout in Lake Mohave and the Colorado River below Davis Dam to be five trout in Clark County.

Mr. Porter he doesn't know enough to provide a comment at this time.

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Mr. Lees stated the average guy out there with his kid is just fishing and with this they are just going to get an honest guy in trouble by ticketing him. They are just cutting people out of fishing who like to go fishing.

Mr. Evans stated NV has many fisheries that are designated as take fisheries that are available to the public.

Mr. Evans moved to support Commission Regulation 16 – 02, Amendment #1, Fishing Season and Bag Limits for March 1, 2016 through February 28, 2018. Mr. Porter seconded, motion carried unanimously.

Action Item #24

Commission General Regulation 468, Bonus Point Transfer, LCB File R104-16 – Management Analyst 3 Maureen Hullinger – The Commission will consider amending Chapter 502 of the Nevada Administrative Code (NAC). Existing regulation provides for the accumulation of bonus points by a person who applies for certain drawings for tags required for hunting certain species. Such bonus points accumulate and give the person a mathematical advantage in subsequent drawings for a tag. Under existing regulations, a person who changes his or her state of residence may request a transfer of any accumulated bonus points to himself or herself as a resident or nonresident of this State, as appropriate. This regulation change provides the authority to the Department to make such a transfer automatic upon the person's change of residence. The Commission held a workshop on this regulation change on August 12, 2016. The Commission did not have any recommended changes and requested to consider adoption of this regulation at the September Commission meeting.

Mr. Evans moved to support Commission General Regulation 468, Bonus Point Transfer, LCB File R104-16. Mr. Porter seconded, motion carried unanimously.

Action Item #25

Commission General Regulation 469, Truckee River Tackle Restriction, LCB File No. R094-16 – Fisheries Division Administrator Jon Sjöberg – The Commission will consider amending Chapter 503 of the Nevada Administrative Code (NAC). The change revises NAC 503.504 to require the use of certain types of fishing tackle in portions of the Truckee River. Only artificial lures with single barbless hooks may be used on the Truckee River from 1,000 feet downstream of Derby Dam to the Pyramid Lake Paiute Reservation boundary from February 1 through May 31 each year, to reduce incidental mortality of spawning adult Lahontan cutthroat trout. The Commission held a workshop on this regulation change on August 12, 2016. The Commission did not have any recommended changes and requested to consider adoption of this regulation at the September Commission meeting.

Mr. Evans moved to support Commission General Regulation 469, Truckee River Tackle Restriction, LCB File No. R094-16 Mr. Porter seconded, motion carried unanimously.

Action Item #26

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 adopting an amendment to Chapter 503 of the Nevada Administrative Code (NAC). The proposed regulation amendment contains several changes. The first change will clarify the use of black powder substitutes that are considered

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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 larger than .50 caliber or with a 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 March 25, 2016. The Commission directed the Department to change “3.8 inches overall loaded length” to “3 inches case length,” change “.46 caliber or larger” to “larger than .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.” Another hearing was held on June 25, 2016; however, the Commission only allowed public comment, the Commission did not discuss the regulation.

Mr. Porter stated that the board has supported this initiative in the past.

Mr. Lees stated that his problem is with the removal of the 50 caliber because guys can choose whatever they want to hunt with, it shouldn't be a problem with anyone. They can wound a deer at 10 yards with a bow or they can wound a deer at 1,000 yards it shouldn't matter. This is the second time this commission has had the National Rifle Association (NRA) upset with them, he personally thinks someone who doesn't like the 50 caliber is trying to push this forward.

Mr. Porter stated that this may help tone down the geniuses who are trying to shot a deer from a mile away

Mr. Evans stated if someone is shooting with a larger cartridge, what kind of carcass is left behind. Are this individuals out there to just shoot an animal or to harvest the animal. If someone is just out there shooting to shoot something then he doesn't agree with it but if they are out there conserving the wildlife then he agrees with it.

Mr. Lees stated if you wound an animal it will still be down for the count and in a few days the meat will have been wasted anyway.

After brief discussion, Mr. Evans moved to support Commission General Regulation 458, Electronic Rifle Triggers, Caliber and Cartridge Length, and Smokeless Powder Restrictions, LCB File No. R144-15. Mr. Porter seconded, motion carried unanimously.

Action Item #27

2016 Fire Related Emergency Antlerless Deer Hunts for Portions of Units 067 and 068 – Game Division Administrator Brian F. Wakeling and Eastern Region Game Division Supervisor Tom Donham – The Department will brief the Commission on the effects of the Hot Pot Fire in portions of Units 067 and 068 north of Battle Mountain and provide a description of conditions on critical mule deer winter range in the area. The Department plans to use antlerless deer hunts during fall 2016 to reduce deer abundance and subsequent deer mortality on the winter range and also lessen potential impacts to the remaining habitat. The Commission may vote to support the Department's action.

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Mr. Donham stated they are targeting 067 because the deer herd that uses that winter range will be targeted specifically.

Mr. Evans stated usually they don't weigh on the subjects that are outside of the Eureka county CAB areas and he thinks the Battle Mountain CAB should comment on this issue.

No recommendation.

Action Item #28

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 about 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. Lees stated this is the third time this agenda item has been on the agenda and they still haven't provided any support material, he would like to see some type of support material.

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

Action Item #29

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 feedback received at public meetings held on August 24 - 26 and September 6 - 7, 2016 in Ely, Elko, Winnemucca, Las Vegas, and Reno. The Commission may provide the Department with direction regarding further development. The Department intends to provide the Commission with a final briefing on the Harvest Guidelines at their meeting in November.

No Recommendation.

Next Meeting Date

The next meeting date was scheduled for November 10, 2016 at 4:00 p.m.

Public Comment

None

Adjournment

A motion to adjourn the meeting was made by Mr. Evans and seconded by Mr. Porter. There being no further discussion, the meeting was adjourned at 6:15 p.m.

Approved this _____ day of _____ 2016.

Respectfully submitted: _____, Secretary
Jessica Santoyo

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Approved: _____, Chairman
Raymond Hodson