

Washoe County Advisory Board to Manage Wildlife

MINUTES

Monday ~ December 2, 2013 ~ 6:00 p.m.
Regional Emergency Operations Center
Conference Room
5195 Spectrum Boulevard, Reno, Nevada

MEMBERS

John Reed, Chair
Sean Shea, Vice-chair
Michelle Spencer, Secretary
Rex Flowers
Miles Humphreys, Jr.

1. PLEDGE OF ALLEGIANCE [Non-action item]

Chair Reed led the Pledge of Allegiance.

PRESENT: Rex Flowers, Miles Humphreys Jr., John Reed, Sean Shea and Michelle Spencer.

ABSENT: None.

2. CALL TO ORDER AND ROLL CALL [Non-action item]

Chair Reed called the meeting to order at 6:00 p.m. A quorum was established.

3. PUBLIC COMMENTS [Non-action item]

There were no public comments.

4. APPROVAL OF SEPTEMBER 12, 2013, MINUTES (For possible action)

Hearing no public comment Chair Reed asked for board discussion or a motion.

It was moved by Member Flowers, seconded by Member Shea, to approve the September 12, 2013, meeting minutes, as submitted. The motion carried unanimously.

5. BOARD MEMBER MEETING ASSIGNMENT (Non-action item) – A discussion and selection of member(s) to attend the Nevada Board of Wildlife Commissioners meetings on: 1) December 6 and 7, 2013, meetings in Reno, Nevada; and 2). January 31 and February 1, 2014, meetings in Las Vegas, Nevada.

Member Humphreys, Jr. will attend the December 6, 2013, meeting

Chair Reed may attend both the December 6 and 7, 2013 meeting.

Member Flowers will attend the December 7, 2013, meeting.

Member Flowers will attend the January 31, and February 1, 2014, meetings in Las Vegas, Nevada.

6. COMMITTEE, MEMBER AND LIAISON UPDATES (Non-action items)

6-1. Correspondence (including sportsmen's concerns) and Announcements – Chair Reed provided an outline of the correspondence received (copies on file); 1) From Travis Bertrand who has a petition that will be heard later; and 2) Pamela Gartin who has an on-line petition (<http://www.change.org/petitions/incline-village-general-improvement-district-board-of-trustees-please-support-a-new->

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[bear-resistant-solid-waste-recycling-container-ordinance](#)) to mandate the use of bear proof trash containers in Incline Village, Nevada.

6-2). Overview of the September 20 and 21, 2013, meetings of the Nevada Board of Wildlife

Commissioners – Member Flowers outlined the September 20 and 21, 2013, Nevada Board of Wildlife Commissioners meetings noting that trap registration had been delayed as had trail cameras due to additional concerns. Member Flowers commented that fishing limits on the Truckee River had been modified to reflect the same limits as are placed on urban ponds. Additionally, more funding has been added to project 22.

7. INFORMATIONAL PRESENTATION ON NEVADA'S WILDLIFE DIVERSITY [Non-action item] – *An informational overview on the diversity of Nevada's Wildlife.*

Chair Reed recalled his earlier discussion about having a presentation on the effect wind turbines have on Nevada's wildlife, which he has delayed and instead asked Supervising Biologist David Catalano to provide an overview of Nevada's Wildlife Diversity.

David Catalano – Supervising Biologist, narrated a PowerPoint® presentation (copy on file) noting that the Diversity Division was expanded in 2002 using new federal funding and SWG (State Wildlife Grant) funding to develop the WAP (Wildlife Action Plan), which is used to develop by all other NDOW (Nevada Department of Wildlife) programs. NDOW (Nevada Department of Wildlife) uses the WAP to run all other programs including endangered species and non-game animals such as Desert Tortoise. Additionally, the Division also administers Question 1 funds, ESA (Endangered Species Act), LIP (Landowner Incentive Programs) and the Tahoe EIP (Environmental Improvement Program) programs. Mr. Catalano noted that the Division is also responsible for habitat enhancement, fuels reduction, wildlife and trail monitoring programs and has received EIP2 funding through 2020. Mr. Catalano outlined successful sagebrush, habitat, claim post marker, Bat gate programs as well as Aspen restoration and forest health restoration projects.

Responding to Gerald Lent's inquiry about budget, Mr. Catalano explained that the budget varies annually and comes from State Wildlife grants using federal funds. Currently there are eight (8) biologists, three (3) supervisors and one (1) chief.

8. HORSES ON THE WASHOE LAKE MANAGEMENT AREA [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners direct NDOW (Nevada Department of Wildlife) to take necessary action(s) to protect the sensitive migratory bird and wildlife habitat.*

Chair Reed opened the agenda item and explained that after board discussion and input from NDOW (Nevada Department of Wildlife) staff public comments would be taken.

Member Flowers commented that he had observed several horses on the wildlife management area on three (3) occasions over the past 2-weeks.

Alan Jenne – Habitat Chief, commented that there have been as many as 25 horses in the state park and Scripps Management Area. Discussions with the State Parks and Agricultural Divisions indicate

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that the long-term drought had expanded the areas accessible to horses. Given the expanse and lack of areas that would allow the horses to be easily gathered for removal from the area, the Agriculture Department has taken no action due to staff limitations. It is hoped that the winter of 2013-2014 will produce sufficient moisture so currently dry areas will once again be covered with water, thereby providing better areas of containment and capture. An existing fence between Little Washoe Lake and the Scripps Management Areas appears to have been cut, thus allowing horse access to the Scripps Management Area. Perhaps a permanent solution would be some type of pipe rail that would prevent horse access. However, the Washoe Lake waters are used for a variety of recreational purposes including jet-ski and boating thus requiring additional review to determine the appropriate location for any future fence. Mr. Jenne noted that State Parks Division did not have specific public safety concerns and that the Agriculture Department has indicated that there would have to be a public safety hazard. Mr. Jenne explained that about nine (9) horses had been removed from the Little Washoe Lake area, which is a smaller and more focused area for capture.

During the discussion it was pointed out that there appears to be a sufficient number of wet areas and that Scripps Management Area can sustain for the winter. Other discussion emphasized that there was no desire to allow an expansion of the herd and that as water conditions improve horse will move to other areas to forage. Additional discussion pointed out that NDOW, State Parks and the Agriculture Department will continue to focus on and identify the best opportunity to remove horses from the area. It was pointed out that Flint Wright at the Division of Agriculture, would be the appropriate person to discuss the matter with at the Agriculture Department. It was noted that any volunteers would be appreciated when the horses are removed from the area. Other discussion noted that NDOW can only respond and take action on matter directly related to the Scripps Wildlife Management area.

Chair Reed opened public comments.

Responding to Mel Belding inquiry about the number of times horse have been observed in the area, Member Flowers explained that he had observed horses in the area from the highway between Carson City and Reno.

Mr. Belding stated that he believes action should be taken to repair the fence as soon as possible once the horses are removed.

Mr. Jenne pointed out that boater and skier safety is a significant issue that must be addressed when the fencing is replaced.

Chair Reed closed public comment.

Member Flowers commented that he believes the best course is to allow NDOW to continue the process to develop a plan in collaboration with the Agriculture and State Parks Departments. However, it is Member Flowers' hope that the issue will be resolved before nesting begins in the spring

Chair Reed suggested that Member Humphreys, Jr. bring the matter to the attention of the Nevada Board of Wildlife Commissioners during the time allotted for Country Advisory Bard comments.

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No specific action was taken.

- 9. PETITION – Jarrod Mesloh of Nevada Tannery** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a petition submitted by Jarrod Mesloh of Nevada Tannery with the stated purpose: “Tannery’s and wholesale providers to taxidermists are subject to and regulated like retail taxidermists.”*

Chair Reed opened the agenda item.

Responding to Member Shea’s question about whether tanneries are regulated like taxidermists, Mike McCusker – Game Warden, explained that existing regulations are specific to taxidermists and that a tannery would fall under those regulations by requiring that certain information be obtained from the client. It appears that the petition is seeking a slight modification since a tannery in Nevada requires more information than an out-of-state facility. It is Mr. McCusker’s opinion that Mr. Mesloh is in effect seeking a sub-category in the existing regulation that does not require the same record keeping as a taxidermist.

Member Shea believes that the petition has merit. Mr. Shea pointed out that the hides he receives have two (2) punches and are traceable.

Hearing no public comment, Chair Reed asked for board discussion or motion.

Chair Reed commented that he believes this to be a valid petition and would support a recommendation of accept the petition to the Nevada Board of Wildlife Commissioners.

It was moved by Chair Reed, seconded by Member Flowers to recommend that the Nevada Board of Wildlife Commissioners accept the Jarrod Mesloh petition as presented. The motion carried unanimously.

- 10. PETITION – Travis E. Bertrand** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a petition submitted by Travis E. Bertrand “to allow Blackhorn 209 powder during muzzleloader seasons.”*

Chair Reed opened the agenda item and explained that after a review of the current regulation it appears that Blackhorn 209 powder is not substantively different than other black powder.

Member Flowers recalled that the issue had been reviewed a few years ago and that NDOW (Nevada Department of Wildlife) had indicated that it is not a black powder.

Mike McCusker Game Warden, explained that direction had been received to conduct further research. While no one is a chemist, a determination was made that Blackhorn 209 could not be used under the existing regulation since it has the same base compound as smokeless powder. Mr.

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McCusker emphasized that there is no known advantage in using Blackhorn 209 and is a newer technology.

Member Spencer noted that Blackhorn 209 is a cleaner powder thus requiring less frequent cleaning of the firearm.

Member Shea stated he could support the petition.

Responding to Chair Reed's inquiry about the rewrite, Mr. McCusker explained that the Department has no objection to the regulation being modified to include Blackhorn 209 to reflect the newer technology in NAC (Nevada Administrative Code) 503.142.

Travis Bertrand submitted a fact sheet (copy on file) and explained that he had used both types of powder and found no difference in performance.

Hearing no public comment, Chair Reed asked for board discussion or a motion.

It was moved by Member Shea, seconded by Member Flowers, to recommend that the Nevada Board of Wildlife Commissioners accept Travis Bertrand Petition to modify NAC (Nevada Administrative Code) 503.142, Section 1, to allow the use of Blackhorn 209 powder during muzzle loader seasons. The motion carried unanimously.

11. SECOND READING OF COMMISSION POLICY No. 23, Predation Management [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a second reading of Commission Policy No. 23, Predation Management.*

Chair Reed opened the agenda item and noted his concern that the proposed language may take some authority away from Nevada Board of Wildlife Commissioners.

Member Flowers commented NDOW (Nevada Department of Wildlife) prepares the final draft for Nevada Board of Wildlife Commissioners review and final comment.

Chair Reed opened public comment.

Gerald Lent stated that this is in contradiction to the law and that Item 4, Page 5 says the Department (NDOW) shall do a final draft with Commission (Nevada Board of Wildlife Commissioners) review and take comments to Wildlife Services and others. The next paragraph indicates that on or before June 30, the Department shall finalize. Mr. Lent believes the language in effect give the Department final authority and regulates the Commission to an advisory position. Therefore, this is in direct contradiction to the way the law was written. Mr. Lent pointed out that he had involved in the writing of the original legislation. Mr. Lent stated that, in his opinion, the sportsmen and Commission should make the final decision. Mr. Lent encouraged the board to either recommend denial of the language or delay the matter pending a legal interpretation.

Chair Reed closed public comment.

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Member Flowers suggested that a recommendation to approve the language include any modifications that the board feels are needed.

There was some discussion about whether the LCB (Legislative Counsel Bureau) would review the policy. As the discussion continued, it was noted that while it is possible the LCB might review the policy for consistency, it is unclear whether that is a certainty.

Chair Reed suggested that the language be modified such that the Nevada Board of Wildlife Commissioners retains final approval.

Member Flowers suggested that paragraph 5 be modified by adding the words "subject to Nevada Board of Wildlife Commissioners approval."

It was moved by Member Flowers, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approved Policy 23 with the following modification: Page 5, paragraph 5, first sentence add the following "...the department shall finalize the Predation Management Plan for the next fiscal year subject to the Nevada Board of Wildlife Commissioners approval." The motion carried unanimously.

- 12. ELK HUNT MANAGEMENT STRATEGIES** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify proposed new Elk Hunt Management Strategies to include: removal of depredation hunts from the bonus point program; antlerless elk management tag awarded when a deer tag is drawn within specified units; antlerless elk management tag awarded when an antlered elk tag is drawn; allow applications for both antlered elk and antlerless elk in the same draw period; and implementation of spike hunts.*

Chair Reed opened the agenda item.

Maureen Hullinger – NDOW (Nevada Department of Wildlife), outlined recent Game Division meetings and subsequent Elk Management proposal. Ms. Hullinger noted that there are basic guidelines suggested for each Strategy and that she would outline the guidelines if the board concurs with the proposed strategy. CGR's (Commission General Regulation) will come forward for the Nevada Board of Wildlife Commissioners meeting January 21 and February 1, 2014.

Strategy 1 – Remove Depredation Hunt from Bonus Point Program

Ms. Hullinger explained the rationale for the proposal and drew attention to the guidelines associated with the Strategy. CGR 438 R091-13R LCB (Legislative Counsel Bureau) 091-13 will be heard by the Nevada Board of Wildlife Commissioners at the December 6 and 7, 2013, meetings. The premise of the Depredation Hunt is to reduce Elk herd populations with some hunters not harvesting an animal not deemed to be of trophy quality. Ms. Hullinger noted that hunters may reapply if they draw an Elk Depredation Tag and harvest an animal. Ms. Hullinger then pointed out the similarities in application eligibility guidelines that the Board may wish to combine or otherwise modify for each Strategy.

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Larry Gilbertson – NDOW, explained that the depredation hunts are intended to reduce Elk herd populations to meet Elk Management Plan goals. Mr. Gilbertson noted that many times hunters feel invested after accumulating bonus points and if awarded a tag might not harvest an animal due to a preference for something larger. Responding to Member Flowers' inquiry about an either sex hunt, Mr. Gilbertson commented that an either sex hunt had been tried with Antelope in the past and that hunters tended to not harvest an animal that did not meet their expectations, often holding out for a small buck rather than help to solve the problem by taking the first doe Antelope they see.

Hearing no public comment Chair Reed asked for board discussion or a motion.

It was moved by Member Flowers, seconded by Member Humphreys, Jr., to recommend that the Nevada Board of Wildlife Commissioners approved Strategy 1 as written. The motion carried unanimously.

Strategy 2 – Antlerless Elk Management Tag Awarded if Deer Tag Drawn (“DELK” Tag)

Ms. Hullinger provided an overview of Strategy 2 and the proposed DELK (Deer Elk) tag. Additionally, this may provide an option to obtain a Cow Elk Tag if successful in drawing the Mule Deer tag, thus providing two tags. Ms. Hullinger noted that all fees must be paid on the Mule Deer and Elk tags. Ms. Hullinger explained that all subsets are handled separately.

Chair Reed expressed his support noting that he believes this to be a win-win situation for everyone.

Member Shea noted his concern that non-residents were excluded and that this was only available on-line.

Ms. Hullinger explained that many hunts, including the Silver State Tag can only be applied for online. The ultimate goal is to provide an interactive application process, which reduces the number of errors typically found in paper applications. Ms. Hullinger noted that fully 97-percent of applications were filed online already. Ms. Hullinger commented that the board could recommend that the DELK be opened to non-residents in their recommendation to the Nevada Board of Wildlife Commissioners.

Member Humphreys, Jr. agreed with the recommendation as it offers a lot of deer hunter an opportunity to hunt elk.

Chair Reed opened public comments.

Larry Johnson concurred with the recommendation as he believes it will reduce congestion in the field.

Chair Reed closed public comment.

Eligibility 2A – “DELK” Deer Party Applications

Ms. Hullinger outlined Eligibility 2A and the two options: 1) only available to deer applicants that apply as a party of one (1); or 2) Available to single applicants and on deer party applications where each

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individual in the party can opt to participate. Not all party members would be required to select the option. Ms. Hullinger explained that there would be a check box on the application that each member of party hunt would have the option to participate.

Chair Reed opened public comment.

Larry Johnson commented that he believes this would be a good way to add another management tool and not eliminate those that participate in party hunts.

Chair Reed closed public comment.

Eligibility 2B – “DELK” Application Eligibility

Ms. Hullinger provided an overview of the four (4) options and drew attention to the concerns voiced regarding the lessening of draw opportunity for the general antlerless elk hunter who may not be interested in “DELK” applications. The concern is due to an application eligibility allowing for both the general antlerless elk hunts (4181, 4111 and 4176) and “DELK” in the same draw period. Ms. Hullinger explained that there was the potential for an applicant to draw up to three (3) tags, which is why the sub-options provide alternative scenarios. Ms. Hullinger pointed out that remaining tags would be available in the second draw.

During a brief discussion it was noted that Option 3 provided the most opportunity.

Chair Reed opened public comment.

Larry Johnson commented that, in his opinion, Option 3 would be the most effective as a management tool.

Chair Reed closed public comment and commented that he believes Option 3 is the preferred option.

Eligibility 2C – “DELK” Application Eligibility with Antlered Elk

Ms. Hullinger summarized the proposal, which allow an application option for antlerless management Elk on the deer application, “DELK” and would not affect eligibility for the bull elk tag. Ms. Hullinger pointed out that an applicant could draw a bull elk and should a deer tag with antlerless elk management be selected could result in a total of three (3) tags: deer tag, antlerless elk management and bull elk tag. Ms. Hullinger explained that the programming would be in place so that once an option was chosen it would trigger any additional options that might be available. Additionally, a tag can be returned and be reissued once surrendered.

There were no public comments on this item.

Ms. Hullinger pointed out that the Nevada Board of Wildlife Commissioners might not approve all the options recommended by the County Advisory Boards.

Strategy 3 – Antlerless Elk Management Tag Awarded if Bull Elk Tag Drawn

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Ms. Hullinger outlined the program guidelines explaining that this is another available strategy.

Mr. Gilbertson noted that if a trophy bull was not identified the tag holder could still bring home some meat, without jeopardizing the opportunity.

Ms. Hullinger noted that all fees would have to be paid as required under existing statute.

Member Flowers explained that he had some concerns about over harvesting in some units such as Unit 8.

Mr. Gilbertson pointed out that biologists had expressed a similar concern. However, biologists may recommend lower quotas and would monitor the harvest closely to avoid over-harvest.

Ms. Hullinger pointed out that if supported the Department would develop harvest quotas that can be modified by the County Game Boards annually.

There were no public comments on this item.

Chair Reed commented that he did not see a down-side to the proposal.

Ms. Hullinger noted that this particular hunt was also limited to residents only.

Eligibility 3A – Application Eligibility

Ms. Hullinger noted that the applicant in this instance is already applying for two (2) elk, one (1) antlered bull and one (1) antlerless elk management tag option associated with a deer application. Therefore, should the individual be eligible to apply for any other antlerless elk tag.

Chair Reed noted his concern about the issues with allowing three (3) tags.

Member Flowers suggested that the same eligibility rule be used that is applied to the “DELK” tag.

Member Humphreys Jr. stated he could not support eligibility for a third tag.

Responding to Chair Reed’s inquiry about bonus points, Ms. Hullinger stated that the applicant would be eligible for a bonus point.

Chair Reed stated he did not support Eligibility 3A and suggested it mirror the “DELK” eligibility with a two (2) tag limitation with bonus point. Allow application for the antlerless hunts but once either the “DELK” (antlerless elk management tag) or any other antlerless tag is drawn the other outstanding applications for antlerless elk are unsuccessful.

Chair Reed opened public comment.

Larry Johnson concurred with the general consensus that Eligibility No. 1 should not be supported.

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Chair Reed closed public comment.

Strategy 4 – Allow Both Antlered and Antlerless Elk Applications in same Draw Period

Ms. Hullinger outlined the proposal that would allow both antlered and antlerless elk applications in the same draw period. The intent is to entice bull elk hunter to harvest a cow elk while waiting for their bull tag to be drawn.

During the discussion it was noted that an interactive programming change would be needed on the website and that the hunts could be in two different units. It was also pointed out that the antlered and antlerless hunts might not occur within the same season.

Chair Reed opened public comment.

Larry Johnson questioned whether Option 3 eliminated the ability to secure a cow elk tag and expressed his preference to have the bull elk draw first.

Mike Cassidy concurred with option 3.

Gerald Lent commented that he felt this was long overdue and that he does not support Option 3.

Chair Reed closed public comment.

Ms. Hullinger noted that she did not yet know the cost of reprogramming the system.

Responding to Member Spencer's question about whether the board was supportive of Strategy 4 in general, Chair Reed commented that he could support the proposal as it enhancing hunter opportunity without adding any significant pressure in the field.

Members Flowers, Humphreys Jr., Shea, Spencer expressed support for Option 3.

Chair Reed stated that while he likes Option 1 he also supports Option 3.

Strategy 5 – Spike Elk Hunts

Ms. Hullinger outlined the proposal to initiate spike bull hunts in select unit groups to reduce herd populations and meet population objectives. The proposal does not change bonus points and waiting periods as they are already established in permanent regulation and would be the same as the cow elk hunt.

Chair Reed stated that he did not support such a hunt.

Member Humphreys Jr. noted that he had mixed feelings and pointed out that the animals need to be allowed to grow.

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Member Flowers commented that he knows hunters that have waited a lifetime to hunt bull elk and that he does not favor a spike hunt. Of particular concern is that an inexperienced hunter might harvest the wrong animal mistaking a cow elk for a spike.

Members Shea and Spencer concurred with previous statement in opposition.

Chair Reed opened public comments.

Gerald Lent stated that he is not in favor of this type of hunt and that he believes that once wolves are reintroduced and migrate to the state that over populations of elk will no longer be an issue.

Travis Bertrand commented that he did not support a spike hunt.

Chair Reed closed public comment.

It was moved by Member Flowers, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Strategy 1 and remove the depredation hunts from bonus point eligibility. The motion carried unanimously.

It was moved by Member Flowers, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Strategy 2 with the following modification: 1) include non-residents; and approve Eligibility 2B Option 3; and Eligibility 2C DELK application eligibility as written. The motion carried unanimously.

It was moved by Member Flowers, seconded by Member Humphreys Jr., to recommend that the Nevada Board of Wildlife Commissioners approve Strategy 3 with the following modification: limited to one bull and one antlerless and using the same strategy as listed under Option 2 of the DELK Party application.

Member Flowers withdrew the motion.

Member Humphreys Jr. withdrew the second.

Member Flowers restated the motion as follows.

Ms. Hullinger noted that Eligibility 3A would list bull elk as an option on the allocation eligibility and that once a tag is drawn the other tag is listed as unsuccessful.

Member Spencer commented that while she supports elk management she is opposed to 3A with a limit of two (2) tags.

Responding to Chair Reed's inquiry about whether non-residents should be included in all Strategies, Member Flowers affirmed that was the intent.

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It was moved by Member Flowers, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Strategy 3 with the following modification: 1) to include non-residents; and 2) that tags be limited to two (2) one bull and one cow. The motion carried unanimously.

It was moved by Member Flowers, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve Strategy 4 with the following modification: 1) include non-residents; and 2) subject to Option 3 for application eligibility. The motion carried unanimously.

It was moved by Member Flowers, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners deny Strategy 5. The motion carried unanimously.

The meeting recessed at 8:30 p.m. and reconvened at 8:40 p.m.

- 13. COMMISSION GENERAL REGULATION 431, LCB (Legislative Counsel Bureau) File No. R054-13, Aquatic Invasive Species Decal Use Defined** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a proposed regulation relating to watercraft; revising provisions properly relating thereto.*

Chair Reed opened the agenda item and hearing no public comment asked for board discussion or a motion.

It was moved by Member Humphreys Jr., seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 431, LCB (Legislative Counsel Bureau) File No. R054-13, Aquatic Invasive Species Decal Use Defined, as written. The motion carried unanimously.

- 14. COMMISSION GENERAL REGULATION 432, LCB (Legislative Counsel Bureau) File No. R055-13, Jiggs Flatwake** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a regulation relating to wildlife; revising provisions related to waters on which a reduced speed is required; and providing other matters properly relating thereto.*

Chair Reed opened the agenda item and pointed out that this added the Jiggs Flatwake to the regulation. Hearing no public comment Chair Reed asked for board discussion or a motion.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 432, LCB (Legislative Counsel Bureau) File No. R055-13 Jiggs Flatwake, as written. The motion carried unanimously.

- 15. COMMISSION GENERAL REGULATION 433, LCB (Legislative Counsel Bureau) File No. R056-13, Remove Fishing Tackle Restrictions** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve,*

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deny or otherwise modify a regulation relating to fishing; removing Andorno Creek, Coleman Creek and the North Fork of Battle Creek from the waters restricted to use only artificial lures with single barbless hooks; and providing other matters properly relating thereto.

Chair Reed opened the agenda.

Member Shea asked about allowing live bait when there may be concerns about the introduction of non-native or invasive species as outlined on page 10, subsection b.

Alan Jenne – NDOW (Nevada Department of Wildlife), explained that there are local regulations on the use of live bait in certain areas and that he understands Member Shea's concerns about non-native or invasive species introductions. The Humboldt Basin does allow the use of bait but only in specific areas.

Member Shea explained that he could not support the proposal.

Maureen Hullinger – NDOW (Nevada Department of Wildlife), noted that the first section of the LCB file appears to cover bait requirements for the western region.

Member Spencer suggested that it may be easier to accept the proposal and include those specific sections outlined in LCB.

Member Shea commented that he could not find that information thus making it unclear.

Chair Reed opened public comment.

Mike Cassidy commented that he did not believe that exotic live bait should be allowed.

Chair Reed closed public comment.

Member Flowers noted that Section 10 defines the use of fish as bait dead or alive and salmon eggs.

Larry Gilbertson – NDOW, commented that Humboldt is considered part of the Western region.
Chair these in western region

Member Flowers explained that nothing other than salmon eggs could be used for bait.

It was moved by Member Shea, seconded by Member Flowers, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 433 LCB (Legislative Counsel Bureau) File No. 056-13, Remove Fishing Tackle Restrictions, as written. The motion carried unanimously.

16. COMMISSION GENERAL REGULATION 434, LCB (Legislative Counsel Bureau) File No. R057-13, Unit Boundaries [For possible action] – A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise

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modify a regulation relating to wildlife management areas and units; and providing other matters properly relating thereto.

Chair Reed opened the agenda item.

Larry Gilbertson – NDOW (Nevada Department of Wildlife), commented that this would clarify and update the regulations with the proper terminology without any major modification.

Chair Reed commented that he did not see any changes related to Washoe County.

Hearing no public comment Chair Reed asked for board discussion or a motion.

Member Shea commented that he had discussed Unit 033 with Chris Hampson who continues to work with the Sheldon Wildlife Management area.

It was moved by Member Humphreys Jr., seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 434, LCB (Legislative Counsel Bureau) File R057-13, Unit Boundaries, as written. The motion carried unanimously.

17. COMMISSION GENERAL REGULATION 436, LCB (Legislative Counsel Bureau) File No. R089-13, Reciprocal Lake Mead, Lake Mohave and Colorado River Fishing Licenses [For possible action] – A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a regulation relating to wildlife; revising provisions relating to licenses required for fishing in the reciprocal waters of the Colorado River, Lake Mead and Lake Mohave; and providing other matters properly relating thereto.

Chair Reed opened the agenda item and hearing no public comment asked for board discussion or a motion.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 436, LCB (Legislative Counsel Bureau) File No. R089-13, Reciprocal Lake Mead, Lake Mohave and Colorado River Fishing Licenses, as written. The motion carried unanimously.

19. COMMISSION GENERAL REGULATION 437, LCB (Legislative Counsel Bureau) File No. R090-13, Creating Ewe Hunt [For possible action] – A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a regulation relating to wildlife; revising provisions relating to the assessment of demerit points for conviction of certain wildlife violations; establishing distinct tags for the hunting of ram and ewe bighorn sheep; and providing other matters properly relating thereto.

Chair Reed opened the agenda item.

Member Flowers explained that he had concerns but wished to hear public comment first.

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Member Shea noted concerns about demerits on skulls and questioned whether a ewe needed to be sealed.

Mike McCusker – Game Warden, responded to Member Shea’s inquiry, noting that a ewe did not need to be sealed even with the new proposed regulation and that it was legal to sell a ram skull only when sealed.

Larry Gilbertson – NDOW, noted that an individual could sell a deer or antelope doe head and that there is no law requiring a seal on an antelope that has horns.

Mr. McCusker commented that the regulation pertains to the establishment of a ewe hunt and that Big Horn Ram head, if sealed, could be sold and is called out in the regulations relating to non-edible parts. Mr. McCusker is unsure whether other states seal them. Mr. McCusker pointed out that there is existing language dealing with the unlawful possession of Bighorn Sheep and other parts that do not have a tag attached. Additionally, it has always been illegal to possess a deadhead that has not been properly registered or sealed. Mr. McCusker emphasized that while a certificate can be issued once the skull is inspected, that skull may not be sold.

Member Spencer expressed some concern about whether it was prudent to establish a ewe hunt when populations appear to be declining.

Mr. Gilbertson noted that populations fluctuate throughout the state and that while some may double their long term average, the first option is to trap and transplant females if no exotic or unusual disease pathogens are identified. Mr. Gilbertson pointed out that the recent rains in Southern Nevada had alleviated the shortage of water due to the long term drought conditions. Typically, biologist review habitat and other factors when considering a transplant. The intent of the ewe hunt is to serve as a management tool when needed.

Chair Reed opened public comment.

Larry Johnson - Nevada Bighorns, commented that he has been a staunch opponent of a ewe hunt and that he believes that wildlife must be managed on a scientific basis. Mr. Johnson recalled die-offs in several southern ranges when pathogens had entered the Muddies coupled with a population density that exceeded carrying capacity. Mr. Johnson stated that a ewe hunt should be a last resort to manage the herd population and that he has “faith” in the biologists. Mr. Johnson pointed out that he is unaware of any successful prosecution when someone is charged with illegal possession of a deadhead. Mr. Johnson suggested that the regulation be written in a manner that allows law enforcement to pursue and prosecute criminals while protecting the rest of us.

Mr. McCusker noted that several cases have been successfully prosecuted and that the intent is not to look for deadheads that do not have a tag or certificate but to encourage individuals to bring deadheads in for inspection and certification. Mr. McCusker pointed out that there are some individuals that would harvest an animal and hide the head under rocks for a year then claim it as a deadhead thus a few are causing issues for the rest of the public.

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Mel Belding stated he could support a ewe hunt as a last resort and would like to see evidence of “hot sheep” found in the Monte Cristo Range. Mr. Belding pointed out that animals from those areas were found to be free of harmful pathogens. Mr. Belding noted that a biologist had indicated that Unit 182 could carry a population of more than 1,000 but currently has only 300 animals. Mr. Belding explained that he believes that the trap and transplant program should be the first option thus establishing herds in other locations and states. Additionally, Mr. Belding would rather see biologists doing their work not having to plug dead heads. Mr. Belding reiterated that concurs with Mr. Johnson’s comments supporting sound science and that a ewe hunt is used only as a last resort.

Gerald Lent expressed his opposition to the proposal noting his concern that once a ewe hunt is adopted it will not be stopped. Mr. Lent noted that to date no one has proven that die-offs are always the result of disease noting that a large number of animals have survived the black lung die off in the past with some scar tissue. Mr. Lent questions the assertion that there is no other location in the State of Nevada to transplant sheep and that he believes that once a deadhead is brought to the department for inspections it is not usually returned.

Chair Reed closed public comment.

Member Humphreys Jr. commented that while he has concerns he believes this should be used as a tool of last resort as he would rather see animals transplanted either in Nevada or other states for the betterment of the sheep.

Member Flowers explained that in his experience sheep were generally “put down” when there is a specific problem. Member Flowers commented that, in theory, all animals may be carrying a pathogen and that it is unclear what course of action the department might take in the future. Member Flowers stated that he is opposed to the ewe hunt and that he does not believe there needs to be any change in how dead heads are handled.

Member Spencer commented that she does not think the ewe hunt is necessary.

Member Shea explained that while he favors a ewe hunt as a last resort, it must be clearly stated that it is designed solely as a last resort.

Chair Reed stated he is opposed to the ewe hunt except as a last resort and believes that excess animals can be given to other states or moved to other ranges within the state.

Mr. Gilbertson explained the Biologist Mike Cox is trying to find locations that will accept sheep, including the State of Texas. Mr. Gilbertson outlined concerns about sheep densities and that it appears that the State of Arizona may accept some of the sheep and that while California is willing they are not yet ready to accept the transfer. Drawing attention to the lack of water in the Muddies earlier this year, Mr. Gilbertson noted that NDOW had been prepared to fly in water to those remote locations. Mr. Gilbertson stated it was unreasonable for anyone to assume that there was any intent by NDOW biologists to wipeout Bighorn Sheep, when the issue is to prevent die-off due to impacts on habitat, vegetation and lack of water that result in malnourishment making them more susceptible to disease.

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Member Spencer apologized noting that the intent had not been as a reflection on the department. Chair Reed closed public comment.

A motion by Member Shea to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 437 LCB (Legislative Counsel Bureau) File R090-13, Creating Ewe Hunt died due to lack of a second.

It was moved by Member Flowers, seconded by Chair Reed, to recommend that the Nevada Board of Wildlife Commissioners deny Commission Regulation 437 LCB (Legislative Counsel Bureau) File R090-13, Creating Ewe Hunt, as written.

Member Spencer questioned whether language should be added to allow a ewe hunt as a last resort when drought conditions adversely affect the population.

Chair Reed noted that additional input from the remaining counties would be useful and that he believes NDOW may reintroduce the measure in the future.

The motion carried: Members Flowers, Humphreys Jr., Spencer and Chair Reed assenting; and Member Shea dissenting.

It was pointed that the issue of deadheads had been a sidebar discussion and not pertinent to this particular regulation.

20. COMMISSION GENERAL REGULATION 438, LCB (Legislative Counsel Bureau) File No. R091-13, Bonus Point Program [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a regulation relating to wildlife; providing an exception to the prohibition on the submission of applications for hunting tags and bonus points under certain circumstances; prohibiting the award of bonus points for depredation hunts and management hunts; providing for the award of bonus points in the categories of ewes of certain bighorn sheep; and providing other matters properly relating thereto.*

Chair Reed opened the agenda item.

Maureen Hullinger – NDOW (Nevada Department of Wildlife), suggested that, based on the previous action, the board may wish to remove language pertinent to the ewe hunt in Section 4K as the recommendation had been to oppose CGR (Commission General Regulation) 437. Ms. Hullinger noted that CGR 438 this particular action would also remove bonus points for depredation hunts and add management hunts to not be included in the bonus point program. Ms. Hullinger noted that Section 3, Subsection 6 contained a grammatical error that she would also bring to the Nevada Board of Wildlife Commissioners attention.

Chair Reed opened public comment.

Gerald Lent stated that he believes that Section 4K should be removed.

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Chair Reed closed public comment.

It was moved by Member Flowers, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 438, LCB (Legislative Counsel Bureau) File R091-13 Bonus Point Program: with the following modifications: 1) remove Subsection 4K and renumber subsequent sections appropriately; and 2) remove the second to the last word in the center of Section 4. The motion carried unanimously.

- 21. WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE MEMBERS AND/OR STAFF ANNOUNCEMENTS, REQUESTS FOR INFORMATION AND SELECTION OF TOPICS FOR FUTURE AGENDAS** [Non-action item] – *Selection of additional agenda item(s) for the January 23, 2014, meeting. **NOTE: The location for this meeting will be announced.***

Chair Reed noted his intention to bring in other divisions within NDOW (Nevada Department of Wildlife) to provide informational updates on matter that may be of interest, such as the American Pica or Burrowing Owl.

Member Spencer commented that over the next few weeks she will sign the necessary agreement and obtain the key for the Valley Road location. It is anticipated that the next meeting of the Washoe County Advisory Board to Manage Wildlife will be at the Valley Road location.

Member Humphreys Jr. suggested that perhaps a future agenda could include additional discussion about deadhead and how to assure that deadheads brought in for certification are returned.

Member Flowers noted that he would be unable to attend the January 23, 2013, meeting.

- 22. PUBLIC COMMENTS** [Non-action item]

Larry Johnson suggested that a presentation on Mountain Lion might be educational and clarified his earlier comments on Bighorn Sheep deadheads.

Gerald Lent drew attention to a paper written by an NDOW (Nevada Department of Wildlife) Biologist on Sage Grouse and emphasized that predation was the primary reason for nest failure. Mr. Lent encouraged members to familiarize themselves with the information.

- 23. ADJOURNMENT** [Non-action item]

Chair Reed adjourned the meeting at 9:49 p.m.

AS AMENDED AND APPROVED BY THE WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE 19N SESSION ON JANUARY 27, 2014