

# Washoe County Advisory Board to Manage Wildlife

## **DRAFT OF MINUTES**

**Tuesday ~ July 30, 2013 ~ 6:00 p.m.**  
**Regional Emergency Operations Center**  
**Conference Room**  
**5195 Spectrum Boulevard, Reno, Nevada**

## **MEMBERS**

Rex Flowers, Chair  
Michelle Spencer, Secretary  
Sean Shea

### **1. PLEDGE OF ALLEGIANCE** [Non-action item]

Chair Flowers led the Pledge of Allegiance.

### **2. CALL TO ORDER, ROLL CALL and INTRODUCTION OF NEW MEMBER(s)** [Non-action item]

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

**PRESENT:** Rex Flowers, Sean Shea and Michelle Spencer.

**ABSENT:** None.

**VACANT:** Two.

### **3. PUBLIC COMMENTS** [Non-action item]

John Potash provided a brief history of his work with wildlife in the state (Wildlife Rescue Foundation) and read a prepared statement (copy on file) seeking assistance from the Washoe County Advisory Board to Manage Wildlife in seeking certain modifications to NAC (Nevada Administrative Code) 503 as it pertains to the possession of certain species.

Chair Flowers commented that the board would agendaize the matter either at the September or December (2013) meetings. Chair Flowers suggested that Mr. Potash contact Maureen Hullinger at NDOW (Nevada Department of Wildlife).

Carolyn Stark outlined Incline Village (Nevada) residents' confusion about the comments and actions being taken by NDOW as it pertains to existing Bear polices. Ms. Stark noted that specific criteria governing the killing of bears are in place and that it appears that NDOW is changing those policies pointing out that four (4) of nine (9) bears were killed for doing something less than other bears that had been killed previously. Ms. Stark believes that the Bear Management Team should be educating the public and that the killing of bears in the Incline Village area is  $\pm 6$ -times greater than in other urbanized areas.

### **4. ELECTION OF OFFICERS** [For possible action] – *Chair, Vice-chair and Secretary*

Hearing no public comments Chair Flowers suggested that election of officers be continued until the September 12, 2013, meeting.

***It was moved by Chair Flowers, seconded by Member Spencer, to continue Election of Officers until the September 12, 2013, meeting. The motion carried: Members Shea, Spencer and Chair Flowers assenting and two positions vacant.***

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 2 of 19

## **5. APPROVAL OF JUNE 13, 2013, MINUTES** (For possible action)

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

*It was moved by Member Spencer, seconded by Member Shea, to approve the June 13, 2013, meeting minutes, as submitted. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.*

## **6. 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) August 2 and 3, meetings in Fallon, Nevada; and 2). September 20 and 21, 2013, meetings in Las Vegas, Nevada.*

Chair Flowers will attend the August 2 and 3, 2013, meetings in Fallon, Nevada.

Member Spencer will also attend the August 3, 2013, meeting.

Chair Flowers will attend the September 20 and 21, 2013, meetings in Las Vegas, Nevada.

## **7. COMMITTEE, MEMBER AND LIAISON UPDATES** (Non-action items)

**7-1). Correspondence (including sportsmen's concerns) and Announcements** – Chair Flowers drew attention to correspondence received (copies on file) including correspondence from Coalition for Nevada Wildlife seeking donations for litigation on management of wild horse and burros by the BLM (Bureau of Land Management). Chair Flowers pointed out that comments on the Ruby Pipeline project were due no later than August 19, 2013.

Chair Flowers then explained that he had researched an inquiry about Elk Compensation Tags. Chair Flowers explained that the Cave Valley Ranch property is owned by Bill McBeath, brother of Nevada Board of Wildlife Commissioners Member Mike McBeath and has a 1,800 acres Conservation easement that restricts how the property can be used by the property owner. Chair Flowers pointed out that the property owner and his brother invest in Nevada's Wildlife by participating in the Heritage Tag program and that the current allocation of Compensation Tags are not offered to others by either of the brothers. Chair Flowers pointed out that only a very small percentage of the Compensation Tag allotted for the property had been used.

**7-2). Overview of the June 21 and 22, 2013, meetings of the Nevada Board of Wildlife Commissioners** – Chair Flowers explained that there was no specific report as the Nevada Board of Wildlife Commissioners' actions had mirrored the Washoe County recommendations.

## **8. COMMISSION REGULATION 14-01 Migratory Waterfowl (Ducks, Geese and Swans) and Migratory Webless Bird (Coots, Gallinules and Snipe) Seasons, Bag Limits, and Special Regulations, Public Hunting on Overton Wildlife Management Area and Key Pittman Wildlife Management Area Hunter Reservation System - 2013-2014 Season** [For Possible

## *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 3 of 19

Action] – A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify recommendations for seasons, bag limits, and special regulations for migratory waterfowl (ducks, geese and swans) and migratory webless game birds (coots, gallinules and snipe) for the 2013-2014 season and adopt regulations that comply with the proposed regulations framework for the 2013-2014 late and early hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission may also adopt changes to rules regulating public hunting on Wildlife Management Areas and designated state lands and may take action to change the current method of awarding duck hunt reservations at the Overton Wildlife Management Area and Key-Pittman Wildlife Management Area.

Chair Flowers outlined the agenda item and opened public comments.

Russel Woolstenhulme – NDOW (Nevada Department of Wildlife), distributed a handout (copy on file) that outlines additional modifications made to the report previously distributed (copy on file).

During the discussion it was noted that the Moapa Valley has a youth hunt separate from others in Southern Nevada as the federal framework allows for two youth hunt days. Other discussion noted that the federal framework also provides for some increases in bag and daily limits.

Chris Nicolai outlined the manipulation of seasons ranging from low, medium and high in an effort to determine the population impacts. Mr. Nicolai noted that there had been some fifty individuals present at the Fallon (Nevada) meeting which included significant discussion about youth making an error in the species harvested. Mr. Nicolai noted that when the seasons are more restrictive there are more individuals interested compared to a seeming lack of interest with a less restrictive hunt.

Mr. Woolstenhulme outlined the balance of the Migratory Waterfowl seasons, bag limits and special regulations and public hunting on the Overton Wildlife Management area and Key Pittman Wildlife Management Area hunter reservation system. Mr. Woolstenhulme explained that the season will run through March 10 as allowed in the federal framework and that a large number of snow geese do not arrive in the area until after March 1. Other changes include a provision that if you are drawn for one day you will be removed from the second day's draw unless that draw is undersubscribed. Mr. Woolstenhulme noted that some populations of Snow Geese are nearly 500,000 and needs to be reduced.

Chair Flowers opened public comments.

Don Molde questioned whether NDOW made any local adjustments to Nevada's conditions. Of particular concern is the drought that has significantly lowered lake levels throughout the state.

Mr. Woolstenhulme provided a handout (copy on file) noting that breeding populations and habitat areas shown in green are good with areas shown in yellow having fair populations. Overall the North American duck populations are the second highest since 1955 and 2012 being the highest. Mr. Woolstenhulme then explained that migrating waterfowl will not stop when water is not present so there are few ducks hatched out of Nevada. It is anticipated that the lower water levels should still

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 4 of 19

attract about 65 to 75-percent of the usual population. Mr. Woolstenhulme noted that NDOW works within the federal framework and does not feel that a more conservative season/bag limits are warranted.

Chair Flowers closed public comment and asked for board discussion or a motion.

***It was moved by Member Shea, seconded by Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 14-01 Migratory Waterfowl (Ducks, Geese and Swans) and Migratory Webless Bird (Coots, Gallinules and Snipe) Seasons, Bag Limits, and Special Regulations, Public Hunting on Overton Wildlife Management Area and Key Pittman Wildlife Management Area Hunter Reservation System - 2013-2014 Season with the recommended modifications. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

- 9. AMENDED UPLAND GAME BIRD STAMP ACCOUNT FUNDING REQUEST** [For Possible Action] – *A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a request to amend an action taken at the June 21, 2013, Ely Commission Meeting. NDOW (Nevada Department of Wildlife) Staff is seeking Commission approval to add a new project to the list of approved projects to be funded in Fiscal Year 2014 Upland Game Bird Stamp Account. The new project is Wildlife Heritage Program Project No. 14-03, "Pine Nut Vegetation and Sage Grouse Research Project." This project would benefit upland game bird species, including sage-grouse, and staff is proposing that the Commission fund \$12,000.00 of this project's total cost of \$30,000.00 with Upland Game Bird Stamp Account funds. The remainder of the project's costs will be funded by the Wildlife Heritage Program Account, as approved by the Commission at their June 20, 2013, Heritage Program meeting.*

Chair Flowers outlined the agenda item and explained there had been an attempt to take money in the Upland Game Bird Stamp account and use it to fulfill some water guzzler projects. Under existing regulations only NDOW (Nevada Department of Wildlife) may do that not the Nevada Board of Wildlife Commissioners. Therefore the matter was continued until the next regular meeting to allow NDOW to develop an appropriate project.

Hearing no one wishing to make comment, Chair Flowers closed public comment and asked for board discussion or a motion.

During the discussion it was noted that the Pine Nut revegetation and Sage Grouse were short-funded as the Nevada Board of Wildlife Commissioners attempted to reduce the funding from \$50,000.00 to \$30,000.00.

***It was moved by Member Spencer, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners approve the amended Upland Game Bird Stamp account funding request for a new Wildlife Heritage Program Project No. 14-03, "Pine Nut Vegetation and Sage Grouse Research Project." This project would benefit upland game bird species, including sage-grouse, and staff is proposing that the Commission fund \$12,000.00 of this***

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 5 of 19

***project's total cost of \$30,000.00 with Upland Game Bird Stamp Account funds. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

10. **FIRST READING OF A NEW COMMISSION POLICY - Entitled, No. 23 Predation Management** [For Possible Action] – *A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify, in accordance with Commission Policy No. 1, a first reading of new Commission Policy No. 23 Predation Management.*

Chair Flowers outlined the agenda item recalling that this proposal had been a result of the Predator Management Committee meeting in Ely, Nevada. Chair Flowers asked for public comment.

Don Molde explained that, in his opinion, this revision was long overdue and that he supports the purpose. Mr. Molde noted that the last sentence tends to suggest that predator needs to be controlled and that is not what he believes was the intent. Mr. Molde suggested that statewide regulations also be applied to Wildlife Services when killing a predator pointing out that Wildlife Services is allowed the use of methods not available to others. In order to bring balance to the Predator Management Committee, Mr. Molde believes that at least one Pro-predator representative be appointed as the animal belong to all Nevada residents.

Gerald Lent noted that calling the new policy predation management was intended to be more appealing to the public. However, it is Mr. Lent's belief that we are not managing predators but rather protecting a resource. Drawing attention to page 2 of the document Mr. Lent believes that this may be illegal and provided a copy of NRS (Nevada Revised Statutes) 502.253 (copy on file) that authorizes the State Department of Agriculture to develop and carry out programs described in subsection 1. Additionally, there are no goals established on deer herd populations.

Bob Bruner suggested that Wildlife Services be allowed to use whatever means is needed for predator control and that an individual with education in wildlife and predator relationships be asked to sit on the Predator Management Committee.

Chair Flowers closed public comment asked for board discussion or a motion.

Member Spencer noted that she does not have an issue with Wildlife Services using any means necessary to control predators as they have spent their entire lives in that field of work.

Member Shea noted that he believes that Wildlife Services should have to abide by the same rules as others.

Member Spencer noted that if an individual is losing livestock to predators that individual wants Wildlife Services to do something about the issue to reduce losses.

Member Shea reiterated his belief that Wildlife Services should have to abide by existing regulations as do others.

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 6 of 19

During the discussion it was pointed out that this is the first draft and that Nevada Board of Wildlife Commissioners is seeking input on the matter. Other discussion noted that the member of the Predator Management Committee should have some education in environmental or wildlife biology. As the discussion continued, it was pointed out that the Nevada Board of Wildlife Commissioners typically draws from members of the County Advisory Boards as well as the Nevada Board of Wildlife Commissioners. It was suggested that the language be amended to define predators as carnivore/corvid populations.

***It was moved by Member Spencer, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners make the following modifications to Policy 23: including NRS (Nevada Revised Statutes) 502.253 item 2; clarification of by any means possible or additional direction on predator control; define the composition of the Predation Committee.***

Chair Flowers suggested that the definition of predation management include the words "carnivore populations/corvid populations and change Policy 25 to read Policy 23 as needed.

***Member Spencer amended the motion to include definition of predation management include the words "carnivore populations/corvid populations and change Policy 25 to read Policy 23 as needed.. Member Shea amended the second. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

The meeting recessed at 7:16 p.m. and reconvene at 7:27 p.m.

**11. DRAFT FISCAL YEAR 2014 PREDATOR MANAGEMENT PLAN [For Possible Action] – A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify proposed changes to the draft Fiscal Year 2014 Predator Management Plan.**

Chair Flowers outlined the agenda item and opened public comment.

Gerald Lent drew attention to Project 18, which has cost  $\pm$ \$1,000,000.00 and according to the analysis has not provided any benefit. Mr. Lent questioned the expenditure of yet another \$100,000.000 and emphasized the need to clearly define the scope of the project and goals. Mr. Lent explained that, in his opinion, the plan was poorly written in as negative way as possible with little to no discussion of benefits or potential future benefits. Mr. Lent pointed out that the plan also does not meet the intent of the law and that the Nevada Board of Wildlife Commissioners has worked with Wildlife Services to develop the plan with recommendations from Wildlife Services being ignored.

Don Molde concurred with Mr. Lent on goals and explained that setting goals is a necessary component and that the lack of goals seems to be an NDOW (Nevada Department of Wildlife) characteristic. Mr. Molde noted that Project 18 started in 2004 and appears to have cost  $\pm$ \$615,000.00 killing 1,204 carnivores at a cost of \$500.00 per animal over its 9-year period. The conclusion indicates that recruitment increases, if any, were insignificant. Mr. Molde believes that there needs to be cost analysis and accountability and recalled that an expenditure of nearly

## *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 7 of 19

\$50,000.00 had netted a single Mountain Lion in the Delamar. Mr. Molde reiterated that he is in support of the plan.

Chair Flowers closed public comment and asked for board discussion or a motion.

Member Spencer noted that deer herd populations had nearly doubled since 2004 in one area and that there may be a disconnect between Wildlife Services and NDOW (Nevada Department of Wildlife) staff communication.

Chair Flowers recalled discussions at the meeting in Ely (Nevada) on predator management and that there are generally written goals that perhaps are not as well defined as they should be. Chair Flowers noted that the intent of Project 18 had been to enhance fawn recruitment with specific target areas rather than a year-long project. Chair Flowers explained that habitat conditions and other factors can have significant and sometimes detrimental effects on recruitment and population growth. Chair Flowers recalled when the buck/doe ratio was about 45/100 compared to the current ratio of 33/100. Based on the information received at the Ely meeting Chair Flowers stated that he would support project 18.

During the discussion it was noted that Project 18 had originally been designed as a targeted project done at specific times of the year rather than a year long process. As the discussion continued, it was questioned why an additional release of sheep should be done in the Delamar's given the continued decline on herd population. It was noted that the sheep augmentation would be covered under a separate agenda item as it was not part of the predation plan.

***It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve the Draft Fiscal Year 2014 Predator Management Plan with the following modification, an explanation of the additional \$15,000.00 in funding for fiscal year 2013 and the balance of the plan as written.***

Chair Flowers suggested that the motion be to recommend that the maximum funding should be changed to \$85,000.00.

***Member Shea withdrew the motion. Member Spencer withdrew the second.***

Chair Flowers reopened public comment.

Judi Caron suggested that the project be targeted to a specific time frame as part of the next motion.

Gerald Lent commented that he would like to see the project continued another year and unless there is a dramatic increase in deer herd populations then any extension should be reviewed. Mr. Lent noted that he believes that one member of the Washoe County Advisory Board to Manage Wildlife has a conflict of interest as a guide for hunters looking for lions. Mr. Lent stated that there had been a similar conflict in Elko County when guides came in and had treed 15 lions in search of a trophy lion. If there is an increase in herd populations then Mr. Lent believes that Project 18 should perhaps be continued beyond 2014 and should be included in the motion.

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 8 of 19

Chair Flowers commented that he did not see any mention of guide services in the plan and that the concern expressed earlier was on the additional funding.

Chair Flowers closed public comment.

***It was moved by Member Shea, seconded by Chair Flowers, to recommend that the Nevada Board of Wildlife Commissioners approve the 2014 Predator Management Plan with the following modifications: 1) reduce funding for Project 18 to \$85,000.00; and 2) clarification of what the additional \$15,000.00 would be used for.***

Member Spencer suggested that the motion also include a recommendation to review Project 18 at the end of Fiscal year 2014 to determine whether there is an increase in deer and Big Horn Sheep populations annually before renewing each year thereafter.

***Member Shea amended the motion and added that Project 18 be reviewed at the end of Fiscal Year 2014 to determine whether Deer and Big Horn Sheep populations had increased with an annual review before extending the project each succeeding year. Chair Flowers amended the second. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

**12. BIENNIAL BIG GAME RELEASE PLAN FOR FISCAL YEARS 2014 AND 2015** [For Possible Action] – *A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify NDOW's (Nevada Department of Wildlife) proposed biennial Big Game Release Plan for fiscal years 2014 and 2015.*

Chair Flowers outlined the agenda item.

Responding to Member Shea's inquiry about releases in the Virginia Range, Mike Dobel – NDOW (Nevada Department of Wildlife), explained that, in general, every sheep population north of I-80 has some risk and potential conflict. It is Mr. Dobel's belief that if a herd can be established in ten or twenty years as has occurred in the Granites then it is a positive. Mr. Dobel also noted that the department's biologists are more geared to the science on disease transmission. Collar data in the Meadows Valleys over the past six months indicates that the population moves around at least three different states making surveys difficult. Mr. Dobel believes that it may be prudent to hunt ewes as population densities increase to prevent a future large scale die-off.

Hearing no one wishing to speak, Chair Flowers closed public comment and 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 the Biennial Big Game Release Plan for 2014-2015, as presented. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

## *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 9 of 19

- 13. PROPOSED TRAIL CAMERA REGULATION** [For Possible Action] – *A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a Douglas County Advisory Board to Manage Wildlife proposal to develop a regulation to limit trail camera usage.*

Chair Flowers opened the agenda item noting that this had been presented at the Nevada Board of Wildlife Commissioners meeting in Ely (Nevada). Chair Flowers opened public comments.

Mike Cassidy stated that he was opposed to any restriction on the use of trail cameras.

Tom Enewold concurred with Mr. Cassidy's position.

Carolyn Stark questioned fair chase principles should trail cameras be allowed.

Gerald Lent commented that he knows of guides that develop these and are selling animals with the use of trail cameras, which can be viewed by satellite from home. Therefore, he believes that there has to be some restriction since it is not fair chase and THAT guides want to use trail cameras as a resource for financial gain. Mr. Lent stated that NDOW (Nevada Department of Wildlife) had not wanted to pursue this two (2) years ago and that he believes this is way out of line.

John Reed agreed with Mr. Lent noting technology advances and the use of drones. Mr. Reed believes that it is time to restrict the use of trail cameras.

Judi Caron recalled previous discussions about the use of trail cameras and pointed out that it is difficult to create regulations when dealing with personal ethics and values. Ms. Caron noted that hunters and non-hunters alike use a variety of devices such as cellular communications equipment, citizen band radios. Ms. Caron recalled that the use of ATV's (All-Terrain Vehicle) and spotting scopes had also been considered an unfair advantage. Ms. Caron questioned how this would be monitored and managed and that, in her opinion, technology is forever changing and this would "open a can of worms" as there are many stakeholders.

Chair Flowers closed public comment.

Chair Flowers commented that he believes it would be impossible to enforce and pointed out that NDOW would only have jurisdiction over sportsmen. Chair Flowers recalled the implementation of seasons for the antiquated black powder muzzleloader, longbow and any legal weapons that each had much shorter ranges in the past. Chair Flowers stated that he could not support this request.

Member Shea concurred.

Member Spencer noted that while she agrees the regulation would be difficult to enforce the use of trail cameras should be restricted during certain seasons when they could be used for the wrong reasons. Member Spencer explained that she believes that NDOW could enforce use during restricted time on sportsmen and non-consumptive users pointing out that bird watchers, for example, could conduct bird watching at other times.

## *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 10 of 19

***It was moved by Chair Flowers, seconded by Member Shea, to recommend that Nevada Board of Wildlife Commissioners take no action to regulate the use of trail cameras. The motion carried: Member Shea and Chair Flowers assenting; Member Spencer dissenting; and two positions vacant.***

- 14. COMMISSION REGULATION 11-12 AMENDMENT No. 1, Wildhorse Reservoir** [For Possible Action] – *A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the emergency regulation adopted June 21, 2013, by the Director and approved by the Governor, effective through October 15, 2013. Due to extremely poor winter precipitation, drought conditions and irrigation demands, Wildhorse Reservoir is expected to decline to around 20,000 acre feet of storage or 30-percent of capacity by late summer. Based on past history of these conditions in the reservoir a similar fish die-off occurred in 2007. This emergency regulation authorizes unlimited take of Trout species from Wildhorse Reservoir through October 15, 2013. This will maximize the opportunity for angler harvest of the many large (14"+) trout in the reservoir prior to conditions likely to cause the fish kill.*

Chair Flowers outlined the agenda item emphasizing that the emergency regulation applies only to the Wildhorse Reservoir and does not include inlets or outlets. Hearing no public comment, Chair Flowers asked for board discussion or a motion.

Member Shea suggested that the regulation be expanded to include all fish species if there is concern about fish die-off. Member Shea noted that some Trout species such as Cutthroat can survive and that an expansion of the emergency regulation would, in his opinion, makes enforcement easier.

Mike Dobel – NDOW (Nevada Department of Wildlife), commented that he had not been involved in the discussions and that he concurs with Member Shea that it would make sense to open the emergency regulation to include all fish species.

***It was moved by Member Shea, seconded by Member Spencer, to recommend that Nevada Board of Wildlife Commissioners approve Commissioner Regulation 11-12 Amendment No. 1 with the following modification to include the unlimited take of all species of fish from Wildhorse Reservoir through October 15, 2013. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

- 15. COMMISSION GENERAL REGULATION (CGR) 427, LCB (Legislative Counsel Bureau) File Number R018-13, Trap Visitation** [For Possible Action] – *A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify CGR (Commission General Regulation) 427, LCB (Legislative Counsel Bureau) File Number R018-13, trap visitation, a regulation relating to trapping which defines visitation of trap, "visit or cause to be visited;" specifying the minimum period during which a person must visit or cause to be visited certain traps, snares or similar devices, and designates that each trap snare or other lawful device be visited at least once each 96-hours.*

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 11 of 19

Chair Flower outlined the agenda item and opened public comment.

Don Molde suggested that the words “any mammal” be expanded to read “any animal or bird” in section 2 of the first page. Mr. Molde then explained that he believes that traps should be visually inspected rather than from a third of a mile away in a field of boulders. Mr. Molde noted that a pendant could be dislodged and perhaps rendered useless in determining whether something had actually been trapped without a visual inspection.

Bob Bruner suggested that Section 2 be stricken as the regulation is currently written, does not, in his opinion, meet the intent or letter of the legislation.

Joel Blakeslee suggested that NDOW (Nevada Department of Wildlife) be allowed to make their presentation before he made comment.

Mike McCusker – Game Warden, commented that NDOW did not have a presentation on this item.

Joel Blakeslee – NVTAA (Nevada Trappers Association), recalled the time spent at the legislature earlier this year (2013), noting that the “definition” of visitation had not been discussed at the legislature and should not be construed as being a product of SB213 as it is LCB proposed language and not an existing regulation. Therefore, Mr. Blakeslee believes that Section 2 should be deleted and pointed out that existing regulations NRS (Nevada Revised Statutes) 503.57 defines visitation and should not be tampered with.

Chair Flowers closed public comment and asked for board discussion or a motion.

Member Spencer suggested that Section 2 be removed and pointed out that trail cameras would allow trappers to inspect traps on a daily basis.

Member Shea noted that fly-overs could also be used.

Chair Flowers read portions of SB213 (copy on file) into the record which indicate that traps located in close proximity to urbanized areas require more frequent inspection.

The meeting recessed at 8:30 p.m. and reconvened at 8:32 p.m.

***It was moved by Member Spencer, seconded by Member Shea, to recommend that Nevada Board of Wildlife Commissioners approve Commission General Regulation 427 LCB (Legislative Counsel Bureau) File No. R018-13 Trap Visitation with the following modification; delete Section Two. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

**16. COMMISSION GENERAL REGULATION (CGR) 429, LCB (Legislative Counsel Bureau) File Number R017-13, Trap Registration [For Possible Action] – A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or**

## *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 12 of 19

*otherwise modify CGR 429, LCB (Legislative Counsel Bureau) File Number R017-13, trap registration, a regulation revising provisions governing the registration of a trap, snare or similar device; setting forth the requirements for affixing a registration number to the trap, snare or similar device; and the issuance of trap registration numbers and establishes the manner of marking traps, snares, or other lawful devices.*

Chair Flowers outline the agenda item and opened public comment.

Joel Blakeslee – NVTa (Nevada Trappers Association) read a prepared statement into the record (copy on file) making the following recommendations: 1) Trapper choice on method of marking; 2) Tags trump any other form of marking; 3) Only one NV number if choose method other than a tag; 4) Drop the 6 inch language; 5) No obliteration language; 6) Clarify that previous numbers work; 7) reissue memorandum from Willie Molini instructing Game Wardens not to disturb legally set traps looking for numbers; 8) Issue a similar memorandum about inspection of unset traps that are in transport; and 9) Issue a one-time warning to trappers that may be unaware of the regulation as it is effective just days before the trapping season opens.

Bob Brunner suggested that the board recommend denial of the regulation.

Don Molde noted that SB213 would take effect at the end of this season.

Chair Flowers closed public comment.

Member Spencer outlined her research on the matter and pointed out the need to allow a tag to trump any other form of trap identification.

Chair Flowers outlined his concerns and recalled that the State of California had in the past issued warnings to fishermen that had to be affixed to the fishing license that had to be visible. Chair Flowers suggested that perhaps Nevada Board of Wildlife Commissioners should delay taking any action and direct that NDOW take additional public comment and the NVTa recommendations into consideration.

Don Molde pointed out that the legislation went into effect on July 3, 2013.

***It was moved by Chair Flowers, seconded by Member Spencer, to recommend that Nevada Board of Wildlife Commissioners take no action on Commissioner General Regulation 429, LCB (Legislative Counsel Bureau) File No. R017-13 Trap Registration until the September 20 and 21, 2013, meetings to allow time for additional public comment.***

Responding to Chair Flowers inquiry about the opening date for trapping, Mr. Blakeslee stated that the trapping season opened on October 1.

Chair Flowers noted that while the Nevada Board of Wildlife Commissioners could have a first reading on September 20 and a second reading on September 21, 2013, that could present an issue.

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 13 of 19

Member Spencer suggested that perhaps a motion could be made to approve the regulation with the modifications proposed by NVTa.

The meeting recessed at 8:49 p.m. and reconvened at 8:52 p.m.

There were no additional comments

***Chair Flowers withdrew the motion. Member Spencer withdrew the second.***

***It was moved by Member Spencer, seconded by Member Shea to recommend that Nevada Board of Wildlife Commissioners approve Commissioner General Regulation 429, LCB (Legislative Counsel Bureau) File No. R017-13 Trap Registration with the following modifications: 1) Trapper choice on method of marking; 2) Tags trump any other form of marking; 3) Only one NV number if choose method other than a tag; 4) Drop the 6 inch language; 5) No obliteration language; 6) Clarify that previous numbers work; 7) reissue memorandum from Willie Molini instructing Game Wardens not to disturb legally set traps looking for numbers; 8) Issue a similar memorandum about inspection of unset traps that are in transport; and 9) Issue a one-time warning to trappers that may be unaware of the regulation as it is effective just days before the trapping season opens.***

Chair Flowers suggested that the registration process for traps also be made available on the NDOW website.

***The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

- 17. PROPOSED 2014 WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE MEETING CALENDAR** [For possible action] – *A review, discussion and possible action to approve or otherwise modify a proposed meeting calendar.*

Hearing no public comment Chair Flowers suggested that consideration of the 2014 meeting calendar be postponed until the September 12, 2013, meeting.

***It was moved by Chair Flowers, seconded by Member Shea, to continue consideration of the Proposed 2014 meeting calendar for the Washoe County Advisory Board to Manage Wildlife until the September 12, 2013, meeting. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

- 18. TAAHC (Tag Allocation and Application Hunt Committee) TOPICS** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the TAAHC (Tag Allocation and Application Hunt Committee) list of topics.*

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 14 of 19

Chair Flowers outlined the agenda item noting that Nevada Board of Wildlife Commissioners Chair Jack Robb had asked for discussion and input on the five topics (copy on file). Chair Flowers noted that each topic would be discussed and acted on separately.

## **A.1.7 – Party Hunt Bonus Point Retention**

Chair Flowers provided an overview of the proposal and the exemption provided for active military stationed outside the State of Nevada to retain bonus points when a tag is returned due to call to active duty. Chair Flowers also noted that there has been some discussion about a review of the license fees for the 2015 legislative session that will be headed by Maureen Hullinger.

Chair Flowers opened public comment.

During the discussion it was noted that individuals having a “true reason” for returning a tag should not lose bonus points. As the discussion continued, it was noted that individuals claiming a medical issue for the return should provide documentation of the medical issue from the attending physician. Other exemptions should include family emergencies such as a death in the family or hospitalization of a family member.

Tom Enewold noted that this is a sticky subject and his concern about individuals returning tags the day before a season starts and suggested that tags be returned at least a month in advance.

John Reed suggested that a limitation on the number of times a tag holder can return a tag may be appropriate except for active duty military service or death/disability. Otherwise that individual may be part of the problem.

Judi Caron noted her review of how other states handle tag returns for party applications and suggested that when an individual returns a party tag, the maximum points reinstated should not exceed the party average bonus point used to draw the party tags for those individuals with bonus points higher than the party average and party individuals that had a lower number than the average used to draw the party tags should retain their respective points.

Chair Flowers closed public comment asked for board discussion or a motion.

During the discussion it was noted that there should be a mechanism to identify individuals that repeatedly return a party tag. It was noted that the program can be altered to track multiple tag returns from individuals. Other discussion pointed out that those individuals “playing the system” tend to harm individuals that have legitimate reasons for tag returns. As the discussion continued, it was noted that most laws are enacted due to a limited number of individuals abusing the system. Discussion then turned to how to pro-rate the points being returned when one individual has 12-points while another individual has only 1-point etc.

***It was moved by Chair Flowers, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners approve A.1.7 Party Hunt Bonus Point Retention with the following modification: any member of a party hunt who returns a tag cannot retain more***

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 15 of 19

***bonus points that the average of the Party Hunt Group at the time of the draw. Those members of the Party Hunt having fewer than the average of the Party Hunt cannot retain bonus points greater than what they had at the beginning of the draw. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

## **A.1.1 - First-time Youth Applicant who has completed Hunter Safety Course, starts with one (1) bonus point**

Chair Flowers provided an overview of the proposal and explained that he could not support the proposal.

Member Shea concurred.

Member Spencer explained that she supported the proposal.

Chair Flowers opened public comments.

Judi Caron drew attention to the youth hunt age requirement as of today, born prior to 2001 and after 1960 which would therefore require all to complete a Hunter Education course regardless. Ms. Caron commented that she did not see the need as proposed, but would rather see a bonus point awarded to new hunters, no age restriction, that cannot apply for youth tags as a recruiting tool, as noted by the Hunter Apprentice license we have for bird hunts, and that she is a proponent of family opportunity. Ms. Caron believes that the youth hunt should be a novice with no age restriction hunt with two tags maximum draw.

John Reed explained that he did not support the proposal.

Chair Flowers closed public comment.

***It was moved by Member Shea, seconded by Chair Flowers, to recommend that the Nevada Board of Wildlife Commissioners deny A.1.10 - First-time Youth Applicant who has completed Hunter Safety Course, starts with one (1) bonus point. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

## **A.1.14 - No loss of bonus points for active duty military who leave the State of Nevada**

Chair Flowers outlined the request noting that he can support the request to retain Bonus Point when active duty requires leaving the State of Nevada.

Member Spencer suggested that it not be limited to leaving the State of Nevada as there may be military training issue that prevents a service member from participating in a hunt.

Chair Flowers noted that military personnel could also apply for Bonus Points when out of state and asked that Mr. Reed provide additional input on the matter during public comment, which he opened.

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 16 of 19

Tom Enewold commented that this may be “another can of worms” and explained that individuals should be able to buy bonus points regardless of duty station.

Chair Flowers noted that this proposal does not negate the ability to buy bonus points.

John Reed explained there are several issues that arise when military personnel are ordered to go out on maneuvers and requires giving up a tag the day before leaving. Mr. Reed believes that proof of active duty orders should be sufficient and that bonus points should not be lost when transferred out of state. Mr. Reed supports allowing military personnel to keep bonus point even after military services ends regardless of residency as he does not believe there will be that many individuals. Mr. Reed noted that Department of Wildlife agencies can communicate to prevent an individual from applying for resident tags in more than one state.

Judi Caron stated that she fully supports the proposal for military personnel that are residents of the state. Ms. Caron also noted that all military personnel regardless of residency should not lose bonus points as they are all serving the American public. Ms. Caron recalled the Emergency Deployment return of Tag during Desert Storm that awarded the same tag to military personnel upon return regardless of residency.

Chair Flowers closed public comment and 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 A.1.14 - No loss of bonus points for active duty military that leave the State of Nevada with the following modification; “that resident and non-resident keep respective bonus point with proof of active duty and no dual resident applications. The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

## **A.2.2 – Fee Evaluation**

Chair Flowers provided an overview of the proposal noting that the current \$500.00 fee for Cow Elk may be too high and that other tag and license fees may also be examined.

Members Shea and Spencer commented that, in their opinion, the tag and license fee structure needs to be reviewed.

Chair Flowers opened public comment.

John Reed noted that he had been privy to this discussion and had some concern that this originated with Commission Chair Jack Robb. Mr. Reed believes that NDOW (Nevada Department of Wildlife) should be asking for any tag/license fee increases as a recent study shows that membership is down  $\pm 5$ -percent since 2008.

Judi Caron noted that wildlife belongs to all residents of the State of Nevada and should therefore be funded by all Nevada residents in her opinion. Ms. Caron noted that such funding could be sought

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 17 of 19

using a special fee on vehicle license or similar tax. Ms. Caron pointed out that the Bio-Diversity Division is in need of funding and that a way to include all residents in the wildlife funding needs to be identified.

Mr. Reed noted that a suggested move in Upland Game Stamp funds to other uses had precipitated the tag/license fee discussion and that a change to NRS (Nevada Revised Statutes) is needed to allow NDOW to move surplus funds from specific account to other uses.

Chair Flowers closed public comment.

***It was moved by Chair Flowers, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners not move forward with a review of tag/license fees until alternate funding sources are identified, such as surplus funds in the Heritage Trust and other tax initiative that include the general public of the State of Nevada.***

Chair Flowers recalled that there had been concern about the use of Heritage Trust fund monies in the past.

Ms. Caron commented that there had been some discussion about using those funds by the State of Nevada in an emergency.

***The motion carried: Members Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

## **A.10.2 – Apply for Bull and Cow Elk in the Same Draw**

Chair Flowers provided an overview of the proposal and noted the over-population of Elk that exceeds herd populations promised in Elk Management Plans.

Member Shea stated he did not favor the proposal.

Member Spencer commented that if the proposal is truly intended for the stated reasons she had no issue with the proposal.

Chair Flowers opened public comment.

Mike Cassidy stated he was not in favor.

Joel Blakeslee commented that he was in favor and that there had been a proposal in the past that would also allow the application for Bull and Cow Elk tags that had been rejected. Mr. Blakeslee noted that he has lost 19 bonus points by submitting for Bull and Cox Elk tags separately in alternating years.

Mr. Cassidy agreed that hunters should be able to apply for both.

## *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 18 of 19

Judi Caron noted that hunters could apply for Desert, Rocky Mountain and California Bighorn Sheep.

John Reed commented that he did not know of any other state that allowed this type of application and that he does not believe it would present any significant issues.

During the discussion it was noted that the current draw was based on one member of the species and that if this was implemented for Elk then it should also be done for Deer. Other discussion pointed out that with the concurrence of the Nevada Board of Wildlife Commissioners and NDOW (Nevada Department of Wildlife) that perhaps this should become an annual recommendation based on management practices. It was suggested that perhaps the proposal was a result of Elk populations exceeding Elk Management Plan herd populations in certain areas.

Mr. Blakeslee noted that an individual that was successful in harvesting a bull gets to hunt cows for years while the guy holding out for a bull tag does not.

Ms. Caron suggested that it be done in a manner similar to that used for the PIW (Partners in Wildlife) tag so that if unsuccessful in one hunt with the payment of a second fee the second draw could be used.

***It was moved by Member Spencer, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners approve A.10.2 – Apply for Bull and Cow Elk in the Same Draw.***

Member Shea commented that he believes a similar process should be in place for both Deer and Antelope.

Member Spencer explained that an individual could apply for both the Bull and Cow Elk tags at the same time and if not drawn for the Bull tag would then move to the Cow tag draw.

***The motion carried: Member Shea, Spencer and Chair Flowers assenting; and two positions vacant.***

Chair Flowers explained that while hunters would not lose points, two points would not be awarded if unsuccessful in either the Bull or Cow Elk drawing.

**19. 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 Thursday, September 12, 2013, meeting. **NOTE:** This meeting is scheduled to be held at the Regional Emergency Operations Center on Spectrum Boulevard.*

The September 12, 2013, meeting agenda may include, but is not limited to: 1) Election of Officers; 2) Consideration of the proposed 2014 meeting calendar; 3) Request from John Potash to assist in the modifications of NAC as it pertains to the possession of certain reptiles that are currently prohibited; and 4) update on wind power generating systems and its effect on wildlife.

# *Washoe County Advisory Board to Manage Wildlife*

DRAFT Minutes

July 30, 2013

Page 19 of 19

## **20. PUBLIC COMMENTS** [Non-action item]

Judi Caron outlined concerns about returning a tag via mail without a return confirmation. Ms. Caron suggested an on-line method to return a tag using personal identification that would confirm that an individual had returned their tag, which is not typically done when returning tags via mail.

Joel Blakeslee commended Chair Flowers for an excellent meeting that allowed public comment before and after board discussion.

## **21. ADJOURNMENT** [Non-action item]

Chair Flowers adjourned the meeting at 10:13 p.m.