

Washoe County Advisory Board to Manage Wildlife

Minutes

Thursday ~ July 30, 2015 ~ 6:00 p.m.
Nevada Department of Wildlife
Conference Room B
1100 Valley Road, Reno, Nevada

MEMBERS

Sean Shea, Chair
Miles Humphreys, Jr., Vice-chair
Michelle Spencer, Secretary
Cathy Smith
William Tamblyn

1. PLEDGE OF ALLEGIANCE (Non-action item)

Chair Shea led the Pledge of Allegiance.

2. CALL TO ORDER AND ROLL CALL (Non-action item)

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

PRESENT: Miles Humphreys, Jr., Sean Shea, Michelle Spencer, Cathy Smith and William Tamblyn.

ABSENT: None.

Jen Gustafson – Deputy District Attorney, was also present.

3. PUBLIC COMMENTS (Non-action item)

Daryl Harwell asked that the Washoe County Advisory Board to Manage Wildlife add an agenda item to review the Tahoe Pyramid Link that, in his opinion, will destroy Rosewood Creek and then be “tossed” to NDOT (Nevada Department of Transportation) to maintain. Mr. Harwell drew attention to the conditions of Washoe Lake Wetlands Mitigation Area that is under NDOT jurisdiction for protection of the wetlands.

4. ELECTION OF OFFICERS (For possible action) – 1) *Chair*; 2) *Vice-chair*; and 3) *Secretary*

Chair Shea noted that Washoe County Board of County Commissioners had reappointed Member Spencer and himself to their second 3-year term. Chair Shea opened nominations for Secretary.

Chair Shea nominated Michelle Spencer. Member Smith seconded the nomination.

Member Spencer accepted the nomination.

The nomination to elect Michelle Spencer as Secretary carried unanimously.

Chair Shea opened nominations for Vice-chair.

Member Spencer nominated Miles Humphreys, Jr., as Vice-chair. Chair Shea seconded the nomination.

Member Humphreys, Jr., accepted the nomination.

The nomination to elect Miles Humphreys, Jr., as Vice-chair carried unanimously.

Chair Shea opened the nominations for Chair.

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Member Spencer nominated Sean Shea to serve as Chair. Member Humphreys, Jr., seconded the nomination.

Chair Shea accepted the nomination.

The nomination to elect Sean Shea as Chair carried unanimously.

5. APPROVAL OF JUNE 11, 2015, MINUTES (For possible action)

Hearing no public comment Chair Shea asked for Board discussion or a motion.

It was moved by Member Tamblyn, seconded by Chair Shea, to approve the June 11, 2015, minutes, as submitted. The motion carried unanimously.

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 7 and 8, 2015, Fallon, Nevada; and 2). September 25 and 26, 2015, in Las Vegas, Nevada.*

Member Tamblyn will attend the August 7 and 8, 2015, meetings in Fallon, Nevada.

Member Humphreys, Jr., will attend the September 25 and 26, 2015, meetings in Las Vegas, Nevada.

Chair Shea reminded members to submit receipts for reimbursement in a timely manner, as Washoe County has a 6-month time-line in which to process reimbursements.

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

7-1. Correspondence (including sportsmen's concerns) and Announcements – None.

7-2. Overview of the June 19 and 20, 2015, meetings of the Nevada Board of Wildlife Commissioners – Chair Shea commented that the meetings and actions had went as expected. However, the discussion about the arbitration board was excessive in his opinion.

8. SET MEETING CALENDAR YEAR 2016 AND 2017 MEETING SCHEDULES (For possible action) – *A review, discussion and possible action to set the Washoe County Advisory Board to Manage Wildlife meeting schedules for calendar years 2016 and 2017.*

Responding to Rex Flowers' inquiry about the meeting start time, Chair Shea stated that the Thursday meetings would continue to start at 6:00 p.m.

Hearing no other public comment, Chair Shea asked for Board discussion or a motion.

It was moved by Member Tamblyn, seconded by Member Smith, to approve the 2016 and 2017 Washoe County Advisory Board to Manage Wildlife meeting calendar, as presented. The motion carried unanimously.

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- 9. SCRIPPS WILDLIFE MANAGEMENT AREA** (For possible action) – *A review, discussion and possible action to direct the Washoe County Advisory Board to Manage Wildlife Chair to develop and submit correspondence to the Nevada Board of Wildlife Commissioners recommending that the Nevada Board of Wildlife Commissioners directs NDOW (Nevada Department of Wildlife) staff to actively engage NDOT (Nevada Department of Transportation) on methods to remove wild horses and restore the sensitive wetlands area.*

Chair Shea opened public comment.

Rex Flowers commented that he had hoped there would be a presentation by NDOW (Nevada Department of Wildlife). Mr. Flowers noted that the general consensus is that the horses need to be removed from the area and suggested that a future Heritage and/or Migratory Bird Stamp funded project could be used for fencing the north end of the area. Additionally the horses need to be removed from the area.

Daryl Harwell commented that this had been going on for several years and that permission to build a fence has to be obtained from NDOT. Additionally, neither the BLM (Bureau of Land Management) nor Nevada Division of Agriculture will take ownership of the wild horses and noted that the horse have destroyed a significant number of nest sites developed in the management area. Mr. Harwell emphasized that this is a wetlands area not a wild horse sanctuary.

Chair Shea closed public comment.

Chair Shea noted that this issue had been discussed at length several times and asked Member Humphreys, Jr., to provide some commentary as he drives the area on a daily basis.

Member Humphreys, Jr., noted that the wild horse are breeding in the area and produce a number of new colts annually. Member Humphreys, Jr., emphasized that in addition to the havoc caused to the wetlands by the wild horses, they also present a public safety issue with motorists stopping to take photographs. Member Humphreys, Jr., concurs that the Nevada Board of Wildlife Commissioners needs to take a proactive approach in working with NDOT to remove the horses from the sensitive wetlands quickly.

Member Tamblyn concurred that something needs to be done.

Chair Shea commented that he would develop correspondence and include suggested uses of Heritage or Duck Stamp funds.

Deputy District Attorney Jen Gustafson noted that the correspondence should come back to the Washoe County Advisory Board to Manage Wildlife for final approval of the correspondence.

Chair Shea noted that he believes that the Audubon Society should also be involved in the removal of the wild horses from the sensitive nesting groups.

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It was moved by Member Tambllyn, seconded by Member Spencer, to direct that the Washoe County Advisory Board to Manage Wildlife Chair (Sean Shea) develop correspondence regarding the removal of wild horse and restoration of the Scripps Management Area for review at the September 17, 2015, meeting. The motion carried unanimously.

- 10. INFORMATIONAL PRESENTATION ON NUISANCE ANIMALS** [Non-action item] - *An informational presentation nuisance animals.*

Chair Shea noted that staff was not present.

Jack Robb – Deputy Director, Resource Management, stated that a presentation would be made at the next meeting.

It was moved by Chair Shea, seconded by Member Humphreys, Jr., to continue the Informational Presentation on Nuisance Animals until the September 17, 2015, meeting. The motion carried unanimously.

- 11. COMMISSION GENERAL REGULATION 454, Firearm Carry During Muzzleloader and Archery Hunts, LCB (Legislative Counsel Bureau) File No. R007-15** [For possible action] – *A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a proposed permanent adoption of the temporary regulation which expires November 1, 2015, relating to the carry of a firearm in the field while hunting under archery and muzzleloader regulations, including language changes from Assembly Bill 136 of the 78th Legislative Session. The regulation will change NAC (Nevada Administrative Code) 503.142 and 503.144 to allow the carry of personal protection handguns while archery and muzzleloader hunting.*

Hearing no public comment Chair Shea asked for Board discussion or a motion.

Responding to Chair Shea's inquiry about the barrel length shown on page 2 item b, Mike McCusker – Game Warden, explained that the proposed language will make the temporary regulation permanent and reflects the language brought forward in the legislation sponsored by Assemblyman Ellison.

Jack Robb – Deputy Director, Resource Management, noted that a former Clark County Sheriff had come up with the 8-inch barrel length and that this will resolve any conflict between NRS (Nevada Revised Statutes) and NAC (Nevada Administrative Code).

It was moved by Member Tambllyn, seconded by Member Smith, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 454, Firearm Carry During Muzzleloader and Archery Hunts, LCB (Legislative Counsel Bureau) File No. R007-15, as written. The motion carried unanimously.

- 12. COMMISSION GENERAL REGULATION 455, Trapping Questionnaire Deadline and Trapping License Valid Dates, LCB (Legislative Counsel Bureau) File No. R008-15** [For possible action] – *A review, discussion and possible action to recommend that Nevada Board*

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of Wildlife Commissioners approve, deny or otherwise modify a proposed permanent adoption of the temporary regulation which expires November 1, 2015, relating to trapping questionnaires and trapping license valid periods. The regulation will add language to specify the valid period of a trapping license as July 1 – June 30. The regulation amendment will also update the trapping questionnaire deadline language, changing the deadline from April 30 to May 31, making it consistent with other Department questionnaire language. The amendment includes having the Department be responsible for prohibiting the purchase of a subsequent trapping license, instead of the Commission, when a trapper fails to return a questionnaire. This amendment will allow the Department to administer the trapping questionnaire processes effectively in regard to the trapping seasons as established by the Commission, prohibiting sale of a trapping license until the previous years' questionnaire is provided. The regulation is intended to give trappers ample time to return their questionnaires but also provide an efficient license denial procedure if they fail to return their questionnaire. The temporary regulation was discussed in a workshop session on Nov. 14, 2014, and the temporary regulation was adopted on Feb. 7, 2015, at the Nevada Board of Wildlife Commissioners meeting.

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

It was moved by Chair Shea, seconded by Member Smith, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 455, Trapping Questionnaire Deadline and Trapping License Valid Dates, LCB (Legislative Counsel Bureau) File No. R008-15, as written. The motion carried unanimously.

13. **COMMISSION GENERAL REGULATION 456, Special Incentive Elk Arbitration Panel, LCB (Legislative Counsel Bureau) File No. R030-15** [For possible action] – *A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a proposed permanent adoption of the temporary regulation which expires November 1, 2015, relating to amending NAC 502.42283 by which the Commission may facilitate decisions by appointing or serving as the arbitration panel should arbitration of elk incentive tag awards become necessary; and other matters relating thereto.*

Hearing no public comment Chair Shea asked for Board discussion or a motion.

Responding to Member Tamblyn's inquiry about whether the extensive discussion at the previous Nevada Board of Wildlife Commissioners meeting had any bearing on this item, Chair Shea commented that he did not believe so.

It was moved by Member Humphreys, Jr., seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 456, Special Incentive Elk Arbitration Panel, LCB (Legislative Counsel Bureau) File No. R030-15, as written. The motion carried unanimously.

14. **COMMISSION GENERAL REGULATION 457, Awards, Issuance, and Use of Tags, LCB (Legislative Counsel Bureau) File No. R031-15** [For possible action] – *A review, discussion and possible action to recommend that Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a proposed permanent adoption of the temporary regulation which*

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expires November 1, 2015, amending license issuance and use clarification for elk incentive tags. Elk incentive tags were designed to be issued in association with "bull" hunts and seasons. Subsequent to initial NRS and NAC adoption, "spike" hunts have been developed, and "antlered" tags do not clearly denote the appropriate quota or season for which the incentive tags are intended. The amended formula will account for the harvest of "spike" elk, but identify seasons for incentive tag use; and other matters relating thereto.

Hearing no public comment, Chair Shea asked for Board discussion or a motion.

It was moved by Member Tamblyn, seconded by Member Smith, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 457, Awards, Issuance, and Use of Tags, LCB (Legislative Counsel Bureau) File No. R031-15, as written. The motion carried unanimously.

15. ANNUAL BIG GAME RELEASE PLAN FOR FISCAL YEAR 2016 [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the proposed annual big game release plan for fiscal year 2016.*

Chair Shea opened public comment.

Rex Flowers noted that only one transplant will occur this year and questioned where the funds would go that were not being used for a prior anticipated transplant.

Chair Shea closed public comment and asked for Board discussion or a motion.

Responding to Member Humphreys, Jr., inquiry where funds go if not used for the specific project, Jack Robb – Deputy Director Resource Management, explained that the funds are typically allocated to other projects that were not fully funded during the current funding cycle. Otherwise, funds have to be returned to the principle and would not be available. Currently, the principal balance is \pm \$7-million. Mr. Robb further explained that Trap and Transplant is the first project listed for funding. Over time, procedures have been modified so as not to introduce diseased animals into an otherwise healthy population. Mr. Robb noted that past experience has shown that while mature animals might not die from a specific disease, new born lambs have succumbed to disease in several areas including El Dorado and other parts of Southern Nevada.

Mike Scott – Western Region Supervising Game Biologist – in response to a question, drew attention to areas where California bighorn sheep cannot currently be transplanted due to an existing court order. Additionally, NDOW has decided to hold off on potential bighorn releases in northwestern Nevada due to ongoing drought conditions. Although recent summer rains have improved range conditions, the lack of snow in the past few years has not allowed for recharge of springs. Should conditions improve, NDOW will evaluate the potential for future big game releases in these areas.

Responding to Dan Shoupe's question about limitations of moving unused funds, Mr. Robb explained that this can only be done on a year to year basis for the Trap and Transplant. Otherwise the money must be returned to the principal.

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Chair Shea closed public comment and asked for Board discussion or a motion.

It was moved by Member Spencer, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve the Annual Big Game Release Plan for Fiscal Year 2016, as written. The motion carried unanimously.

- 16. COMMISSION REGULATION 16 - 01 Migratory Waterfowl and Webless Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Birds, Public hunting limited on Wildlife Management Areas and Designated State Lands 2015 - 2016 Season** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the recommendations for seasons, bag limits, and special regulations for migratory waterfowl and webless game birds for the 2015 – 2016 season and adopt regulations that comply with the proposed regulatory framework for the 2015 – 2016 late and early hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission may also consider changes to rules regulating public hunting on Wildlife Management Areas and designated state lands.*

Chair Shea opened public comment.

Daryl Harwell stated that Nevada Waterfowl supports the recommendations and noted that Duck populations are up in both Alaska and Canada, even with a 4-percent decrease in water resources.

Chair Shea closed public comments and asked for Board discussion or a motion.

It was moved by Member Spencer, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 16 - 01 Migratory Waterfowl and Webless Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Birds, Public hunting limited on Wildlife Management Areas and Designated State Lands 2015 - 2016 Season, as written. The motion carried unanimously.

The meeting recessed at 6:45 p.m. and reconvened at 6:55 p.m.

- 17. TAAHC (Tag Allocation and Application Hunt Committee) OPEN TOPIC LIST** [For possible action] – *A review, discussion and possible action to recommend modifications to the Tag Allocation and Application Hunt Committee (TAAHC) on open items on the TAAHC Topic List, which can be found on the Committee page of NDOW's website at:*
http://www.ndow.org/uploadedFiles/ndoworg/Content/Public_Meetings/Committees/TAAHC-Topic-List-Open-Items.pdf.

Chair Shea asked Rex Flowers to provide an overview of the request.

Rex Flowers drew attention to the original list noting that progress has been made on the original list. Drawing attention to the numbering (e.g. 1, 2 and 3), Mr. Flowers explained that the TAAHC is seeking input from the public as to what may have changed that would suggest a change in the priority list. Additionally, TAAHC is looking for updates to the closed list as well and new ideas that

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should be incorporated. Mr. Flowers suggested that recommendations be submitted by mid-August (2015) for TAAHC consideration.

Chair Shea closed public comment and asked for Board discussion or a motion.

Chair Shea suggested that written recommendations be made to reduce the chance of misinterpretation.

Chair Shea made the following recommendations:

1) A.9.2 page 6 change the PIW (Partners in Wildlife) tag to the first draw rather than the second;

It was moved by Chair Shea, seconded by Member Spencer to recommend that the TAAHC change A.9.2 to make the PIW (Partners in Wildlife) tag the first draw instead of a second draw. The motion carried unanimously.

2) T.5.7 page 9 – landowner tags modified to require that the property owner be required to allow unit tag holders an opportunity to hunt on private property in exchange for the landowner tags;

It was moved by Chair Shea, seconded by Member Smith, to recommend that the TAAHC approve a change to require that all unit tag holders may hunt on private property within that unit

3) A.6.2.6, page 5 - reduce the waiting time for Bull Elk Tags from ten (10) years to five (5) years for successful tag holders and from five (5) years to three (3) years for unsuccessful tag holders.

During a brief discussion it was suggested that a change in the waiting period as described might encourage hunters to harvest a smaller class bull thus aiding in the reduction of herd populations to meet Elk Management Plan goals. It was pointed out that ± 41 -percent of Bull Elk tags are unfilled.

It was moved by Member Humphreys, Jr., seconded by Chair Shea, to recommend that the TAAHC modify the wait period from five (5) to three (3) years for unsuccessful hunts; and from ten (10) to five (5) years for a successful hunt for Bull Elk. The motion carried unanimously.

4) New item – Chair Shea suggested that a Resident Guided Hunt for Mule Deer be added based on requests by Nevada residents. Chair Shea suggested that a Resident Guided Mule Deer hunt be based on the existing Non-resident Guided Mule Deer Hunt with +/- 5% prior year quota and increased tag fees.

It was moved by Chair Shea, seconded by Member Humphreys, Jr., to recommend that the TAAHC add a Resident Guided Mule Deer Hunt based on the existing Non-resident Guided Mule Deer Hunt. The motion carried unanimously.

18. WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE MEMBERS AND/OR STAFF ANNOUNCEMENTS, REQUESTS FOR INFORMATION AND SELECTION OF

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TOPICS FOR FUTURE AGENDAS [Non-action item] – *Selection of additional agenda item(s) for the next meeting is September 17, 2015.*

The September 17, 2015, meeting agenda may include: 1 Informational Update on Nuisance Animal continued from tonight's (July 30, 2015) meeting; 2) Correspondence Nevada Board of Wildlife Commissioners concerning Scripps Wildlife Management Areas; ; and 3) update on fisheries and/or waterfowl.

Member Smith suggested the use of a different term than "nuisance" to better define what species are being discussed.

19. PUBLIC COMMENTS [Non-action item]

Jack Robb – Deputy Director, Resource Management, noted that an interesting and informative presentation on drought is available on the NDOW (Nevada Department of Wildlife) website.

Caron Tayloe outlined her concern that trapping had not faced any additional restrictions due to the ongoing drought conditions. Additionally, Ms. Tayloe asked that the terms "nuisance" not be used in reference to wildlife. Ms. Tayloe believes that the only nuisance animals are of two legged rather than the four legged variety.

Daryl Harwell commented that NDOW (Nevada Department of Wildlife) needs to be involved in the Tahoe Pyramid Link project.

Responding to Dan Shoupe's inquiry about public comment on the TAAHC recommendations, Chair Shea explained that the public can make comment at the upcoming TAAHC meeting and that the outcome of the TAAHC meeting would come back to this body at a future meeting

20. ADJOURNMENT [Non-action item]

Chair Shea adjourned the meeting at 7:23 p.m.

AS AMENDED AND APPROVED BY THE WASHOE COUNTY ADVIOSRY BOARD TO MANAGE WILDLIFE IN SESSION SEPTEMBER 17, 2015.