

DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE
Minutes of the August 16, 2022 Meeting

The Douglas County Advisory Board to Manage Wildlife meeting was scheduled for 5:00 pm on Tuesday, August 16, 2022, in the Douglas County Community Center, Carson Valley Medical Center Room, 1329 Waterloo Lane, Gardnerville, Nevada.

MEMBERS PRESENT:

Craig Burnside, Chairman (*joined the meeting at 5:26 pm*)
JT Chevallier, Vice Chairman
Mike Porter
Kevin Kjer
Paul Howell

CALL TO ORDER

Vice Chairman Chevallier called the meeting to order at 5:05 pm and determined a quorum was present. It was noted that Chairman Burnside would arrive a little late.

PLEDGE OF ALLEGIANCE – Member Porter led the Pledge of Allegiance.

ROLL CALL AND INTRODUCTIONS

Vice Chairman Chevallier called the roll and each member responded and gave a quick overview of the length of their service on this board.

PUBLIC COMMENT

There was no public comment.

FOR POSSIBLE ACTION. APPROVAL OF AGENDA

Vice Chairman Chevallier requested the approval of the minutes along with Items 1 and 2 be tabled until the Chairman arrived.

No public comment.

MOTION by Kjer/Howell to approve the agenda with the stated changes; carried with Burnside absent.

FOR POSSIBLE ACTION. APPROVAL OF MINUTES:

- **April 26, 2022**
- **June 21, 2022**

This item was tabled until later in the meeting.

- 1. DISCUSSION ON THE RESULTS OF THE JUNE 23, 24, & 25, 2022 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS.** There will be no action taken.

This item was tabled until later in the meeting.

2. DISCUSSION AND UPDATE ON THE ACTIVITIES AND ACTIONS OF THE MULE DEER ENHANCEMENT PROGRAM SUBCOMMITTEE.

This item was tabled until later in the meeting.

- 3. The following items, 3a through 3p, are items that will be heard before the Nevada Board of Wildlife Commissioners at the next meetings, August 19 & 20, 2022 at the Tonopah Convention Center, 301 Brougner Avenue, Tonopah, Nevada. The Douglas County Advisory Board to Manage Wildlife may take the following action, or a variation thereof, on each item: support the item, not support the item or not take a position on the item. Public Comment will be allowed on each item.**

3a–3p. DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER THE DOUGLAS COUNTY ADVISORY BOARD SHOULD TAKE A POSITION ON:

3a. FOR POSSIBLE ACTION. DISCUSSION ON THE ELECTION OF OFFICERS. In accordance with Commission Policy #1, the Commission will elect a Chairperson and Vice Chairperson. *(Wildlife Commission Agenda Item 1)*

Member Porter pointed out this is an annual procedural item.

No public comment

MOTION by Porter/Kjer to support the discussion and election of officers; carried with Burnside absent.

3b. FOR POSSIBLE ACTION. DISCUSSION ON THE TAG TRANSFER/DEFERRAL REQUEST. The Commission will review a request for a Heritage Tag Transfer pursuant to NRS 502.104. *(Wildlife Commission Agenda Item 13)*

No public comment.

No support material was provided so the consensus of the Board was to take no action.

(For the following items, the Board members recognized the requirement to review policies every five years and prior to taking any action, each Policy was reviewed for language changes that could be considered substantive.)

3c. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 3 – APPEALS. The Commission will have a second reading of Commission Policy 3, Appeals, and may make any necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14A)*

No public comment.

MOTION by Howell/Kjer to recommend the Commission support the second reading and adoption of Commission Policy 3 – Appeals as presented; carried with Burnside absent.

This item was revisited quickly when the Chairman arrived.

3d. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION POLICY 4 – PETITION PROCESS AND ADOPTION OF REGULATIONS. The Commission will have a second reading of Commission Policy 4, Petition Process and Adoption of Regulations, and may make any necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14B)*

Member Porter felt the policy was logical and straightforward.

No public comment.

MOTION by Porter/Howell to recommend the Commission support and adopt Commission Policy 4 – Petition Process and Adoption of Regulations as presented; carried with Burnside absent.

3e. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 21 – GAME AND FURBEARER MANAGEMENT PLANS. The Commission will have a second reading of Commission Policy 21, Game and Furbearer Plans, and may make any necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14C)*

The members reviewed the policy and determined no substantive changes are being recommended.

No public comment.

MOTION by Howell/Porter to recommend the Commission support the second reading and adoption of Commission Policy 21 – Game and Furbearer Management Plans as presented; carried with Burnside absent.

3f. FOR POSSIBLE ACTION. DISCUSSION ON THE FIRST READING OF COMMISSION POLICY 24 – HUNTING OPPORTUNITIES AMONG VARIOUS WEAPONS CLASSES AND HUNTER GROUPS. The Commission will have a first reading of Commission Policy 24, Hunting Opportunities Among Various Weapon Classes and Hunter Groups, and may make any necessary changes and may decide to move it to a second reading. *(Wildlife Commission Agenda Item 14D)*

Member Howell feels the Policy is straightforward and well thought out; the ratios used make good sense.

No public comment.

MOTION by Porter/Kjer to recommend the Commission support the first reading of Commission Policy 24 – Hunting Opportunities Among Various Weapons Classes and Hunter Groups as presented; carried unanimously.

3c. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 3 – APPEALS. The Commission will have a second reading of Commission Policy 3, Appeals, and may make any necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14A)*

Chairman Burnside talked about the portion of the policy that prohibits advisory board or public input on items of this type.

Member Porter pointed out the policy is intended to establish the rules and this Board is acting to support or not support those guidelines.

Member Howell added he feels it is inappropriate for the public to comment on an appeal. It is the Commission's authority, set by statute, to hear an appeal. Taking comment would be like taking public opinion before a jury trial.

The Chairman solicited public comment and there was none.

The prior vote on the item stands.

3g. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 22 – INTRODUCTION, TRANSPLANTING, AND EXPORTATION OF WILDLIFE. The Commission will have a second reading of Commission Policy 22, Introduction, Transplanting, and Exportation of Wildlife, and may make any necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14E)*

The members reviewed the policy and determined no substantive changes are being recommended.

No public comment.

MOTION by Chevallier/Kjer to recommend the Commission support the second reading of Commission Policy 22 – Introduction, Transplanting, and Exportation of Wildlife as presented; carried unanimously.

3h. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 25 – WILDLIFE DAMAGE MANAGEMENT. The Commission will have a second reading of Commission Policy 25, Wildlife Damage Management, and may make necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14F)*

Member Howell reviewed the proposed language and feels it does not change the intent of the policy.

Chairman Burnside agreed the new language is simplified and more concise.

No public comment.

MOTION by Chevallier/Porter to recommend the Commission support the second reading of Commission Policy 25 – Wildlife Damage Management as presented; carried unanimously.

3I. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 26 – MANAGING ROCKY MOUNTAIN ELK POPULATION. The Commission will have a second reading of Commission Policy 26, Managing Rocky Mountain Elk Population, and may make necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14G)*

The members reviewed the policy and determined no substantive changes are being recommended.

No public comment.

MOTION by Chevallier/Howell to recommend the Commission support the second reading of Commission Policy 26 – Managing Rocky Mountain Elk Population as presented; carried unanimously.

3j. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 27 – PROTECTION OF WILDLIFE. The Commission will have a

second reading of Commission Policy 27, Protection of Wildlife, and may make necessary changes and may decide to repeal, revise, or adopt the policy. (Wildlife Commission Agenda Item 14H)

Member Howell pointed out the biggest policy change is the language added that manages wolves if it becomes necessary.

Chairman Burnside added that language addresses “other wildlife species” but does not address domestic livestock. Domestic livestock may be outside their purview and could be fall under the policy that addresses wildlife damage.

Member Kjer recalled how the language regarding wolves has evolved over time.

Chairman Burnside reviewed the amendment to the Wild and Free-Roaming Horses and Burros Act of 1971 and said it dealt with appropriate management levels and herd management areas.

No public comment.

MOTION by Porter/Howell to recommend the Commission support the second reading of Commission Policy 27 – Protection of Wildlife as presented; carried unanimously.

3k. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 28 – TRANSPARENCY ON QUOTA SETTING. The Commission will have a second reading of Commission Policy 28, Transparency of Quota Setting, and may make necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14I)*

The members reviewed the policy and determined no substantive changes are being recommended.

No public comment.

Chairman Burnside complimented Department staff on the transparency exhibited when deriving proposed quotas and the other members agreed.

MOTION by Howell/Porter to recommend the Commission support the second reading of Commission Policy 28 – Transparency on Quota Setting as presented; carried unanimously.

3I. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 29 – ELK ARBITRATION. The Commission will have a second reading of Commission Policy 29, Elk Arbitration, and may take necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14J)*

The members reviewed the policy and determined no substantive changes are being recommended.

No public comment.

MOTION by Chevallier/Kjer to recommend the Commission support the second reading of Commission Policy 29 - Elk Arbitration as presented; carried unanimously.

3m. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND READING OF COMMISSION POLICY 51 - WAYNE E. KIRCH CONSERVATION AWARD. The Commission will have a second reading of Commission Policy 51, Wayne E. Kirch Conservation Award, and may make necessary changes and may decide to repeal, revise, or adopt the policy. *(Wildlife Commission Agenda Item 14K)*

The members reviewed the policy and determined no changes are being recommended.

No public comment.

MOTION by Porter/Chevallier to recommend the Commission support the second reading of Commission Policy 51 – Wayne E. Kirch Conservation Award as presented; carried unanimously.

3n. FOR POSSIBLE ACTION. DISCUSSION ON THE FIRST READING OF COMMISSION POLICY 60 – WATER APPLICATION GUIDELINES. The Commission will have a first reading of Commission Policy 60, Water Application Guidelines, and may make any necessary changes and may decide to move it to a second reading. (*Wildlife Commission Agenda Item 14L*)

Member Porter is concerned about the lack of water for wildlife in Nevada since it is the driest state in the nation. The Department is actively involved in purchasing water rights or working with water right holders when they are able for the betterment of wildlife.

Vice Chairman Chevallier thought eliminating existing wells and free flowing springs that provide agricultural and benefits could create some gray area. This expands the Department's ability to create nuance in the gray area of wildlife and habitat resources however he is concerned about eliminating the impact that it could be having on existing wells and free flowing springs.

Member Howell believes the language changes are focused on new wells; they are not using their authority to lobby the state legislature to come after existing wells and springs.

Member Porter touched on what is happening with water in Ely.

Chairman Burnside said this would apply to the appropriation and/or reappropriation of water. If an application is filed and is deemed to have a negative impact on wildlife or its habitat, the Director would file a written protest. The "existing wells and free flowing springs....." language is stricken because the Department will protest an application that has an impact on wildlife or its habitat.

No public comment.

MOTION by Chevallier/Howell to recommend the Commission support the first reading of Commission Policy 60 – Water Application Guidelines as amended; carried unanimously.

3o. FOR POSSIBLE ACTION. DISCUSSION ON THE FIRST READING OF COMMISSION POLICY 61 – WATER RIGHTS. The Commission will have a first reading of Commission Policy 61, Water Rights, and may make any necessary changes and may decide to move it to a second reading. (*Wildlife Commission Agenda Item 14M*)

The members reviewed the new language and expressed support for it because securing water rights will benefit all wildlife species.

No public comment.

MOTION by Porter/Chevallier to recommend the Commission support the first reading of Commission Policy 61 – Water Rights as presented; carried unanimously.

3p. FOR POSSIBLE ACTION. DISCUSSION ON THE FIRST READING OF COMMISSION POLICY 66 – MANAGEMENT AND USE OF WILDLIFE MANAGEMENT AREAS. The Commission will have a first reading of Commission Policy 66, Management and Use of Wildlife Management Areas, and may make any necessary changes and may decide to move it to a second reading. (*Wildlife Commission Agenda Item 14N*)

The members reviewed the additions and changes to the language.

No public comment.

MOTION by Howell/Porter to recommend the Commission support the first reading of Commission Policy 66 – Management and Use of Wildlife Management Areas as presented; carried unanimously.

FOR POSSIBLE ACTION. APPROVAL OF MINUTES:

- **April 26, 2022**

No public comment.

MOTION by Kjer/Chevallier to approve the minutes of April 26, 2022 as presented; carried with Howell abstaining.

- **June 21, 2022**

No public comment.

MOTION by Howell/Porter to approve the minutes of June 21, 2022 as presented; carried with Kjer and Chevallier abstaining.

4. DISCUSSION ON THE RESULTS OF THE JUNE 23, 24, & 25, 2022 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS. There will be no action taken.

Chairman Burnside reported on:

- The presentation on the Licking Ranch including its location and size, history, number of bird species sighted there, and driving tour of the ranch.
- Mountain Lion problem near Las Vegas and they are feeding mostly on feral horses.
- Emergency water hauls into big game guzzlers for sheep.
- 83 applications for energy development projects, with over 40 of those being for solar fields.
- Hiring of two new wildlife diversity biologists.
- 400,000+ applications submitted for tags this year.
- Mule deer oversight committee requested subcommittees prepare a one-page, five-year plan for the mule deer herd in each area.
- The Nevada funding available from the Recovering America's Wildlife Act.
- The approvals of the Heritage Fund, Duck Stamp, and Upland Game Bird Stamp projects.

5. DISCUSSION AND UPDATE ON THE ACTIVITIES AND ACTIONS OF THE MULE DEER ENHANCEMENT PROGRAM SUBCOMMITTEE.

No meeting has been held but the group will meet in September to prepare a draft 5-year plan for the region.

4. FOR DISCUSSION ONLY. CORRESPONDENCE OR COMMUNICATIONS BOARD MEMBERS HAVE RECEIVED.

Chairman Burnside received an email from Bob Rittenhouse referencing agenda items 3g, 3h, 3j, and 3p and how they require mutual concern, action, and cooperation by local jurisdictions and BLM.

- 5. FOR DISCUSSION ONLY. DISCUSSION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO ATTEND UPCOMING WILDLIFE COMMISSION MEETINGS AND TO REPRESENT THE FINDINGS OF THE DOUGLAS COUNTY WILDLIFE ADVISORY BOARD. ONE MEMBER WILL BE DESIGNATED AS A SPOKESMAN FOR THE DOUGLAS COUNTY ADVISORY BOARD.**

Member Howell will attend the Tonopah meeting and Vice Chairman Chevallier will attend the September meeting.

- 6. FOR DISCUSSION ONLY. DISCUSSION TO SCHEDULE THE NEXT DOUGLAS COUNTY WILDLIFE ADVISORY BOARD MEETING.** The next Commission meeting is scheduled for September 23 and 24, 2022. The Commission will review and discuss potential agenda items for that meeting. The Commission may change the date, time, and meeting location at this time. The chairperson may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

The next Douglas County Advisory Board to Manage Wildlife meeting is tentatively scheduled for Tuesday, September 20, 2022.

6. FOR DISCUSSION ONLY. FUTURE AGENDA ITEMS.

No future agenda items were identified.

CLOSING PUBLIC COMMENT.

There was no closing public comment.

ADJOURNMENT.

There being no further business to come before the Douglas County Advisory Board to Manage Wildlife, the meeting adjourned at 6:38 pm.

The minutes of the August 16, 2022 meeting of the Douglas County Advisory Board to Manage Wildlife are so approved this 20th day of September 2022.

Respectfully submitted:

Craig Burnside, Chairman