

Eureka County Advisory Board to Manage Wildlife

Minutes

January 19, 2023

The Eureka County Advisory Board to Manage Wildlife (CAB) held a public meeting on January 19, 2023 at 4:30 p.m. at the Eureka County Administrative Facility (Annex). A virtual option to attend was made available.

Members Present: James Evans (Chairman), Trent Gordan (Vice-Chairman), and Jayme Halpin.

Members Absent: None

Others Present: Lance Knudsen, rancher (virtually); Tom Donham, Nevada Department of Wildlife (NDOW) Eastern Region Supervisor (virtually); Cody Byrne, NDOW Eastern Region Fisheries Supervisor (virtually); Chris Jasmine, Nevada Gold Mines (NGM) Manager of Biodiversity and Rangelands (virtually); Buck Tingle, NDOW State Game Warden Lieutenant (virtually); Jake Tibbitts, Eureka County Natural Resource Manager; and Hallee Dechambeau, CAB Secretary

Call to order

Chairman James Evans called the meeting to order at 4:32 pm. A quorum was determined to be present.

Public Comment

None

Board Business

Approval of the agenda notice with addition of any emergency item and/or deletion of any item.

Chairman James Evans made a motion to approve the agenda, with moving the Tonkin Reservoir Access Improvement Planning Initiative to earlier in the agenda. Trent Gordon seconded the motion and the motion passed unanimously.

Review and approve the minutes from the October 31, 2022 meeting.

Chair Evans made a motion to approve the minutes without any changes. Trent Gordon seconded the motion and the motion passed unanimously.

Wildlife Enhancement Projects

Discuss pinyon-juniper thinning projects, wildlife guzzlers installation, and other potential projects including fisheries and the Tonkin Reservoir Access Improvement Planning Initiative and consider further efforts to move forward for successful implementation of projects including potential funding requests for the County or other entities.

Tonkin Reservoir Access Improvement-

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Regulations

Chairman Evans spoke on the Board's proposal of adding single barbless hooks to the current fishing regulations at Tonkin Reservoir. It was clarified with NDOW Eastern Region Fisheries Supervisor, Cody Byrne, that the regulation modification proposal would need to be presented at the Nevada Board of Wildlife Commission (NBWC) meeting in August in order to take effect for the 2024-2025 year. Chairman Evans also summarized additional items included in the Board's proposal: Fishing season dates to be changed to April 15-October 31, a two fish limit to encourage the trout population growth, limiting watercraft to boats without motors and/or boats with electric motors that meet the Nevada Administrative Code 488.470, and implementing signage at landing access points that indicates camping and parking are prohibited in that area.

Cody Byrne spoke in regards to the enforcement aspects of added fishing regulations. He agreed that the proposed changes would encourage trout population growth, but surmised that violations to the current fishing regulations are already being made and will continue due to the difficulties having an enforcement officer presence at location. He stated that Nevada State Game Warden Lieutenant Buck Tingle was present and may want to speak on this matter.

Chairman Evans addressed Chris Jasmine and Lance Knudsen for their input on the regulation proposal. Neither attendee wished to comment on the proposed fishing regulations.

Buck Tingle addressed the Board in regards to the difficulties in getting a game warden stationed in the area. He shared that they have gone through three separate hiring rounds and are currently relying on other agents to service the area which is difficult due to the reservoir's remote location. He agrees with Mr. Byrne that new regulations will be hard to enforce without a warden's regular presence.

Chairman Evans stated his wishes to continue with the regulation modification proposal in anticipation of submitting it to the NBWC in August due to the heightened interest in the Tonkin reservoir and in observing a rising number of dead fish in the shallows attributed, in the Chairman's opinion, to use of improper release and barbed hooks.

Access

Chairman Evans presented to the Board that most access points were once county-maintained roads. The three landings could easily be graded back to previous conditions and that the south landing could be improved for better access for pontoons and tubes. He stated that the proposed pedestrian crossing over the spillway would require permitting and hoped a local engineer could be used.

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Chairman Evans addressed Chris Jasmine of NGM, who holds the right of way for the dam as well as the water rights on the reservoir, and Lance Knudsen, current grazing permit holder, on their thoughts regarding access improvements.

Mr. Jasmine stated that NGM did not have anything to add in regards to the proposed access improvements. He added that most of the access points were located on BLM land, and as long as the State Engineer and BLM were in support of and authorize the improvements, he did not see reason for concern.

Mr. Knudsen spoke regarding the old gates on the south end of the reservoir and noted the old fence that runs south to east can be eliminated. He also suggested that the pedestrian crossing at the spillway be a type of walk through that would allow patrons to cross but not livestock, in addition to it not requiring a gate, as gates are subject to be left open.

Chairman Evans spoke of his experience seeing people driving on the west side of reservoir towards the rocky bluffs. Mr. Knudsen was unconcerned from an agricultural use standpoint. He reiterated that a new fence was located at the end of the reservoir on the north side and that there shouldn't be concern for agricultural purposes as long as the gates in the new fence were accessible for gathering cattle.

Chairman Evans spoke on speaking with the BLM and looking into the permitting process. He hopes to get the various county entities involved by the next meeting. He also addressed the importance in having sturdy, permanent signage on location.

Mr. Knudsen brought up concerns with patrons tampering with the headgate. He also suggested work being done to fix where the bank is sluffed at the headgate.

Chairman Evans stated that catwalk and headgate could be addressed in the stabilization plan. The Board noted that continued work and discussions will take place on the Initiative at future meetings.

Correspondence and Member Reports

No additional reports

Agency Reports

Reports and updates from various wildlife and land management agencies.

NDOW Eastern Region Supervisor, Tom Donham, spoke about upcoming Eureka Game Biologist interviews to be commencing in the following week. They are hoping to get the position filled. He also informed the Board on the success of Predator Plan Project 40 with USDA Wildlife Services due to the abundant snow in the Diamond Range.

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Current and Emerging Wildlife, Natural Resources and Public Land Issues

Report on and discuss current and emerging wildlife, natural resources and public land issues affecting Eureka County.

It was determined that there was nothing to discuss at this time.

Wildlife Enhancement Projects

Discuss pinyon-juniper thinning projects, wildlife guzzlers installation, and other potential projects including fisheries and the Tonkin Reservoir Access Improvement Planning Initiative and consider further efforts to move forward for successful implementation of projects including potential funding requests for the County or other entities.

Eureka County Natural Resource Manager, Jake Tibbitts, updated the Board on the BLM tree clearing of 100,000 acres along the foothills of the Diamond Mountains to fall within a pinyon-juniper NEPA categorical exclusion. He also notified the Board of \$150,000 in seed money from a community assistance grant through BLM to be used for community wildfire defense.

Vice-Chairman Gordon raised concern about the narrow snow trails on existing roads that are being made in the Vinini Creek and Frazier Creek areas for retrieving equipment by BLM's contractor. Mr. Gordon and member Jayme Halpin shared concern from locals that people may follow the narrow openings through the snow and become stranded as there is not sufficient room to turn around at the end of these roads. They suggested the issue could be mitigated by clearing enough area to turn a vehicle around at the end of the roads. Mr. Tibbitts offered to reach out and let the BLM know that there is a concern.

Nevada Board of Wildlife Commissioners Meeting Agenda and Support Material—

Board may discuss and act upon any or all items on the Wildlife Commissioners Agenda for the January 27-29, 2023 meeting.

The Board reviewed and discussed the entire Nevada Board of Wildlife Commissioners (NBWC) agenda and support material.

Item 6E: Draft Fiscal Year 2024 Predation Management Plan

Chairman Evans clarified that the Board already provided commentary on this item at a previous meeting.

Chairman Evans made a motion to continue to support the Draft Fiscal Year 2024 Predation Management plan as written. Member Jayme Halpin seconded the motion. Motion passed unanimously.

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Item 7: Administrative Procedures, Regulations and Policy (APRP) Committee

A. Commission Policy 11- Heritage Grants – Second Reading

B. Commission Policy 23 – Predation Management

C. Commission Policy 61 – Water Rights – Third Reading

D. Commission Policy 62 - Mitigation Policy- Second Reading

Chairman Evans stated that the Board has already acted on prior readings of the majority of items, 7A through 7D, at previous meetings and that he did not have any further recommendations.

Chris Jasmine, NGM Manager of Biodiversity and Rangelands, added commentary to Item 7D, Commission Policy 62 – Mitigation Policy. He stated that the majority of the regulation is in alignment with how they interact with department through the NEPA process, and that as of yet the relation between them and Department has been good. He questioned what the process would entail if there was not a mitigation requirement that was agreed upon.

Chairman Evans made a motion to support all items 7A through 7D with a recommendation on 7D that the process be outlined for when there is disagreement on what mitigation should be and how this conflict would be resolved. Vice-Chairman Gordon seconded the motion. Motion passed unanimously.

Item 8A: Commission General Regulation 500, Subdivision Map Review

Chairman Evans stated that he believes that NDOW needs to coordinate directly with the Planning Commission and go through the county process rather than a separate process where the county is not privy to the information being submitted directly from a developer to NDOW. He noted that some of the information not being proposed to be required for submission directly to NDOW is not even information counties require to be submitted.

Jake Tibbitts added commentary summarizing the language of the bill and noted the Board provided comments on the draft regulation at the prior meeting.

Chairman Evans made a motion to resubmit the Boards concerns as previously provided the Commission General Regulation 500. Trent Gordon seconded the motion. The motion passed unanimously. Below are the previous comments provided in October 2022.

“AB 211 was passed in the 2021 Legislative Session which now empowers NDOW to do subdivision map review. But there are concerns from NACO and some counties that the regulations do not fit, as proposed, into the limits of the State law. Namely, seeming to require review of even infill development if there are any wildlife values, requiring developers to submit the map directly to NDOW rather than through the counties, and requiring certain items to be on the maps

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that are not or may not be required by state law and county ordinances. Chairman Evans motioned to request the regulations stay within the limits of state law and go through the county process rather than making developers submit information directly to NDOW that may not be required by counties. Vice-chair Gordon seconded the motion and the motion carried unanimously.”

Item 8B: Commission General Regulation 506, Possession of Golden Eagles Under Certain Circumstances

Chairman Evans stated that he did not have any recommendations on item 8B. The Board members did not have any additional comments.

Item 14A through 14B: Commission General Regulation

A. Commission General Regulation 502, Junior Hunt and Turkey Program

B. Commission General Regulation 509, License and Vessel Product Refunds Temporary Regulation

The Board members did not have any comments or recommendations on items 14A or 14B.

Item 15A through 15J: Commission Regulations

A. Commission Regulation 23-04, 2023-2024 and 2024-2025 Big Game Seasons

B. Commission Regulation 23-05, 2023 Black Bear Seasons

C. Commission Regulation 23-06 2023-2024 Mountain Lion Season and Harvest Limits

D. Commission Regulation 23-07, 2023-2024 Restricted Nonresident Guided Mule Deer

E. Commission Regulation 23-01, 2023 Application Deadlines & Draw Result Dates

F. Commission Regulation 23-08, 2023 Big Game Tag Application Eligibility and Tag Limits

G. Commission Regulation 23-09, 2023 Dream Tag

H. Commission Regulation 23-10, 2024 Heritage Tag Seasons and Quota

I. Commission Regulation 23-11, 2023 Partnership in Wildlife Tags

J. Commission Regulation 23-12, 2023 Silver State Tags

Chairman James Evans opened the floor for anyone to speak regarding any of the items in 15A through 15J.

Regarding Item 15A, Vice-Chairman Gordon spoke on the changes to the dates of the antlered and antlerless junior hunts in Units 6, 7, and 10. Tom Donham of NDOW spoke as to why the changes were proposed to the junior hunts and how it will affect the harvest quotas. The Board did not have any comments on those adjustments.

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Mr. Halpin pointed out the difference in dates in the Resident Antlerless Elk Hunt 4181, 091 early. Mr. Donham explained the difference was due to sharing unit location with Utah, and their regulations on seasons opening on Sundays. The Board did not have any comments on those adjustments.

Mr. Halpin questioned the archery hunt in Units 271 and 242 for the Resident Nelson Bighorn Sheep, Hunt 3161. He stated that he felt the decrease of sheep tags in that southern region, and pulling the limited number of tags to the archery ram hunt, along with the limited water in the unit of 271, would lead to a high number of rams being harvested during the archery hunt. Mr. Donham spoke on NDOW reasoning for issuing the number of archery rams in those units. Mr. Donham stated that despite the popularity in applying for those archery tags, the success rate has been relatively low. Mr. Halpin noted his continued non-support of the archery hunt in Units 271 and 242.

Vice-Chairman Gordon addressed the change in muzzleloader for antelope in Areas 14 and 15, Hunt 2171. Mr. Donham spoke on why the change to allow the muzzleloaders more opportunity to get closer before the other hunts spread the antelope and stated that archery in those units would be losing a week as a tradeoff.

Chairman Evans made a motion to support items 15A through 15J as proposed with the exception of not supporting offering the Archery Hunt 3161 in unit 271 and 242, and instead recommending keeping that tag in the rifle hunt for those units. Mr. Halpin seconded the motion. The motion passed unanimously.

Next Meeting

By consensus, the Board set the next meeting date for Thursday, March 2 at 4:30 p.m.

Public Comment

None

Adjournment

A motion to adjourn the meeting was made by Chairman Evans, was seconded by Mr. Gordon with all in favor. There being no further discussion, the meeting was adjourned at 5:57.

Approved this _____ day of _____ 2023.

Respectfully submitted: _____, Secretary
Hallee Dechambeau

Approved: _____, Chairman
Jim Evans