

Washoe County Advisory Board to Manage Wildlife

DRAFT of Minutes

Thursday ~ September 15, 2016 ~ 6:00 p.m.
Nevada Department of Wildlife
Conference Room B
1100 Valley Road, Reno, Nevada

MEMBERS

Sean Shea, Chair
Michelle Spencer, Vice-chair
Meghan Di Rocco, Secretary
Arnie Pitts
Steve Robinson

1. PLEDGE OF ALLEGIANCE [Non-action item]

Chair Shea led the Pledge of Allegiance.

2. CALL TO ORDER, ROLL CALL AND INTRODUCTION OF NEW MEMBERS [Non-action item]

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

PRESENT: Meghan Di Rocco, Arnie Pitts, Steven Robinson and Sean Shea,

ABSENT: Michelle Spencer

Jen Gustafson – Deputy District Attorney, was also present.

3. PUBLIC COMMENTS [Non-action item]

Rex Flowers welcomed the new members to the board and expressed his hope that this is a good experience for them. However, Mr. Flowers noted his concerns about the appointments noting that he has filed a complaint with the Nevada Attorney General that the requirements include members representing hunting/trapping, farm/ranching and the interest of the general public which he does not believe is the case with Member Di Rocco. Mr. Flowers noted his concern that if his complaint is found valid the recommendations made at tonight's (September 15, 2016) meeting maybe declared null and void.

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

Chair Shea opened election of officers and noted that Member Spencer had stated she would accept a nomination to serve as Vice-chair.

Chair Shea nominated Michelle Spencer as Vice-chair, seconded by Member Pitts. The nomination to elect Michelle Spencer as Vice-chair carried with Member Spencer absent.

Member Pitts nominated Sean Shea to serve as Chair. Member Robinson seconded the nomination.

Chair Shea accepted the nomination.

The nomination to elect Sean Shea as Chair carried, with Member Spencer absent.

Member Pitts nominated Meghan Di Rocco to serve as Secretary. Member Robinson seconded the nomination.

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Member Di Rocco accepted the nomination.

The nomination to elect Member Di Rocco as Secretary carried, with Member Spencer absent.

5. APPROVAL OF JUNE 16, 2016, MINUTES (For possible action)

Chair Shea asked that “Shwa” be changed to read “Shea” on page 3.

It was moved by Member Pitts, seconded by Member Di Rocco, to approve the June 16, 2016, minutes as amended. The motion carried, with Member Spencer absent.

Chair Shea commented that a couple of items from the Nevada Board of Wildlife Commissioners agenda were missing as he misread them as workshop items.

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) September 23 and 24, 2016, Las Vegas, Nevada; and 2). November 18 and 19, 2016, in Reno, Nevada.*

Chair Shea noted that the next meeting is in Las Vegas, Nevada, and that it would be too late for newly appointed members to make arrangements to attend. Typically, the Washoe County Advisory Board to Manage Wildlife meets on the Thursday a week before the scheduled Nevada Board of Wildlife Commissioners meeting. Chair Shea noted that travel and lodging expenses are reimbursed when out of town meetings are attended. Chair Shea pointed out that members can attend the meetings held in Reno as their work schedule permits.

7. COMMITTEE, MEMBER AND LIAISON UPDATES [Non-action items]

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

7-2). Overview of the August 12 and 13, 2016, meetings of the Nevada Board of Wildlife Commissioners – Chair Shea noted that the board could not hold a meeting in August due to lack of quorum and that no one had attended the Nevada Board of Wildlife Commissioners meeting.

8. OPEN MEETING LAW PRESENTATION [Non-action item] – *An informational update and discussion on the Nevada Open Meeting Law. Jen Gustafson – Deputy District Attorney*

This item continued until the November 10, 2016, meeting.

Jen Gustafson – Deputy District Attorney, explained that she would do the presentation over the course of two meetings if need be, one on the Nevada Open Meeting Law and another on Ethics.

9. WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REQUEST FOR 20 WILD-TRAPPED FEMALE SAGE GROUSE FOR TRANSLOCATION TO THE YAKIMA TRAINING CENTER TO CONTINUE EFFORTS TO INCREASE GENETIC DIVERSITY [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a request from the Washington State Department of Fish and Wildlife (WDFW), in cooperation with Joint Base Lewis-McChord Yakima Training Center (JBLM YTC) to capture and*

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translocate 20 female sage-grouse from Nevada to JBLM YTC. This request is in support of a collaborative effort by JBLM YTC, WDFW, and the U.S. Fish and Wildlife Service (USFWS) to continue efforts in conducting genetic augmentation of the JBLM YTC sage-grouse population in south-central Washington.

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

Chair Shea commented that he believes there should be some males in the transplant as well and that he believes this is a great idea as the Antelope transplant to Washington State was a success a few years ago.

It was moved by Member Pitts, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve the request to transplant 20 wild-trapped female sage grouse for translocation to the Yakima Training Center to continue efforts to increase genetic diversity. The motion carried with Member Spencer absent.

- 10. FIRST READING, COMMISSION POLICY 2, PUBLICATIONS – COMMISSIONER AND ADMINISTRATIVE PROCEDURES REGULATIONS AND POLICY** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a first reading and may take action on the committee’s recommendation to repeal Commission Policy 2, Sale of Publications. The policy is outdated and redundant with the Public Record fee schedule and requirements applicable to Executive Branch agency’s limiting fees.*

Hearing no public comment Chair Shea asked for Board discussion or a motion noting that the Washoe County board will see the item again in the future.

It was moved by Chair Shea, seconded by Member Pitts, to recommend that the Nevada Board of Wildlife Commissioners approve the first reading Commission Policy 2, Publications – Commissioner and Administrative Procedures, Regulations and Policy, as presented. The motion carried with Member Spencer absent.

- 11. SECOND READING, COMMISSION POLICY 10, WILDLIFE HERITAGE TAGS AND VENDORS** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a second reading of Policy 10, Wildlife Heritage Tags and Vendors.*

Chair Shea opened the agenda item asking for public comment hearing none asked for board discussion or a motion

Chair Shea noted his concern about the use of a sealed bid as shown in the Under Purpose portion of the document.

It was moved by Chair Shea, seconded by Member Pitts, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Policy 10, Wildlife Heritage Tags and Vendors with the following revision to remove the phrase “or awarded by sealed bid” Under Purpose. The motion carried with Member Spencer absent.

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Mel Belding questioned whether a vendor's sealed bid for a tag that was not taken could be used or if the tag would "go dead".

Chair Shea explained that he felt the language for use of a sealed bid was too vague.

- 12. SECOND READING, COMMISSION POLICY 11, WILDLIFE HERITAGE GRANTS** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a second reading of Commission Policy 11, Wildlife Heritage Grants.*

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

It was moved by Chair Shea, seconded by Member Robinson, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Policy 11, Wildlife Heritage Grants, as written. The motion carried with Member Spencer absent.

Responding to Member Di Rocco's inquiry about how she would abstain from a vote, Jen Gustafson – Deputy District Attorney, explained that she will cover the issue in depth at the November meeting. However, an abstention must be due to having a close personal or family relationship with an individual or a business of financial tie in order to abstain from a vote. Ms. Gustafson encouraged member to contact her directly if they have any questions about whether they should abstain from any specific vote. In some instances, such as holding a tag, it may be advisable to disclose before entering into discussion and subsequent action.

- 13. FIRST READING, COMMISSION POLICY 31, LAHONTAN CUTTHROAT TROUT MANAGEMENT GUIDELINES** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a first reading of Policy 31, Lahontan Cutthroat Trout Management Guidelines. The committee recommends updating the policy with current requirements and Fisheries Division plans will be considered.*

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

Travis Hawks – Regional Fisheries Biologist, explained that the intent is to update the 1996 Management Plan to provide more leeway and stocking practices that were called into question this past year. Additionally, the revisions will provide increased opportunity rather than a reduction in fishing opportunities. Mr. Hawks noted that Rainbow Trout released in the river are sterile and have been since 2007 so as not to negatively impact Cutthroat populations.

It was moved by Member Robinson, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Policy 31, Lahontan Cutthroat Trout Management Guidelines as written. The motion carried with Member Spencer absent.

- 14. FIRST READING, COMMISSION POLICY 33, FISHERIES MANAGEMENT PROGRAM** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a first reading on Policy 33, Fisheries Management Program. The committee*

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recommends updating the policy with current requirements and Fisheries Division plans will be considered.

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

It was moved by Chair Shea, seconded by Member Pitts, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Policy 33, Fisheries Management Program, as written. The motion carried with Member Spencer absent.

- 15. COMMISSION REGULATION 16-02, AMENDMENT #1, FISHING SEASONS AND BAG LIMITS FOR MARCH 1, 2016 THROUGH FEBRUARY 28, 2018** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify Amendment #1 of the Fishing Seasons and Bag Limits for March 1, 2016, through February 28, 2018. The Department is proposing an amendment to the harvest limit for fish in that portion of the Truckee River from 1,000 feet below Derby Dam to the boundary of the Pyramid Lake Indian Reservation to be three game fish of which zero (0) may be trout (catch and release only) from February 1 through May 31, in Storey and Washoe Counties, and an amendment to change the harvest limit for trout in Lake Mohave and the Colorado River below Davis Dam to be five trout in Clark County.*

Chair Shea opened the agenda item and asked for public comment.

Rex Flowers commented that his only concern is with the February 1 start date when the new season officially opens on March 1. Mr. Flowers suggested that this be clarified to avoid putting the public at risk of breaking the law.

Responding to Joel Blakeslee's inquiry, Chair Shea explained that the regulation pertained to trout not catfish.

Travis Hawks - Regional Fisheries Biologist, explained that there had been discussion about signage and that a process is being developed to inform the public of the new regulation. The intent is to maintain populations so that harvesting does not negatively affect the populations. Mr. Hawks explained that there is very little difference between the Cutthroat and Rainbow Trout and some individuals might not be aware of the difference.

Ian Knight – Game Warden, explained that unless individuals have already received previous warnings there is a grace period in which a warning will be issued.

Chair Shea closed public comments.

Mr. Hawks responding to Member Di Rocco's question about the February 1 start date, explained that this is part of the regulatory process.

Chair Shea pointed out that Davis Dam is located in Clark County.

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Mr. Hawks explained that there is a separate regulation dealing with the river between Derby Dam to Pyramid Lake on the Truckee River.

It was moved by Member Pitts, seconded by Member Di Rocco, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 16-02, Amendment 1, Fishing Seasons and Bag Limits March 1, 2016 through February 28, 2018, as written. The motion carried with Member Spencer absent.

- 16. COMMISSION GENERAL REGULATION 468, BONUS POINT TRANSFER, LCB File R104-16** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify amending Chapter 502 of the Nevada Administrative Code (NAC). Existing regulation provides for the accumulation of bonus points by a person who applies for certain drawings for tags required for hunting certain species. Such bonus points accumulate and give the person a mathematical advantage in subsequent drawings for a tag. Under existing regulations, a person who changes his or her state of residence may request a transfer of any accumulated bonus points to himself or herself as a resident or nonresident of this State, as appropriate. This regulation change provides the authority to the Department to make such a transfer automatic upon the person's change of residence.*

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

It was moved by Chair Shea, seconded by Member Pitts to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 468, Bonus Point Transfer, LCB File R104-16, as written. The motion carried with Member Spencer absent.

- 17. COMMISSION GENERAL REGULATION 469, TRUCKEE RIVER TACKLE RESTRICTION, LCB File No. R094-16** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a proposal amending Chapter 503 of the Nevada Administrative Code (NAC). The change revises NAC 503.504 to require the use of certain types of fishing tackle in portions of the Truckee River. Only artificial lures with single barbless hooks may be used on the Truckee River from 1,000 feet downstream of Derby Dam to the Pyramid Lake Paiute Reservation boundary from February 1 through May 31 each year, to reduce incidental mortality of spawning adult Lahontan cutthroat trout.*

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

It was moved by Member Di Rocco, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 469, Truckee River Tackle Restriction LCB File R094-16 as written. The motion carried with Member Spencer absent.

- 18. COMMISSION GENERAL REGULATION 458, ELECTRONIC RIFLE TRIGGERS, CALIBER AND CARTRIDGE LENGTH, AND SMOKELESS POWDER RESTRICTIONS, LCB File No. R144-15** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify an amendment to Chapter 503 of the Nevada Administrative Code (NAC).*

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The proposed regulation amendment will 1) clarify the use of black powder substitutes that are considered smokeless powder; 2) make it legal to hunt big game mammals with a handgun if the handgun uses a centerfire cartridge of .22 or larger [and has a barrel length of 4 inches or more]; 3). make it unlawful to hunt a big game mammal with a rifle using a centerfire cartridge larger than .50 caliber or with a case length longer than 3 inches; and 4) make it unlawful to hunt a big game mammal with any firearm equipped with any sighting system using a computer or electronically controlled firing mechanism.

Chair Shea opened the agenda item noting that the matter has been reviewed several times to date.

Rex Flowers recalled the previous recommendations and suggested that the board make the same recommendations again.

Joel Blakeslee noted that the Coalition for Nevada Wildlife and other are also opposed to the 50 caliber restriction noting that there was only anecdotal evidence of there being an issue. Mr. Blakeslee recalled that Game Warden Kristy Knight confirmed that this had not been an issue. Mr. Blakeslee recommended that the same recommendation be made to the Nevada Board of Wildlife Commissioners as has been made in the past.

Mel Belding concurred with comments made by Mr. Blakeslee and Mr. Flowers and expressed his desire that the board reiterate their previous recommendation to accept the powder uses and electronic scope ban but not the 50 BMG ban.

Ian Knight – Game Warden commented that he has not witnessed anyone in the field with a 50 caliber weapon but had seen some individuals who believe they are long range shooters that ultimately fail to make that 1,200 yard shot.

During a brief Board discussion it was noted that the use of a computer or other electronic sighting system is already illegal.

It was moved by Member Pitts, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Commissioner General Regulation 458, Electronic Rifle Triggers, Caliber and Cartridge Length and Smokeless Powder Restrictions, LCB File R144-15 as written and striking item 3. The motion carried with Member Spencer absent.

- 19. 2016 FIRE RELATED EMERGENCY ANTLERLESS DEER HUNTS FOR PORTIONS OF UNITS 067 and 068** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a **proposal** on the effects of the Hot Pot Fire in portions of Units 067 and 068 north of Battle Mountain and provide a description of conditions on critical mule deer winter range in the area. The Department plans to use antlerless deer hunts during fall 2016 to reduce deer abundance and subsequent deer mortality on the winter range and also lessen potential impacts to the remaining habitat.*

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

It was moved by Member Pitts, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve the 2016 Fire Related Emergency Antlerless Deer Hunts for portions of Units 067 and 068, as written. The motion carried with Member Spencer absent.

- 20. NEVADA DEPARTMENT OF WILDLIFE LICENSE SIMPLIFICATION STRATEGY UPDATE**
[For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a proposal to simplify hunting and angling license structures was initiated about one year ago. The Department will provide an overview of the information obtained to date, along with suggestions for bundled privileges and fees.*

Chair Shea opened the agenda item and asked for public comment.

Rex Flowers suggested that the fee for certain combination and non-resident licenses be somewhat higher and licenses for regular hunting and fishing be somewhat lower.

Chair Shea closed public comments.

It was moved by Chair Shea, seconded by Member Di Rocco, to recommend that the Nevada Board of Wildlife Commissioners approve Nevada Department of Wildlife License Simplification Strategy Update, as written. The motion carried with Member Spencer absent.

- 21. NEVADA DEPARTMENT OF WILDLIFE UPDATE OF GUIDELINES FOR HARVEST MANAGEMENT IN NEVADA** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify the status and process of refining the draft harvest guidelines for consideration by the Commission. The Department will provide a briefing on feedback received at public meetings held on August 24-26 and September 6-7, 2016 in Ely, Elko, Winnemucca, Las Vegas, and Reno.*

Chair Shea opened the agenda item and asked for public comment.

Rex Flowers commented that this is a somewhat complicated modification and expressed his concern about how one can determine the length of horn from an aircraft. Mr. Flowers pointed out that the harvest of a female has far greater impact on the future populations than the harvest of a buck. Mr. Flowers recommended that the process stay with approved scientific methods.

Joel Blakeslee - Nevada Trappers Association, commented that the Bobcat protocol is favored if it is done properly in order to meet harvest guidelines. Mr. Blakeslee pointed out that this will set the stage for Bobcat management for the next 40 years.

Mel Belding concurred with Mr. Blakeslee's comments pointing out that we have the best Bobcat data in the world. Mr. Belding noted that populations for mule deer had declined from a high of 250,000 30-years ago to about 99,000 this past year. Mr. Belding believes that the harvest quotas may be too high to stop the continued decline in herd populations.

Closed public comment

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Chair Shea noted that this agenda item would be brought back to one or more future meetings and that no specific action needed to be taken at this time. Chair Shea pointed out the difficulty in making informed decisions in the absence of support materials and staff presentations.

It was moved by Member Pitts, seconded by Member Robinson, to recommend that the Nevada Board of Wildlife Commissioners take no action on the Update of Guidelines for Harvest Management in Nevada.

Member Di Rocco commented that she would like to see the information presented at the Town Hall meetings and questioned where that information could be found.

Member Pitts amended the motion to include the need for the County Advisory Boards to receive the necessary information upon which to make informed recommendations to the Nevada Board of Wildlife Commissioners, including, but not limited to data on buck to doe ratios. Member Robinson amended the second. The motion carried with Member Spencer absent.

22. 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 next meeting is November 10, 2016.*

The November 10, 2016, meeting agenda may include, but is not limited to: 1) Presentation by Fisheries; 2) Informational Update on the Nevada Open Meeting Law; and 3) Change of meeting date from Thursday March 16, 2017 to Monday, March 20, 2017.

23. PUBLIC COMMENTS [Non-action item]

Rex Flowers noted that new board members could avail themselves of the teleconference at TMCC (Truckee Meadows Community College) for the upcoming Nevada Board of Wildlife Commissioners meetings and that the harvest guidelines were a department policy rather than a Nevada Board of Wildlife Commissioners policy.

Joel Blakeslee noted his concerns about town hall meetings held in five different locations rather than through the existing CAB (County Advisory Board) process that encompasses all 17 counties. Mr. Blakeslee suggested that the board encourage NDOW to attend and make presentations at local CAB meetings.

Travis Hawks – NDOW, explained that the February 1 start date is the start of the spawning period for cutthroat trout as they start the migration upriver to spawn.

Mel Belding concurred with Mr. Blakeslee's recommendations and noted his concern that the town hall meeting process appears to be an attempt to circumvent the CAB system that is already in place.

Chair Shea concurred that the Nevada Board of Wildlife Commissioners meetings would be available by teleconference at TMCC, Sierra Room 100 on Friday and Saturday next week.

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Member Di Rocco stated that she would be avail for the November 18, 2016, Nevada Board of Wildlife Commissioners meeting.

24. ADJOURNMENT [Non-action item]

Chair Shea adjourned the meeting at 7:28 p.m.