

Washoe County Advisory Board to Manage Wildlife

Minutes

Thursday ~ August 3, 2017 ~ 6:00 p.m.
Nevada Department of Wildlife
Conference Room B
1100 Valley Road, Reno, Nevada

MEMBERS

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

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: Meghan Di Rocco, Arnold Pitts, Steve Robinson, Sean Shea and Michelle Spencer.

ABSENT: None.

Jen Gustafson – Deputy District Attorney, was also present.

3. PUBLIC COMMENTS [Non-action item]

There were no public comments.

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

Chair Shea nominated Steve Robinson, as Chair; Arnie Pitts as Vice-chair; and Meghan Di Rocco as Secretary.

Member Di Rocco declined the position of Secretary noting that she would miss the September meeting due to a previous commitment.

Member Spencer pointed out the best way to learn and understand the Secretary position would be to take the position and allow the former Secretary to assist during the next year.

Member Di Rocco commented that she is still trying to learn and better understand the processes and noted her concern that she might not be able to complete the reports in a manner consistent with what the board is used to.

Chair Shea volunteered to serve as Secretary.

Member Pitts seconded the nominations.

There were no public comments.

The motion carried unanimously.

Jen Gustafson – Deputy District Attorney, opined that Sean Shea could Chair the rest of the meeting with incoming Chair Robinson assuming the gavel at the next meeting.

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Chair Shea turned the meeting gavel to Chair Robinson.

5. APPROVAL OF JUNE 15, 2017, MINUTES (For possible action)

Gerry Lent stated that, in his opinion, the draft minutes are in direct violation of the Nevada OML (Open Meeting Law) which provides for members of the public to have their comments transcribed verbatim. This particular set of meeting minutes indicate that he read a prepared state and that a copy is on file. Mr. Lent outlined his difficulty in obtaining a copy of the minutes and quoted NRS 241 as it pertains to meeting minutes. Mr. Lent commented that the absence of his remarks in the meeting minutes is discriminatory as comments made by Don Molde in rebuttal to his comments were included. Thus the public is unable to review both his and Mr. Molde's comments. Therefore, Mr. Lent stated that he does not believe that the draft minutes can be approved in their current format.

Rex Flowers asked that his statement under agenda item 13 be amended to read duck and trout stamps without any mention of Upland Game Bird.

Responding to Member Shea's inquiry about whether approval of the meeting minutes should be continued until the next regular meeting, Jen Gustafson – Deputy District Attorney, explained that she did not fully understand the issue and that the board could continue the matter until the next regular meeting.

Member Pitts suggested that draft minutes be approved with Gerald Lent's comments attached.

It was moved by Member Pitts, seconded by Member Spencer, to approve the June 15, 2017, minutes with the following modification: Gerald Lent's comments to be scanned and inserted or appended to the document and modify agenda item 13 to read trout and duck stamp and remove the reference to upland game birds. 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 11 and 12, 2017, in Minden, Nevada; and 2) September 22 and 23, meetings in Reno, Nevada.*

Chair Robinson opened the agenda item and stated he would attend the August 11 and 12, 2017, meetings and asked for volunteers for the September 22 and 23, 2017, meetings.

Member Shea commented that he may be able to attend both meetings.

Member Pitts stated he could attend one day.

Member Di Rocco commented that she could attend the September 22, 2017, meeting.

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

7-1. Correspondence (including sportsmen's concerns) and Announcements – Member Robinson noted that he had heard a concern about a Fee Hunt where in one can take a photo and post to a website and for a fee the GPS coordinates are given .

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Member Shea noted that he too had heard of the fee hunt and had alerted NDOW Game Wardens who are investigating the matter.

7-2). *Overview of the June 23 and 24, 2017, meetings of the Nevada Board of Wildlife Commissioners* – Member Shea outlined the reptile presentation and noted that Pershing county was apparently unaware of a land transfer in the county. Member Shea believes that NBU (Nevada Bighorns Unlimited) should have been awarded the California Big Horn tag.

8. FISHERIES PRESENTATION [Non-action item] – *An informational presentation on NDOW (Nevada Department of Wildlife) fisheries programs and activities.*

Travis Hawks – NDOW (Nevada Department of Wildlife), narrated a PowerPoint presentation. The full presentation can be found on the Washoe County website at:

https://www.washoecounty.us/csd/all_boards_committees/nv_wildlife_commissioners/2017/files/2017-08-03%20Wildlife%20item%2008%20-%20Regional%20Update_AugustCab.pdf

Mr. Hawks noted that this presentation is presented to other County Game Boards on request as well as schools.

Jack Robb – NDOW noted that a fee will be implanted in the future for certain fishing activities.

Gerald Lent commented that he believes another good use of Duck Stamp Funds would be to fund ponds in the urban areas of Reno/Sparks. Specifically, the Keystone Idlewild location, which is an advantage to small children living in the City. Mr. Lent noted that silt needs to be removed from the Idlewild facility and that a fishing derby for children should be held.

Mr. Hawks noted that the City of Reno was in the process of repairing what is believed to be a breach in the liner and that there has been some discussion about deepening the pond.

Mr. Lent noted that Marilyn pond was also w popular location.

Jack Robb – NDOW, noted that the City is also looking to improve water quality at Virginia Lake as well.

Member Spencer noted the need to reduce the goose population at Virginia Lake, which is different since the public tends to feed the geese on a regular basis.

9. BIODIVERSITY PRESENTATION [Non-action item] – *An informational presentation on NDOW (Nevada Department of Wildlife) biodiversity programs and activities.*

David Catalano – Diversity Supervising Biologist, narrated a PowerPoint presentation that provided an overview of wildlife action plan and serves as comprehensive plan for conservation needs and habitats.

The full presentation can be found on the Washoe County website at:

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https://www.washoecounty.us/csd/all_boards_committees/nv_wildlife_commissioners/2017/files/2017-08-03%20Wildlife%20item%2009%20-%20WAP_OverView_WashoeCAB_August2017.pdf

Responding to Judy Caron's inquiry about finding the presentation on the NDOW website, Member Shea explained that NDOW is currently in the process of upgrading the website and will include this type of information in the future.

Mr. Catalano noted that presentations are done at the region's high schools from time to time and that the bulk of the state is covered in sage brush with an arid climate, mountainous geography and limited water resources. Mr. Catalano noted that Nevada is ranked 11th in terms of biodiversity; 10th on plant diversity and 9th in terms of mammal diversity. Mr. Catalano noted that any questions/concerns about management of wild horse populations should be directed to the BLM (Bureau of Land Management). Mr. Catalano then outlined the update cycle for the plan that was originally on a ten year cycle until climate change being a factor. Mr. Catalano then drew attention to the Mountain Beaver that is a rodent rather than a true beaver. This particular animal is found only in the Lake Tahoe Basin. NDOW worked with Aplodontide to preserve the habitat noting that this particular animal spends most of its life underground with separate burrows for food, sleeping, reproduction and sanitary needs. Mr. Catalano drew attention to a \$20-million grant that requires a 25-percent match by the state. The amount of grant funds NDOW will actually receive will be based on the match. Without a full match remaining funds will remain on the table. Additional information can be found on the NDOW website (need the link here) that shows 256 species that are part of the conservation program.

- 10. COMMERCIAL REPTILE COLLECTION** [For Possible action] – *A review discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify recommendations on the commercial collection of reptiles in Nevada along with numerous potential alternatives for consideration. The Commission may choose to provide direction to the Department regarding commercial collection of reptile.*

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

Rex Flowers commented that he had discussed the issue with Jennifer Newmark and suggested that seasons and limits for commercial collection of reptiles rather than unlimited taking needs to be implemented. Mr. Flowers also suggested that the timing needs to be seasonal as to when the reptiles can be harvested.

Chair Robinson closed public comments.

Member Shea noted his concern that there needs to be limits and a means by which the number of reptiles taken can be monitored. While this is a start in the right direction, Member Shea believes that more should be done.

Member Di Rocco suggested a temporary closure be implemented thus allowing NDOW time to formulate regulations.

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During the discussion it was pointed out that it might not be possible to limit guides with existing permits.

It was moved by Member Shea, seconded by Chair Robinson, to recommend that the Nevada Board of Wildlife Commissioners approve item 3 and include check times for traps.

Member Di Rocco suggested an amendment that will allow an opportunity to conduct a survey and gather more information on what appears to be an unregulated process. Member Di Rocco also suggested that no new permits be issued until such time as the regulations are finalized and adopted.

Member Shea commented that he did not believe a moratorium could be implemented.

Jack Robb – NDOW, commented that reptile collection only occurs in the State of Nevada and a small portion of Southern Idaho. Mr. Robb pointed out that the use of traps in capturing reptiles is illegal. Mr. Robb also noted that the hobby collector does not need a permit but is limited on the number of reptiles that can be taken. Additionally, a presentation is available on the NDOW website.

During the discussion it was noted that while surveys are done the season is year round. It was emphasized that environmental damage such as use of a crowbar or a vehicle to move large rocks to gain access to a nest is prohibited and is an enforcement issue.

Member Shea withdrew the motion.

It was moved by Member Shea, seconded by Member Pitts, to recommend that the Nevada Board of Wildlife Commissioners approve item 3 and deny new commercial permits until such time as the regulations are set.

Member Di Rocco reiterated her request to add a clarification to the motion to cease new permit collection permits.

The motion carried unanimously.

Member Pitts left the meeting at 7:27 p.m.

11. **COMMISSION POLICY 9, AMERICANS WITH DISABILITIES ACT (ADA) First Reading** [For possible action] – *A review discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify recommendations repeal or revise the policy.*

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

It was moved by Chair Robinson, seconded by Member Shea, to recommend that the Nevada Board of Wildlife Commissioners repeal Commission Policy 9, Americans with Disabilities Act ADA. The motion carried with Member Pitts absent.

12. **COMMISSION POLICY 29, DRAFT ARBITRATION PROCESS FOR APPLICANTS DISSATISFIED WITH ELK INCENTIVE TAG AWARDS, First Reading** [For possible action]

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– A review discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify recommendations on Commission Policy 29, Draft Arbitration Process for Applicants Dissatisfied with Elk Incentive Tag Awards

Chair Robinson opened the agenda and asked for public comment.

Judi Caron questioned where anyone present could address actions taken at the previous Nevada Board of Wildlife Commissioners meeting.

Jack Robb – NDOW, stated that the intent is to get Commission Policy in line with NAC (Nevada Administrative Code) language.

It was moved by Member Shea, seconded by Member Spencer to recommend that the Nevada Board of Wildlife Commissioners approve Commission Policy 29, Draft Arbitration process for Applicants dissatisfied with Elk Incentive Tag Awards, as written. The motion carried with Member Pitts absent.

13. COMMISSION POLICY 63, PROTECTING WILDLIFE FROM TOXIC PONDS, First Reading [For possible action] – *A review discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify Commission Policy 63, Protecting Wildlife from Toxic Ponds.*

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

Member Shea recommended that the policy be modified to clarify that this refers only to industrial ponds.

Alan Jenne – Habitat Division Chief, noted that only about 50-percent of industrial ponds were paying the assessment which had been developed due to hard rock mining operations. The regulation is intended to exempt recreational and livestock ponds.

It was moved by Member Shea, seconded by Chair Robinson, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Policy 63, Protecting Wildlife from Toxic Ponds with the following modifications: that the language is clarified to indicate that this policy applies only to industrial pond and exempts recreational and livestock ponds throughout the document. The motion carried with Member Pitts absent.

14. BUREAU OF LAND MANAGEMENT (BLM) PUBLIC LAND PARCEL DISPOSAL [For possible action] – *A review discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify recommendations on maps depicting lands identified by the Bureau of Land Management (BLM) as potentially suitable for disposal in BLM's existing Resource Management Plans (RMPs) across various BLM districts in Northern Nevada. Critical habitat or important hunting areas will be identified as conflicts with any future land transfer proposals. The Commission will review and finalize correspondence to provide its position on the land transfer/disposal proposals.*

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

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Alan Jenne – NDOW, provided an overview of the land transfers being contemplated by BLM (Bureau of Land Management) Resource Management Plans. Mr. Jenne noted that these maps are wildlife driven and is being done for all Western States Fish and Wildlife areas and include pipeline, utility line and water development locations and other investments made by sportsmen. Other components include wetlands and other critical habitat. One of the major recommendations was to bring this back to local governments for additional public input before moving the process forward. Of particular concern is some parcels identified for disposal may be covered and up for possible same by mining operations that hold title to the property. One of the concepts being discussed is a “No net loss of public lands”. Mr. Jenne noted that all public comments received during the public process will be forwarded to Congressman Mark Amodei.

Responding to Judi Caron’s inquiry, Mr. Jenne explained that with the exception of Pershing County HR1186 was introduced in February (2017) and brought forward for review. Although there has been some activity no specific action has been taken.

Ms. Caron recommended that all correspondence on the matter be sent to all members of the Nevada delegation as well as the Washoe County Board of County Commissioners not just Mr. Amodei.

Member Di Rocco concurred that the correspondence should be sent to all members of the Nevada delegation.

Member Shea concurred.

It was moved by Chair Robinson, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners adopt the letter as presented and forward the response to all members of the Nevada Delegation. The motion carried: Member Pitts absent.

15. EVALUATION AND REVIEW OF THE LANDOWNER DEER AND ANTELOPE COMPENSATION TAG PROGRAM [For possible action] – *A review discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify current Landowner Deer and Antelope Compensation Program, recent updates to statutes, share current practices, identify areas of necessary improvement, and provide a potential revision process for the Commission's consideration.*

Chair Robinson opened public comment.

Judi Caron recommended a full public review before any review by the Tag Allocation Committee. Ms. Caron noted that she support the process to review and reevaluate the program for landowners and would like to know more about the public review process that will be used during the revision process.

Jack Robb – NDOW, noted that a town hall scenario may be used in the process.

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Ms. Caron noted that such a process tends to overlook some individuals that may wish to have input on the matter. Therefore, she suggests that the process be more locally based such as CAB meetings to assure that all interested parties are notified.

Jen Gustafson – Deputy District Attorney, noted that while she is not familiar with how the OML (Open Meeting Law) would apply to town hall meetings.

Mr. Robb explained that he sees the process as being similar to the License Simplification process.

Ms. Caron commented that the public process is, in her opinion, the best venue as it allows everyone an opportunity to participate.

Rex Flowers noted that town hall meetings tend to be held in highly populated areas such as Clark County which had three such meetings. However, agriculture is not a big issue in Clark County. Mr. Flowers noted that everyone knows when and where CAB meetings are held.

Closed public comment

Member Shea commented that, in his opinion, the process needs to be slowed. Member Shea noted that there are a lot of emotions from various sides of the issue and that the Nevada Board of Wildlife Commissioners had not discussed the issue at length previous before sending to committee.

Mr. Robb noted that the intent is to use what has been a successful model with demographic surveys and multiple discussions with the Nevada Board of Wildlife Commissioners.

Member Spencer noted that perhaps a CAB meeting might be the best venue for a Townhall discussion.

Ms. Gustafson suggested that such a meeting be held either before or after a CAB meeting.

It was moved by Member Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners support the evaluation of the Land Owner Compensation tag making sure that all County Advisory Board to Manage Wildlife are involved in the townhall meeting process so that the meetings are all inclusive and provide an opportunity for the public to fully participate in the process. The motion carried: Member Pitts absent.

16. **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 September 14, 2017.*

The September 14, 2017, meeting agenda may include but is not limited to: 1: Change the January 2018 meeting date from Thursday, January 18, 2018 to Monday, January 22, 2018; 2) Discussion of predator control for lions and coyotes for the winter and spring seasons as well as information on mule deer.

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Member Di Rocco suggested that someone be invited to attend and speak on predator control at the October meeting as she does not wish to miss the discussion.

17. PUBLIC COMMENTS [Non-action item]

Gerald Lent questioned why Washoe County does not have a plan that benefits Washoe County for mule deer management and take recommendations found in the Big Game Status Report.

Judi Caron concurred that it would be a good idea to hold a discussion of predator control in Washoe County and suggested that a member of the CAB talk to Pat Jackson about what can be done and have someone present to make a presentation.

Jonathan Lesperance suggested an update on the open season for Big Horn Sheep in Unit 195 noting that NDOW keeps saying they are working on it.

18. ADJOURNMENT [Non-action item]

Chair Robinson adjourned the meeting at 8:13 p.m.

AS APPROVED BY THE WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE IN SESSION ON SEPTEMBER 11, 2017.