

Washoe County Advisory Board to Manage Wildlife

MINUTES

Thursday ~ September 15, 2011 ~ 6:30 p.m.
Nevada Department of Wildlife
Conference Room B
1100 Valley Road, Reno, Nevada

MEMBERS

Rex Flowers, Chair
John Reed, Vice-chair
Daryl Harwell, Secretary
Glen Copeland
Rick Smith

1. PLEDGE OF ALLEGIANCE (Non-action item)

Chair Flowers led the Pledge of Allegiance.

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

Chair Flowers called the meeting to order at 6:30 p.m. A quorum was established.

PRESENT: Glen Copeland, Daryl Harwell, Rex Flowers, John Reed and Rick Smith.

ABSENT: None.

3. PUBLIC COMMENTS (Non-action item)

There were no public comments.

4. APPROVAL OF AUGUST 3, 2011, MINUTES (For possible action)

Chair Flowers asked that Kirsch be changed to read "Kirch".

It was moved by Member Copeland, seconded by Member Reed, to approve the August 3, 2011, minutes, as amended. The motion carried unanimously.

5. 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, 2011, in Las Vegas, Nevada; and 2) December 2 and 3, 2011, in Reno, Nevada.*

Chair Flowers noted that the September 23 and 24, 2011, meeting would be held in Reno and that he will attend.

Member Reed will attend the December 2 and 3, 2011, meetings.

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

6-1. Correspondence (including sportsmen's concerns) and Announcements – Chair Flowers provided an overview of correspondence (copies on file) received from Terrance Melby who is in support of comments provided by Judi Caron that will be read into the record with the appropriate agenda item.

6-2. Overview of the August 12 and 13, 2011, meetings of the Nevada Board of Wildlife Commissioners – Member Harwell commented that the Nevada Board of Wildlife

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Commissioners (Commission) had elected officers: Michael McBeath as Chair and Jack Robb as Vice-chair. Member Harwell did not hear or take any action on the Bear Hunt regulation and was seeking additional information on the listing of Sage Grouse as an endangered species. Member Harwell pointed out that Commissioner Vogler had left the meeting at 10:00 a.m. on Friday and was not present for the Saturday session.

Chair Flowers noted that several of the Commission members are "adamant" that CAB's (County Advisory Board) receive support materials in a timely manner so that informed decisions and public input can be taken.

6-3). Update and status report on the Washoe County Predator Control Project Unit 015 and the Wildlife Damage Management Subcommittee – Chair Flowers commented that there was no new information on the agenda item.

Chair Flowers then reordered the agenda to take Agenda Items 11 and 12.

11. COMMISSION GENERAL REGULATION NUMBER 393 - R002-11 Bear Hunt – (For possible action) – *A review discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify permanent regulations relating to revising provisions governing a Black Bear hunt. The need for and purpose of the proposed regulation is: Regulate aspects of the Bear hunt, including, without limitation, the eligibility and application process for a Bear tag, inclusion in the bonus point program, weapons restrictions, the fee for a Bear tag, reporting requirements, and prohibitions regarding baiting big game animals, sale of Bear gall bladders, use of dogs to hunt and the killing of Bear cubs. If the Commission does not approve CGR (Commission General Regulation) 393-R002-11, the Commission will consider amending CR (Commission Regulation 11-07 to close the Bear hunt on November 1, 2011, to coincide with the expiration of the temporary regulation. [Taken out of agenda order]*

Chair Flowers opened the agenda item and outlined the matters to be considered. Recalling the discussion and action taken at the August 3, 2011. Meeting, Chair Flowers asked for a clarification of the modification.

Larry Gilbertson - NDOW (Nevada Department of Wildlife), outlined the process to enact Commission General Regulations (CGR) noted that in the six months before a legislative session the CGR is temporary until the legislature convenes. Mr. Gilbertson noted that the previous Commission had felt it necessary to move forward.

Commissioner Jack Robb joined the meeting at 6:43 p.m.

Mr. Gilbertson noted that the Bear Hunt has been discussed since about 2007-2008 and that NDOW staff was still gathering data at that time. In 2010 the Commission gave direction to staff to bring forward changes that would allow Bear hunt.

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Carl Lackey – NDOW, noted that the presentation to the Commission would include some portions of a previous PowerPoint® made to the Audubon Society and that today seven five (5) males and two (2) female bears had been harvested with no known safety or hunter incidents reported. Mr. Lackey believes that all the meat had been taken out by the hunters.

Tom Smith read a prepared statement into the record in support of the proposed permanent Bear Hunt regulation.

Larry Johnson – Coalition for Nevada's Wildlife, read a prepared statement from the Coalition for Nevada's Wildlife into the record (copy on file).

Joel Blakeslee asked that the board recommend approval of the regulation and that he fully supports the hunt.

Catherine Smith commented that her concern when joining those opposing the Bear Hunt was safety. It is Ms. Smith's belief that the potential exists for losing the bear population as well as a loss of tourism. Inquiries for biological data apparently is limited to what is available on the NDOW (Nevada Department of Wildlife) website according to Chris Healy. Ms. Smith asked that the board retain their previous vote.

Mike Smith stated the he became involved due to safety concerns and that dogs would be used in the hunt. As a former hunter, Mr. Smith noted that dogs do not know boundaries. Mr. Smith noted that the science might not be independent of the Commission (Nevada Board of Wildlife Commissioners) if the organization is seeking ways to recover the \$200,000.00 needed for nuisance bear mitigation. Mr. Smith emphasized that he is not anti-hunting and that he believes the science may be weak.

Trish Swain recalled the previous vote on the matter and asked what had changed that brought it back for consideration.

Scott Carone of SCI commented that he supports the Bear Hunt, which he believes will be a "great revenue source". Although there is some validity to the safety concerns expressed he believes county and state regulations will address most of those concerns.

Billy Howard drew attention to the nearly 7,000 signature collected in face-to-face contact and a similar number of signed on the nobearhunt.org website. Mr. Howard noted that should the regulation be allowed to expire as written, the bag limits continue without any regulatory oversight. Mr. Howard pointed out that the state's wildlife is owned by the people of the state not just sportsmen and that, in his opinion, the scientific and biological data do not support the hunt. In most cases Mr. Howard explained that he can support hunting as it maintains species populations with hunters typically sharing the meat with family, friends and some non-profit organizations. Mr. Howard commented that he believes this type of regulation should also be subject to a peer review as indicated in Farm Bureau 226.

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Bryan Hooper commented that by making this a permanent regulation that it will provide an opportunity for youth as the population is propagated in the future. Mr. Hooper pointed out that there is a difference between hunting accidents and incidents pointing out that there has not been a hunting fatality since 2001.

Hearing no one else wishing to speak in favor of, or in opposition to the matter, Chair Flowers closed public comments.

Responding to Member Reed's inquiry about whether there had been any significant changes in the request, Mr. Lackey stated that there was no change and that staff had continued to gather data over the past three (3) years as the data used in the report was gathered over a twelve year period from 1997 through 2008.

Chair Flowers explained that the matter was on tonight's (September 15, 2011) agenda since it was on the Commission's meeting agenda for possible action.

Member Reed explained that he believes that many of those opposed to the hunt owe Mr. Lackey an apology for the inexcusable attacks on his integrity.

Members Reed and Smith then outlined the number of Bear Hunts in surrounding states as well as the eight (8) California Counties that border the state which have harvested more than 1,000 Bears over a six (6) year period.

Member Reed emphasized that the biggest threat to Black Bears and other wildlife is human encroachment upon their natural habitat. The Black Bear hunt in the State of Nevada with its quota of not more than twenty (20) animals is about 6/10ths of 1-percent of the 3,323 bears that were harvested in states bordering Nevada in 2010. Member Reed stated he would support a recommendation to make the hunt permanent.

Member Copeland concurred with Member Reed and that his intent in voting against the hunt at the August 3, 2011, meeting was to reach out to those in opposition to seek options for a compromise that would be acceptable to both those in opposition and those in favor of the hunt. Member Copeland stated he too would support the permanent hunt.

Member Smith explained that while he appreciates the position taken by those in opposition and had voted twice in opposition to the request, he was disappointed that the public did not come forward with compromise positions for consideration. Additionally, Member Smith noted that he was disappointed in the personal attacks some in opposition to the hunt had taken. Given the lack of a compromise proposal Member Smith stated he would support making the Bear Hunt permanent.

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Member Harwell noted that he had conducted some research and based on the inclusion of a revised definition of baiting and prohibition against baiting he would support the request for a permanent regulation.

Chair Flowers noted that he had supported the Bear hunt since its inception and that by making this part of the permanent regulations that the public will have an opportunity to provide additional input annually as the hunt seasons and bag limits are established. Chair Flowers expressed his appreciation to all that had participated in the process and stated he would support the request as written.

Member Smith noted that while a large majority of those in opposition to the Bear Hunt were professional in making their opinion known, there were some that referred to hunters as “gun whacko murders.” Member Smith noted that nearly 99-percent of all hunters were courteous and put a significant amount of money and effort in conservation. It is Member Smith’s belief that the energy expended in opposition to the Bear Hunt would have been better used to have regulations at the county levels developed that would help reduce the incident of nuisance bear by requiring bear resistant trash container.

It was moved by Member Reed, seconded by Member Harwell, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 303, R002-11 Bear Hunt, as written. The motion carried unanimously.

The meeting recessed at 7:28 p.m. and reconvened at 7:38 p.m.

12. **SENATE BILL (SB) 226 NEVADA TRAPPING REGULATIONS FOR CLARK AND WASHOE COUNTIES** (For possible action) – A review discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify provisions in SB 226 was passed in the 2011 Legislative Session which require the Nevada Board of Wildlife Commissioners to adopt regulations by December 31, 2012, governing the trapping of furbearing mammals in residential areas of a county whose population is 100,000 or more.

Chair Flowers opened the agenda item and emphasized that this is the first step in the process and opened public comments.

Trish Swain – Trailsafe, outlined her understanding of the explanations provided by NDOW (Nevada Department of Wildlife), Nevada Board of Wildlife Commission members and this board. Ms. Swain drew attention to her earlier correspondence in support of the process and emphasized the need to involve Clark County in the process as well. Ideally, the meetings can be conducted by videoconference, Skype ® or teleconference call so that Clark County can be involved in the process.

Joel Blakeslee concurred with the involvement of Clark County and that he believes the Trapping Association will have a Committee involved in the process.

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Hearing no further comments, Chair Flowers closed the public comment period and opened the matter for board discussion and/or a motion.

Chair Flowers read correspondence from Ms. Swain and Betty Dodson (copies on file) into the record. Chair Flowers then noted that this is the first step in the process and that he would like to see a recommendation to the Commission (Nevada Board of Wildlife Commissioners) to direct a committee be formed that can develop a recommendation and supporting documentation that the public and CAB's (County Advisory Board) can review.

Member Harwell recalled that Ms. Swain and Mr. Blakeslee had worked on a recommendation previously that the then Commission had denied. It is Member Harwell's belief that this type of review and regulation is overdue.

Member Smith stated that his recommendation would be to form a committee that includes the Trappers Association, Trailsafe and others to find the common ground upon which the regulation can be based. Member Smith outlined his hunting trip earlier in the year during which he identified a trap that he kept his dog(s) away from. The owner of the ranch that had set the trap made a point of "popping" the trap so that nothing would happen.

Member Copeland concurred that the committee should be formed and that he believes the Trapping Association and Trailsafe will be able to reach a compromise position on the matter.

Member Smith noted that webinars or teleconference calls are viable methods to conduct statewide meetings on the issues.

It was moved by Member Smith, seconded by Member Copeland, to recommend that the Nevada Board of Wildlife Commissioners form a Subcommittee that includes, but is not limited to representative of Clark, Washoe Counties, Trappers Association and Trailsafe to develop recommendations as required in SB (Senate Bill 226 for Trapping regulations for Clark and Washoe Counties. The motion carried unanimously.

7. RUBY PIPELINE MITIGATION PROJECT PROPOSALS (Non-action item) – *An informational update on potential Ruby Pipeline Mitigation Project proposals.*

Member Copeland noted that there was little in the way of additional information as the process is slow moving. Member Copeland suggested that the item be placed on the meeting agenda every other meeting.

Chair Flowers suggested that the matter be included on the November meeting as the January meeting will be focused on season setting and quotas. Chair Flowers noted that a viable project might include the Winnemucca BLM for Sage Grouse in the Division Peak area.

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During a brief discussion it was noted that the project could partner with either the Surprise or Winnemucca offices so long as the project proposal focuses on Pygmy Rabbits and/or Sage Grouse.

8. **2012 CALENDAR** – (For possible action) – *A review, discussion and possible action to approve or otherwise modify the proposed meeting calendar for 2012.*

Chair Flowers outlined the proposed meeting calendar and recalled that he had not been aware that the Nevada Board of Wildlife Commissioners had set a meeting schedule in 2010 for both 2011 and 2012. Chair Flowers explained that the Monday, January 30, 2012, recommendation was to accommodate a mandatory meeting that he attends annual. However, the board may choose to meet on the previous Thursday as outlined in the draft calendar.

Hearing no one wishing to speak on the matter, Chair Flowers closed public comment and asked for discussion or motion.

It was moved by Member Smith, seconded by Member Copeland, to approve the 2012 Washoe County Advisory Board to Manage Wildlife schedule with the January meeting to be held on Thursday, January 26, 2012. The motion carried: Members Copeland, Reed and Smith assenting; and Chair Flowers and Member Harwell dissenting.

9. **COMMISSION REGULATION 07-07 AMENDMENT 8 – KEY PITTMAN WILDLIFE MANAGEMENT AREA** (For possible action) – *A review discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify Commission Regulation 07-07 Section 1 by adding “and during Youth Water Fowl Hunt” and deleting the word “and”.*

Chair Flowers opened the agenda item to public comments. Hearing no one wishing to speak, Chair Flowers asked for board discussion or a motion.

It was moved by Member Harwell, seconded by Member Reed, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 07-07 Amendment 8, Key Pittman Wildlife Management Area, as written. The motion carried unanimously.

10. **MUZZLELOADER BLACK POWDER LEGAL ISSUES** [Non-action item] – *An informational update on legal black powder and black powder substitutes per regulatory language in NAC (Nevada Administrative Code) 503.142 for Muzzleloader Only Hunts and its notification to Muzzleloader tag holders that Blackhorn 209 is not a lawful powder to be used during the Nevada Muzzleloader Only Hunt.*

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Mike McCusker - Game Warden, explained that the matter had been researched by Captain Waitman who had determined that based on the chemical composition of Blackhorn 209 that it was a smokeless powder and therefore not legal for a muzzleloader hunt in the State of Nevada. Mr. McCusker noted that the issue had been brought forward due to questions being asked.

Member Copeland noted that he too had researched the data available on Blackhorn 209 as well as with various manufacturers of muzzleloading firearms. Based on the information found it appears that Blackhorn 209 is not a smokeless powder since it can be safely used in the firearms researched. Member Copeland commented that he would discuss the issue with the Nevada Board of Wildlife Commissioner and begin the petition process to amended NAC (Nevada Administrative Code) as it pertains to Blackhorn 209.

- 13. COMMISSION REGULATION FISHING SEASONS AND BAG LIMITS 2011-2012** (For possible action) – *A review discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify proposed fishing seasons, bag and possession limits for the period of March 1, 2012, to February 28, 2014.*

Chair Flowers opened the agenda item.

Matt Maples – Fisheries Biologist, noted that the changes are mostly “house-keeping” and that Five Mile Pond was removed from the Washoe County list of urban ponds as it is located in Storey County. Other modifications correct a typographical error that allows a person to keep three (3) game fish as is allowed in all other counties in the State of Nevada.

During the discussion it was noted that the language as it pertains to park hours might be somewhat inaccurate as some parks, such as Rancho San Rafael close the park to traffic but is open for pedestrian use after dark. Other discussion noted that the intent is to have a regulation that is consistent making enforcement of the regulation easier for law enforcement.

Mr. Maples stated he would further research park hours to assure consistent application as it pertains to open hours versus hours of public access.

It was moved by Member Smith, seconded by Member Reed, to recommend that the Nevada Board of Wildlife Commissioner approve Commission Regulation Fishing Seasons and Bag Limits 2011-2012 subject to clarification of the hours a park is open to the public. The motion carried unanimously.

- 14. FIRST READING, COMMISSION POLICY No. 51, COMMISSION LIFETIME COMMITMENT TO WILDLIFE AWARD** (For possible action) – *A review discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify proposed changes to*

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Commission Policy No. 51. The Commission shall consider whether to retain the "Commission Lifetime Commitment to Wildlife Award" as currently set forth in Policy 51 or to reinstate the "Wayne E. Kirch Nevada Wildlife Conservation Award" to the former version of Policy 51 (August 8, 2003). The Commission may make changes to either version or may eliminate the "Commission Lifetime Commitment to Wildlife Award" in its entirety. The Commission may also take the steps to create a new policy for either award.

Chair Flowers opened the agenda item and read correspondence from Diana Belding and Judi Caron (copies on file) in support of reinstating Policy 15 as the Wayne E. Kirch Award as approved on August 8, 2003. Chair Flowers opened public comments.

Larry Johnson - Nevada Big Horns Unlimited, concurred that Policy 51 should be reinstated. As a past recipient of the award Mr. Johnson emphasized that it was a great honor to receive the award and that he would like to see that honor go back to the Kirch family.

Tom Smith stated that he would like to have the Commission Lifetime Award, which was tainted during its hopefully short life, be eliminated and the Wayne E. Kirch award reinstated. Mr. Smith noted that all sportsmen in the State of Nevada recognize the importance of the Wayne E. Kirch award.

Hearing no additional public comment, Chair Flowers closed public comment.

Member Smith provided a history of the Wayne E. Kirch Award, which was identified as Policy 51 in August of 2003. Member Smith outlined the former panel of judges that included CAB's (County Advisory Board), Commission (Nevada Board of Wildlife Commissioners) as well as NDOW (Nevada Department of Wildlife) personnel and others in the identification and award for individual or organization's contributions to Nevada's Wildlife. The previous Commission altered Policy 51 in a manner that allowed the Commission to award any recipient they chose. Member Smith noted that sportsmen were understandably opposed to the manipulation by the Commission and has damaged and tainted the award process and effectively eliminated the Kirch name. Member Smith stated that he supported the elimination of the Commission Lifetime Achievement award and the immediate reinstatement of Policy 51, Wayne E. Kirch Award as approved on August 8, 2003.

Responding to Member Harwell's concern about any legal issues arising from Maureen Kirch being a voting member of the judging panel, Chair Flowers explained that a Deputy Attorney General attorney is always present at Commission meetings and would address any legal issues that might arise. Chair Flowers stated that he too would support the reinstatement of Policy 51, Wayne E. Kirch as original intended on August 8, 2003, and the elimination of the Commission Lifetime Achievement Award.

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It was moved by Member Copeland, seconded by Member Harwell, to recommend that the Nevada Board of Wildlife Commissioners reinstate Policy 51 as the Wayne E. Kirch Award and eliminate the Commission Lifetime Achievement Award effective September 24, 2011. The motion carried unanimously.

- 15. FIRST READING, COMMISSION POLICY NO. 28, Mule Deer Management Guidelines** (For possible action) – A review discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify proposed changes to Commission Policy No. 28. The Commission may choose to retain Policy No. 28, modify all or part of Policy No. 28, or to eliminate Policy No. 28 in its entirety. The Commission may also take action to immediately suspend Policy No. 28 pending final action on revisions to Policy No. 28.

Chair Flowers opened and outlined the agenda item and read correspondence from Diana Belding and Judi Caron (copies on file) who recommend that Policy 28 be suspended effective September 24, 2011, as it was not openly and properly vetted. Chair Flowers opened public comments.

Larry Johnson concurred that Policy 28 should be immediately suspended.

Joel Blakeslee concurred.

Chair Flowers closed public comments.

Member Copeland agreed that the policy should be suspended.

Member Harwell commented that he felt the policy was “bogus.”

Chair Flowers explained that he felt the policy had been a vendetta against NDOW (Nevada Department of Wildlife) personnel and that Policy 28 was unnecessary as there was already a Mule Deer Plan in the state written in 2000 and reviewed in 2007.

Member Smith stated that he would support the immediate suspension of Policy 28 as it was filled with inaccurate and false information and forced on the CAB's (County Advisory Board) and public.

It was moved by member Smith, seconded by Member Harwell, to recommend that the Nevada Board of Wildlife Commissioners suspend Policy 28, effective, September 24, 2011. The motion carried unanimously.

The meeting recessed at 8:47 p.m. and reconvened at 8:58 p.m.

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- 16. NDOW (Nevada Department of Wildlife) COMMENT ON THE FUTURE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR THE COMPREHENSIVE CONSERVATION PLAN (CCP) FOR THE SHELDON NATIONAL WILDLIFE REFUGE** (For possible action) – *A review discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify the DEIS for the Comprehensive Conservation Plan (CCP) for the Sheldon National Wildlife Refuge is scheduled to be announced in the Federal Register on September 9, 2011, which will trigger a 60 day comment period. NDOW shall give the Commission an update on the CCP for the Sheldon National Wildlife Refuge and the potential impact on wildlife natural resources. The Commission may provide policy direction to NDOW on all such matters and may take action to direct the Department to provide written comment to the U.S. Fish and Wildlife Service DEIS.*

Chair opened the agenda item and public comment.

Bryan Hooper suggested that the only action is no action since the removal of wild horse has not occurred.

Joel Blakeslee - Coalition for Nevada's Wildlife, concurred noting that wild horses are not native to the Sheldon and that there is no reason not to allow the hunting of Mountain Lions and other predators.

Chair Flowers closed public comments.

Member Harwell commented that this is yet another instance in which the federal government is telling the State what it can and cannot do. Member Harwell believes more emphasis and direction should be placed on the removal of wild horses from the Sheldon.

Chair Flowers noted that, in his opinion, wild horses are an invasive species that is not native to the Sheldon Refuge, which is intended for Antelope and other wildlife species. Additionally, Chair Flowers does not have an issue with off-road use and believes that camping issues should be addressed. Chair Flowers stated that he believes that a strong statement should be made on the removal of wild horses.

Member Smith noted that he had read all support materials and that the high points had been identified with appropriate rebuttals. Member Smith explained that one only had to look at the devastation to springs caused by wild horse populations to understand that the wild horse is not native to the area. Therefore, Member Smith supports the recommendations.

Member Copeland concurred and stated he would support the recommendations. Member Copeland agreed that wild horses are destroying the streams and that the area needed to be opened to camping and the hunting of predators.

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It was moved by Member Smith, seconded by Member Reed, to recommend that the Nevada Board of Wildlife Commissioners approve staff recommendations with an emphasis on the removal of wild horses, camping area improvements and the opening of predator and Mountain Lion hunting. The motion carried unanimously.

17. **NDOW (Nevada Department of Wildlife) COMMENT ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR THE SOUTHERN NEVADA WATER AUTHORITY (SNWA) GROUNDWATER DEVELOPMENT AND CONVEYANCE PROJECT** (For possible action) – *A review discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify an update on the SNWA Groundwater Development and Conveyance Project and the potential impact to wildlife water resources in the vicinity of the Project. NDOW (Nevada Department of Wildlife) shall also give the Commission an update on its status in SNWA's pending hearings before the Nevada State Engineer – Nevada Division of Water Resources – including NDOW's status as a protestant to SNWA's pending applications in Spring Valley, Cave Valley, Dry Lake Valley, and Delamar Valley. The Commission may provide policy direction to NDOW on all such matters and may take action to direct NDOW to provide written comment to the BLM (Bureau of Land Management) DEIS. The Commission may also provide policy direction to NDOW on NDOW's protests to SNWA's pending applications including any settlements to withdraw such protests.*

Chair Flower opened the agenda item, drew attention to the support materials provided and asked for public comment.

Bryan Hooper commented that one only had to look at Owens Valley to see what devastation would be inflicted on wildlife and the environment once the water levels were drained.

Chair Flowers closed public comments.

Chair Flowers outlined the devastation inflicted with the draw of water from Owens Valley to serve Los Angeles (California). It is Chair Flowers' belief that the same devastation will occur if Southern Nevada Water Authority (SNWA) is allowed to move water from eastern Nevada.

Member Smith noted that water rights in the State of Nevada are generally privately owned and that the owners of such rights may do as they wish. However, it is incumbent that the board looks to what is best for the area and seeks ways to minimize any detrimental effects to the State's wildlife. Member Smith noted that NDOW (Nevada Department of Wildlife) had joined the legal challenge and that recent tests have indicated that the impact would be much greater than original envisioned. Member Smith stated he would support the NDOW recommendations and position on the matter.

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Member Copeland concurred that NDOW needs to be involved with the legal challenge and minimize the effects on the State's wildlife.

Member Reed pointed out that if Lake Mead and the Colorado River could not support the water needs of Southern Nevada then the taking of water from rural areas would not suffice either. It is Member Reed's opinion that this amounts to a "war on rural Nevada.

Member Harwell commented that the proposal needed to be stopped now.

It was moved by Member Smith, seconded by Member Copeland, to recommend that the Nevada Board of Wildlife Commissioners support the Nevada Department of Wildlife involvement in the litigation and mitigation of negative effects on wildlife and opposition to the project proposal. The motion carried unanimously.

- 18. APPLICATION HUNT 2011 DRAW REPORT** (Non-action action) – *An informational update on the Systems Consultants interim annual report of the 2011 Big Game Draw. Information is presented in tables and charts and includes interim application, license, tag fees and counts as well as bonus point and client statistics for the five (5) draws already completed this year.*

Member Smith noted some question about the reports indication on Page 40 that Bear tags were available in 1978.

Chair Flowers commented that he believes 1978 was the first year for tag applications and draw.

Commissioner Jack Robb stated that he would seek clarification of that section and ask that the PowerPoint® presentation be clarified before it is brought to the Commission (Nevada Board of Wildlife Commissioners).

During a brief discussion it was noted that one section of the report includes the identification of errors and process developed or modified to avoid similar errors in the future. For example, in one instance a tag was issued even though the credit card was declined resulting in the tag being returned.

- 19. 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 Monday, November 28, 2011, meeting.*

The November 28, 2011, meeting agenda may include, but is not limited to: 1) Update on Sage Grouse. 2) Ruby Pipeline projects including information about Division Peak.

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20. PUBLIC COMMENTS (Non-action item)

Mike Smith commented that he had talked to Paul Dixon as well as others on the Commission (Nevada Board of Wildlife Commissioners) about bear hunting in the Tahoe Meadows and explained that without regulations hunting can and would be dangerous. Mr. Smith noted that he had not had any return comment from the Commissioners he had e-mailed or left voice messages with and that there are other things that are underway that the CAB (County Advisory Board) might not be aware of. Of particular concern is the inability to review documentation and mathematical information used in development of the Bear Hunt regulation.

Jack Robb stated that as a member of the Commission he is glad to talk with anyone that contacts him. Mr. Robb pointed out that he cannot, under the Nevada Open Meeting Law respond to any correspondence that is address to the Commission as a whole. However, private email can be answered.

Cathy Smith explained that she did not wish to convey any personal attack on Carl Lackey but rather her concern about the refusal to share data that was used in the formulation of the regulation. By not sharing the information there is a perception that the motivation may be biased and that there is an unwillingness to not listen to all sides.

Billy Howard noted that he was somewhat disappointed in the action taken tonight (September 15, 2011) and that the www.nobearhunt.org website asks that respondents be respectful in their opposition. Mr. Howard noted that he has received death threats via the website and noted that there are fringe elements on both sides of the issue.

21. ADJOURNMENT (For possible action)

Chair Flowers adjourned the meeting at 9:38 p.m.

AS APPROVED BY THE WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE IN SESSION ON NOVEMBER 28, 2011.