

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the February 6, 2006 Meeting

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A regular meeting of the Carson City Advisory Board to Manage Wildlife was scheduled for 6:00 p.m. on Monday, February 6, 2006 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

PRESENT: Chairperson Steve Walker
Vice Chairperson Gil Yanuck
Wes Clyde
Jennifer Derley
Stan Zuber

STAFF: Kathleen King, Recording Secretary

NOTE: A tape recording of these proceedings is available, in the Clerk-Recorder's Office, for review during regular business hours.

1. CALL TO ORDER, DETERMINATION OF QUORUM (1-0007) - Chairperson Walker called the meeting to order at 6:02 p.m. A quorum was present.

2. ACTION ON APPROVAL OF MINUTES - November 14, 2005 (1-0012) - Vice Chairperson Yanuck moved to approve the minutes. Member Clyde seconded the motion. Motion carried 5-0.

3. MODIFICATIONS TO THE AGENDA (1-0015) - None.

4. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0018) - Kevin Baily displayed a copy of the Army Corps of Engineers permit indicating the Fuji Park Urban Fishing Pond construction could go forward. He pointed out a power pole, on a displayed aerial photograph, and advised it will need to be relocated.

(1-0057) Bob Brunner, of the Coalition for Nevada Wildlife, provided background information on his organization and on the non-resident tag allocation lawsuit. He advised of a request to re-evaluate the non-resident tag allocation process after one year. He commended NDOW and Commissioner MacKenzie on developing the MacKenzie formula. He advised that the Coalition for Nevada Wildlife petitioned the commission to reconsider the process, but was informed the petition process was not the appropriate approach. He expressed concern over not re-addressing the issue in a timely manner in that a precedent will be established. He expressed the opinion that the existing non-resident tag allocation process created a situation where "650 some odd tags" were issued to non-residents "that should have been resident tags because we used this formula." He reviewed a proposal "that is clearer, easier to understand ..." He expressed concern that Nevada has the lowest recruitment for youth tag holders in the nation. He discussed a further concern over additional litigation. He advised that Coalition for Nevada Wildlife representatives met recently with the chair of the Safari Club International Government Affairs Committee. Safari Club International representatives committed to submitting a written statement to the Wildlife Commission. Mr. Brunner requested the Board to consider substituting the proposed Coalition for Nevada Wildlife procedure for the existing MacKenzie formula. He acknowledged the Coalition for Nevada Wildlife will be providing a presentation at the upcoming Wildlife Commission meeting. Chairperson Walker noted that Mr. Brunner's presentation was pertinent to agenda item 7-M, and opened that item.

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5. DISCLOSURES (1-0450) - None.

6. DISCUSSION OF POINTS OF INTEREST FROM THE NOVEMBER 18 AND 19, 2005 WILDLIFE COMMISSION MEETING (1-0453) - Vice Chairperson Yanuck referred to the draft commission minutes. He advised that budget requests would be due from the advisory boards this month. He further advised of having discussed with Commissioner Jeffress his spreadsheet, and circulated the same among the Board members. He discussed the importance of considering budget trends, and of promoting hunting and fishing activities, particularly among the youth. He advised of having suggested the possibility of the Department forming a budget advisory group comprised of qualified sportsmen who would be willing to volunteer their time. He further advised of having suggested the need to explore other sources of funding besides the general fund. He discussed the importance of sportsmen providing input at the State Legislature. (1-0616) Mr. Brunner agreed, and advised that the future governor needs to be considering how the state should accept responsibility for funding the Department of Wildlife.

7. ADVISORY BOARD TO MANAGE WILDLIFE CONSENT AGENDA. All matters listed under the Consent Agenda are agendized for the February 10 and 11, 2006 Wildlife Commission meeting and may be acted upon by the Advisory Board to Manage Wildlife with one action and without extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda and acted upon separately during this meeting (1-0627) - **Vice Chairperson Yanuck moved to remove item 7-A from the consent agenda. Member Zuber seconded the motion. Motion carried 5-0.** (1-0768) **Member Clyde moved to approve the remainder of the consent agenda. Vice Chairperson Yanuck seconded the motion. Motion carried 5-0.**

7-A. ACTION REGARDING CGR - 338 (LCB FILE NO. R156-05) LICENSES AND TAGS - BOB HAUGHIAN. Makes various changes to NAC 502 to provide for a temporary authorization number for annual licenses or stamps sold via the Internet; amends the fee for applications submitted electronically for big game tag bonus points; removes the language pertaining to the big horn sheep indoctrination course attendance waiver; removes language regarding an unused mountain goat tag; clarifies the harvest eligibility and waiting period language as it pertains to non-receipt of harvest information; adds return card correction notice language; clarifies bonus point regulation information; clarifies how party members are displayed on alternate lists; amends tag return eligibility to allow for family members' illness; amends restricted nonresident guided deer hunt applicant eligibility for subsequent computerized random draws. Note: See agenda item #1 for support material. *This item is agendized as part of an informational workshop on Friday, February 10th and for action on Saturday, February 11th* (1-0667) - Vice Chairperson Yanuck expressed concern over hunters being able to use credit cards and not being charged until drawn for a tag. He noted that the application costs the same to process for residents as it does for non-residents; that residents are charged \$2.00 and non-residents \$3.50. He inquired as to the reason for "discriminating so blatantly against non-residents," and advised he will be posing the question at the upcoming commission meeting. NDOW Biologist Mike Dobel advised that the fee is allocated to Systems Consultants for processing the application and not to the Department. Discussion followed.

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7-B. ACTION REGARDING CGR - 339 (LCB FILE NO. R198-05) COMMISSION RULES OF PRACTICE - COMMISSIONER LURIE. The proposed regulation from the Commissioner's Administrative Procedures and Regulation Committee adds new sections to define "appellant"; dismisses a case with prejudice for failing to appear at a hearing without good cause; requires an individual to submit a pre-hearing statement when appealing a decision; revises the definition of "petitioner"; clarifies the Commission's authority for hearings, the term "procedural error" in a hearing, continuances for hearings, procedure for hearings, and the petition process for permanent regulations; and repeals NAC 501.180 for default judgment and reconsideration. Note: See agenda item #2 for support material. *This item is agendized as part of an informational workshop on Friday, February 10th and for action on Saturday, February 11th.*

7-C. ACTION REGARDING CGR - 340 (LCB FILE NO. R093-05) RIFLED BARREL SHOTGUNS - ROB BUONAMICI. In response to a petition, this would permit the use of fully or partially rifled barrels on shotguns used for hunting deer and mountain lion. Note: See agenda item #3 for support material. *This item is agendized as part of an informational workshop on Friday, February 10th and for action on Saturday, February 11th.*

7-D. ACTION REGARDING CGR 341 (LCB FILE NO. R001-06) - GAME MANAGEMENT UNITS - RUSS MASON. The Mineral County Wildlife Advisory Board has requested a modification of the boundary between Units 181 and 205. Note: See agenda item #4 for support material. *This item is agendized as part of an informational workshop on Friday, February 10th and for action on Saturday, February 11th.*

7-E. ACTION REGARDING GUIDE LICENSE APPEAL HEARING - ROB BUONAMICI. Mr. Wes Bennett, Elko Guide Service, is appealing loss of license privileges due to failure to mail renewal application before deadline.

7-F. ACTION REGARDING DUCK STAMP - DAVE PULLIAM. In conformance with NRS 502.322, the Department is requesting that the Commission approve expenditure of \$50,000 from duck stamp funds for support of water right applications for Carson Lake and Pasture.

7-G. ACTION REGARDING COMMISSION POLICY #1, GENERAL GUIDELINES FOR THE COMMISSION - RON LURIE. The Commission will have the first reading of amendments to existing policy for guidelines in the transaction of business and official duties. The Commission may take action to provide direction for revisions to the policy for a second reading and approval at a subsequent meeting.

7-H. ACTION REGARDING COMMISSION MEETING SCHEDULE - CHAIRMAN MacKENZIE. The Commission will establish dates and locations for meetings for the remainder of 2006.

7-I. ACTION REGARDING COMMISSION REGULATION 05-15, AMENDMENT #2 - GAME TAG APPLICATION - BOB HAUGHIAN. The Commission will consider changing some processes from the 2005 hunting season.

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7-J. ACTION REGARDING COMMISSION REGULATION 05-15, AMENDMENT #3 - BIG GAME SEASONS - RUSS MASON. The Commission will consider changes to some 2006 antelope, deer, elk, mountain goat, or bighorn sheep seasons.

7-K. ACTION REGARDING ELK SPECIES MANAGEMENT PLAN PROCESS - COMMISSIONER RIORDAN. The Commission will be asked by the Commission's Elk Plan Committee to approve an amendment to the State Elk Plan regarding the process to be used in developing future local area plans and plan amendments.

7-L. ACTION REGARDING COMMISSION POLICY #10, WILDLIFE HERITAGE TAGS AND VENDORS - BOB HAUGHIAN. The Commission will conduct a first reading for revisions to auction tag processes and may vote to amend proposed language for consideration at a subsequent meeting.

7-M. ACTION REGARDING COMMISSION POLICY #24 - PATTY WAGNER. The Commission will continue a review of its policy titled "Hunting Opportunities Among Weapons and User Groups" and may provide direction for amended language to be considered at a subsequent meeting. (1-0185) Vice Chairperson Yanuck advised that this Board had submitted a recommendation, prior to the last Commission meeting, to go back to the previously used non-resident tag allocation process. Discussion took place regarding the points of the lawsuit, and Vice Chairperson Yanuck expressed concern over another potential problem. He noted the importance of approaching the issue in a proactive rather than reactive manner. Extensive discussion followed. Chairperson Walker thanked Mr. Brunner for his presentation. Member Derley thanked Mr. Brunner for taking the opportunity to meet with Safari Club International representatives.

7-N. ACTION REGARDING PETITIONS. The Commission will consider public petitions and may accept the petition and initiate regulatory action or deny the petition.

7-N-i. ACTION ON A PETITION BY JOEL PAT LATHAM FOR A NONRESIDENT SAGE GROUSE HUNT. A request to allow nonresidents to hunt sage grouse.

7-N-ii. ACTION ON A PETITION BY BRIAN BENNETT REGARDING THE ADAMS McGILL RESERVOIR. Requests change in permanent regulation on this reservoir at Kirch Wildlife Management Area to allow for fishing with artificial lures and single barbless hooks only.

7-N-iii. ACTION ON A PETITION BY DAWN NELSON REGARDING CROSSBOWS. Requests legalization of use of crossbows for hunting.

7-O. ACTION REGARDING STANDARD HUNTING SEASON OPENINGS - RUSS MASON. The Commission will consider developing a policy to establish standard opening dates for future big game, upland game, waterfowl, and furbearer seasons. The Commission may take action to provide direction for policy language for consideration at a subsequent meeting (1-1258) - Chairperson Walker reopened this item, and inquired as to duck season dates and history. He advised that this year's duck season was great. He further advised of having

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received complaints with regard to closing duck season so early, and inquired as to the reason for closing the goose season in Washoe Valley in the middle of the season. Mr. Dobel advised that in recent years, the seasons have closed fairly late. In response to a comment, he advised there are a certain number of days for hunting waterfowl pursuant to federal regulation. There were 107 days and two days for the youth hunt in the season. Once the season starts, it runs for 107 days. Mr. Dobel suggested there may have been a few split seasons in the past when Washoe Valley was closed for a week or for a few days.

Chairperson Walker discussed differences in season opening dates between northern and southern Nevada. He advised that sportsmen in Carson City may submit a petition to lengthen the season to provide hunters the maximum opportunity. He requested input from the biologists, and expressed a preference for working backward from the last Sunday of the month to establish the season dates. Chairperson Walker discussed the importance of being able to distinguish between male and female ducks in conjunction with waterfowl regulations. Mr. Dobel anticipated a recommendation from the Department for standardized opening dates for upland game, mule deer, and waterfowl. He anticipates a strong lobby against a concurrent opener from the waterfowl sportsmen. He provided information on waterfowl migration patterns in conjunction with a late season opening date. Discussion followed. In response to a question regarding goose season, Mr. Dobel advised that Department staff recommended a concurrent season; however, there was an outside lobby against doing so. He discussed problems created, from a law enforcement standpoint, by having a separate closing date for Washoe Lake.

Chairperson Walker expressed disagreement with concurrent season openers for chukar, duck, and deer. He provided background information on, and expressed concern over, the lack of response cards returned for big game. Mr. Dobel discussed errors associated with the return cards, and advised that Mike Cox has been trying to address them prior to publishing the information.

Chairperson Walker requested input of the Board members regarding the proposed policy. Member Clyde expressed support for standardized opening dates, but a preference for opening chukar season the second or third weekend of October. Member Derley expressed support for the proposed policy included in the agenda materials. Vice Chairperson Yanuck expressed the opinion that fixed starting dates are important. Length of the seasons should be left up to the federal government and the states. In response to a question, Mr. Dobel advised that Game Bureau staff did not draft the policy included in the agenda materials, nor was any of the staff requested to provide input. He advised the Game Bureau would recommend opening the season for upland game the first Saturday in October. He provided background information on recent changes in the Game Bureau.

- 8. DISCUSSION REGARDING INFORMATIONAL REPORTS TO BE PRESENTED AT THE FEBRUARY 10 AND 11, 2006 WILDLIFE COMMISSION MEETING.** A report and additional detail on each of the following informational items will be provided by a Nevada Department of Wildlife representative or a Wildlife Commissioner at the upcoming Commission meeting (1-0771) - Vice Chairperson Yanuck advised he would be requesting clarification of some of the informational items.

8-A. DEPARTMENT ACTIVITIES - DIRECTOR TERRY CRAWFORTH

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8-B. LITIGATION REPORT - DEPUTY ATTORNEY GENERAL BRIAN STOCKTON

8-C. CLARK COUNTY SHOOTING RANGE - COMMISSIONER LURIE

8-D. WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES - COMMISSIONER McNINCH

8-E. ADMINISTRATIVE PROCEDURES AND REGULATION COMMITTEE - COMMISSIONER LURIE

8-F. LINCOLN COUNTY ELK SUBPLAN - COMMISSIONER BENTLEY

8-G. WHITE PINE COUNTY ELK SUBPLAN - COMMISSIONER RIORDAN

8-H. MULE DEER SPECIES POLICY PLAN COMMITTEE - COMMISSIONER MacKENZIE

8-I. FOREST SERVICE ROAD RULE PROCESS - GARY SCHIFF

8-J. NEVADA WILDLIFE DATA SYSTEM - BOB HAUGHIAN

8-K. EMAIL ADDRESS OWNERSHIP / ADDED INFORMATION OPT IN / OPT OUT - KELLY CLARK

8-L. NORTH AMERICAN STRATEGY FOR CONSERVATION EDUCATION - KELLY CLARK

8-M. PURCHASE OF A MOUNTAIN LION TAG ONLINE - BOB HAUGHIAN

8-N. BOATING PROGRAM OVERVIEW INCLUDING OPERATING UNDER THE INFLUENCE - ROB BUONAMICI

8-O. OPERATION GAME THIEF PROGRAM OVERVIEW - ROB BUONAMICI

8-P. NEVADA WILDLIFE ACTION PLAN AND TEAMING WITH WILDLIFE UPDATE - LAURA RICHARDS

8-Q. ONION VALLEY AND CRITTENDEN RESERVOIRS - RICH HASKINS

8-R. HUNTERS AND PRIVATE LAND - COMMISSIONER RIORDAN

8-S. HERITAGE ACCOUNT INTEREST AND PRINCIPAL AVAILABLE IN FISCAL YEAR 2007 - BOB HAUGHIAN

8-T. BUDGET STATUS - DIRECTOR TERRY CRAWFORTH

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8-U. ELK MANAGEMENT - TERRY CRAWFORTH. The Director will review concerns from White Pine County landowners regarding planning processes, damage compensation, incentive tags, impacts to grazing allotments, elk population numbers, and Department of Wildlife performance in implementing programs.

8-V. LEGISLATION - CHAIRMAN MacKENZIE. The Commission will initiate discussions regarding potential proposals for consideration by the 2007 Nevada Legislature and evaluate the development of a Nevada Legislative Sportsmen's Caucus (1-0785) - Vice Chairperson Yanuck provided an overview of the items to be addressed by the commission. He noted that Department funding was not part of the list, and expressed concern. Discussion took place regarding Department funding issues addressed during the last legislative session, and funding issues facing the Department for the upcoming legislative session. Vice Chairperson Yanuck reiterated an earlier suggestion to bring in outside expertise to assist the Department with developing and administering budgets. (1-1042) Mr. Brunner referred to an earlier suggestion to bill outside agencies for services provided by NDOW staff and to charge for printed materials generated by NDOW. In response to a question, Vice Chairperson Yanuck reviewed feedback regarding the quality of grant applications, and discussed the importance of professional grant writers.

9. REPORT ON NEVADA SAGE GROUSE CONSERVATION TEAM - GIL YANUCK (1-1100) - Vice Chairperson Yanuck reported on meetings of the Governor's Team, the Sage Grouse Symposium Committee, and the Bi-State Group. The Sage Grouse Symposium is scheduled for March 17 - 19, 2006 in Winnemucca, and a field trip to one of the leks is scheduled for Sunday, February 12th. Vice Chairperson Yanuck reviewed the tentative agenda for the Sage Grouse Symposium, and advised that registration fees will be covered for all volunteers. He reviewed presentations scheduled for the Symposium. He reviewed ongoing projects, and advised of a petition, filed in late November, to emergency list the unique subspecies of sage grouse found in Mono County. More DNA analysis is needed to determine the geographical extent of the unique subspecies. Vice Chairperson Yanuck advised the U.S. Fish and Wildlife Service is "so swamped" with petitions at this time, representatives have indicated the latest petition will most likely not be reviewed until the end of 2006.

10. BUDGET REPORT - GIL YANUCK (1-1211) - Vice Chairperson Yanuck advised that new budgets for the coming fiscal year will be drafted this month. This Board's budget request will be required to be submitted in late March or early April. Vice Chairperson Yanuck responded to questions regarding the mileage allowance.

11. DISCUSSION AND POSSIBLE ACTION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO UPCOMING WILDLIFE COMMISSION MEETINGS (1-1905) - Discussion indicated the Commission had yet to finalize the 2006 meeting schedule. Vice Chairperson Yanuck volunteered to attend the upcoming commission meeting. Member Derley offered to serve as the alternate and attend on Saturday. (1-2073) Mr. Baily requested the Board's representative to provide information, at the next Board meeting, on the Petition to be presented by Brian Bennett. Chairperson Walker offered to provide the Commission's agenda materials to Mr. Baily for review.

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12. DISCUSSION AND ACTION TO SCHEDULE NEXT CCABMW MEETING (1-1972) - Chairperson Walker noted the next meeting would be scheduled for Monday, March 27th. In response to a question, he advised that the Board will meet on Monday, May 8th in conjunction with the May 12th and 13th Wildlife Commission meeting.

13. COMMENTS AND STATUS REPORTS FROM STAFF (1-2015) - Ms. King advised the Board members had been invited to a joint meeting of the Planning Commission, Parks and Recreation Commission, and the Carson River Advisory Committee on Tuesday, February 21st to review the Carson River Aquatic Trail and the Unified Pathways Master Plan element.

14. DISCUSSION ONLY REGARDING FUTURE AGENDA ITEMS (1-2067) - None.

15. ACTION ON ADJOURNMENT (1-2055) - Vice Chairperson Yanuck expressed appreciation to the Board members for the Wayne E. Kirch Conservation Award nomination. (1-2102) Vice Chairperson Yanuck moved to adjourn the meeting at 7:45 p.m. Member Clyde seconded the motion. Motion carried 5-0.

The Minutes of the February 6, 2006 Carson City Advisory Board to Manage Wildlife meeting are so approved this 27th day of March, 2006.

STEVEN R. WALKER, Chair