

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the February 2, 2004 Meeting

Page 1

A regular meeting of the Carson City Advisory Board to Manage Wildlife was scheduled for 6:00 p.m. on Monday, February 2, 2004 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 on file in the Clerk-Recorder's Office and is available for review during regular business hours.

1. CALL TO ORDER, DETERMINATION OF QUORUM (1-0008) - Chairperson Walker called the meeting to order at 6:00 p.m. A quorum was present.

2. APPROVAL OF MINUTES - December 1, 2003 (1-0012) - Vice Chairperson Yanuck moved to accept the minutes, as written. Member Clyde seconded the motion. Motion carried 5-0.

3. MODIFICATIONS TO THE AGENDA (1-0018) - None.

4. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0021) - None.

5. DISCLOSURES (1-0023) - Member Clyde referred to a letter received by the Board members from Mr. Cooper with whom he has since had numerous conversations. He advised that Mr. Cooper is a co-worker and related the details of one of their conversations. Chairperson Walker advised of receiving a letter from another individual regarding the proposed OHV regulation being considered by the Commission. In addition, he advised of a telephone call from another gentleman in Carson City regarding the same proposed regulation.

6. DISCUSSION OF POINTS OF INTEREST FROM THE DECEMBER 5 AND 6, 2003 WILDLIFE COMMISSION MEETING (1-0070) - Chairperson Walker advised that he and Member Derley attended the Friday Commission meeting. Member Derley acknowledged having attended the Saturday Commission meeting. Chairperson Walker referred the Board members to the draft minutes of the meeting included in the Commission agenda materials.

7. ADVISORY BOARD TO MANAGE WILDLIFE CONSENT AGENDA. All matters listed under the Consent Agenda are agendized for the February 6 and 7, 2004 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. (1-0081) Chairperson Walker requested that the Board address items 7-A, 7-I, and 7-J separate from the consent agenda. Member Clyde requested to address item 7-C separately. (1-1480) **Vice Chairperson Yanuck moved to approve the remainder of the consent agenda. Member Zuber seconded the motion. Motion carried 5-0.**

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the February 2, 2004 Meeting

Page 2

7-A. ACTION REGARDING COMMISSION GENERAL REGULATION NUMBER 323 - PATTY WAGNER. Revises existing regulation to allow big game hunt applications for bonus points without the opportunity to obtain tags. **Note: If enacted, these provisions cannot be implemented for the 2004 hunt year.** *This item is agendized as a workshop during the Friday session and for action by the Commission during the Saturday session* (1-0100) - Chairperson Walker referred to the draft minutes of the December Commission meeting, and commented on the controversial nature of the proposed regulation. He requested Member Clyde to provide an update on this item at the next Board meeting. Chairperson Walker referred to comments provided by Commissioner Chris MacKenzie at the December 1st Board meeting expressing opposition to this proposed regulation. He reviewed concerns expressed at a recent Washoe County Advisory Board to Manage Wildlife meeting that bonus points would be combined and squared for party tags, thereby providing an advantage. Discussion took place regarding the elements of the proposed regulation, the mechanism for obtaining a bonus point, the benefits and drawbacks of the proposed regulation, and ways to make it more agreeable.

Vice Chairperson Yanuck suggested that a successful hunter, who is not allowed to apply for a tag for a certain period of time, should not be permitted to purchase bonus points for the same hunt. Member Clyde expressed support for the regulation because of the options offered to hunters who are unable to hunt in a certain year due to various circumstances. He acknowledged that the scenarios described by Chairperson Walker were disturbing, and suggested establishing a cap on the number of years a hunter could purchase bonus points. Member Derley suggested that the cap could be species specific, and further discussion took place with regard to the same. Vice Chairperson Yanuck suggested that Member Clyde make known to the Commissioners the issues discussed at this meeting.

7-B. ACTION REGARDING WILD HORSE MANAGEMENT - DEPUTY ATTORNEY GENERAL WAYNE HOWLE. The Commission will review recent actions seeking assistance from elected and appointed officials for improved wild horse and burro management in Nevada. The Commission may also develop a litigation strategy regarding inadequate funding and management of wild horse and burro programs.

7-C. ACTION REGARDING SAGE GROUSE TRANSPLANT - DR. JEFF P. KOEINGS. The Commission will consider a request from the Washington Department of Fish and Wildlife to receive grouse from Nevada for generic enhancement identified in the state's grouse recovery plan (1-0497) - In response to a question, Vice Chairperson Yanuck advised that "genetically similar" designates a distinct subspecies. In response to a further question, he advised that Elko County has the largest sage grouse population in North America. Nevada's sage grouse population has been estimated at 41,000. Vice Chairperson Yanuck expressed the opinion that there should be a sufficient number of sage grouse to transplant. Member Clyde expressed concern that Washington has not yet finalized their sage grouse conservation plan; it is still in draft form. Vice Chairperson Yanuck advised that the Western Association of Fish and Wildlife Agencies are developing an assessment of sage grouse in the western United States which, in turn, will lead to development of a conservation assessment. He discussed the significant effect of predators on the sage grouse population in Nevada, and agreed with Member Clyde's concern. He advised that the conservation plan is based on science and adaptive management.

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the February 2, 2004 Meeting

Page 3

7-D. ACTION REGARDING COMMISSION POLICY #10 - PATTY WAGNER. Second reading of Commission's Policy #10 (formerly Commission Policy #21); makes amendments to the Wildlife Heritage tag and vendor program, including vendor proposal submission deadlines.

7-E. ACTION REGARDING WILDLIFE HERITAGE TAGS - PATTY WAGNER. The Commission will decide the number of Heritage tags by species to be issued for hunt year 2005.

7-F. ACTION REGARDING PETITION OF MR. JARED BYBEE. The Commission will consider a petition to develop a muzzleloader-only pronghorn antelope season. The Commission will vote to either initiate rule-making action or deny the petition (1-0674) - Chairperson Walker requested Member Clyde to provide a report on this item at the next Board meeting.

7-G. ACTION REGARDING PETITION OF MR. JARED BYBEE. The Commission will consider a petition for a change to big game draw system by returning to the previous draw system where one was limited to a single weapons class. The Commission will vote to either initiate rule-making action or deny the petition (1-0678) - Chairperson Walker requested Member Clyde to provide a report on this item at the next Board meeting.

7-H. ACTION REGARDING COMMISSION REGULATION 03-16, AMENDMENT #1 - GREGG TANNER/PATTY WAGNER. Amends current big game season regulations, including: establishing a resident private lands depredation hunt in Paradise Valley in Humboldt County and associated special regulations; amending current tag application rules to conform with new statutes and regulations; establishing seasons for 2004 antlered mule deer hunts 1331, 1341, and 1371 allowing for mixed-residency party applications; and establishing quotas for the nonresident restricted deer hunt 1235.

7-I. ACTION REGARDING COMMISSION GENERAL REGULATION NUMBER 320 - STEVE ALBERT. Revises regulation regarding legal weapons for hunting and evidence of sex requirements for harvested big game animals. A workshop and public hearing on this proposal was conducted on December 5 and 6, 2003 in Reno (1-0685) - Chairperson Walker requested Member Clyde to provide a report on this item at the next Board meeting. Discussion took place regarding the purpose behind this proposed regulation, and Member Derley pointed out that, following the last Commission meeting, the language regarding evidence of gender had been removed.

7-J. ACTION REGARDING COMMISSION GENERAL REGULATION NUMBER 319 - STEVE ALBERT. The regulation would restrict the manner and means of hunting or trapping with the aid of off-road vehicles used off established roads in combination with weapons declared legal for the hunting of big game mammals and game birds, in management areas or units which have seasons in progress for the hunting of big game mammals or game birds. A workshop and public hearing was conducted on this proposal on December 5 and 6, 2003 in Reno. *This item is agendized as an informational workshop during the Saturday session of the Commission meeting* (1-0864) - Chairperson Walker anticipated that additional discussion of this proposed regulation will take place at the Commission meeting. Extensive discussion took place regarding the purpose and origin of the proposed regulation, its controversial nature,

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the February 2, 2004 Meeting

Page 4

insufficient numbers of game wardens to ensure enforcement, and the inclusion of trappers. Members Derley and Zuber suggested that a more practical approach would be to form a subcommittee in order to ensure adequate public input, and discussion took place with regard to the same.

8. DISCUSSION REGARDING INFORMATIONAL REPORTS TO BE PRESENTED AT THE FEBRUARY 6 AND 7, 2004 WILDLIFE COMMISSION MEETINGS. 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.

8-A. SECRETARY'S REPORT - SECRETARY TERRY CRAWFORTH

8-B. LITIGATION - DEPUTY ATTORNEY GENERAL SUSAN GRAY

8-C. MID-WINTER WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES - COMMISSIONER McNINCH.

8-D. GOVERNOR'S SAGE GROUSE TEAM - COMMISSIONER McNINCH.

8-E. CENTRAL NEVADA ELK SUB-PLAN - COMMISSIONER OLSEN (1-1235) - Chairperson Walker advised that Commissioner Olsen anticipates submitting the final draft plan in the very near future.

8-F. LINCOLN COUNTY ELK SUB-PLAN - COMMISSIONER BENTLEY (1-1245) - Chairperson Walker suggested carefully following the progress of this plan.

8-G. WHITE PINE COUNTY ELK SUB-PLAN - COMMISSIONER RIORDAN.

8-H. OVERTON WILDLIFE MANAGEMENT AREA - COMMISSIONER MORAN.

8-I. SOUTH CANYON OF THE JARBIDGE RIVER - COMMISSIONER RIORDAN.

8-J. OUTFITTERS, GUIDES REGULATIONS AND PROCEDURES COMMITTEE - COMMISSIONER BRADLEY (1-1283) - Chairperson Walker commented on the discussion which took place at the last Regulations and Procedures Committee meeting which was reflected in the minutes. Vice Chairperson Yanuck advised that the Guides Association agreed to a 300% increase in fees during the last Legislature. He discussed the purpose behind the increase to enforce guide regulations. Member Zuber reviewed various public lands jurisdictions, and discussion took place regarding the corresponding regulations and associated costs of enforcement.

[Chairperson Walker recessed the meeting at 7:17 p.m. and reconvened at 7:21 p.m.]

8-K. WILDLIFE DAMAGE MANAGEMENT COMMITTEE - COMMISSIONER QUILICI.

8-L. LEGISLATIVE COMMITTEE - COMMISSIONER BRADLEY.

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the February 2, 2004 Meeting

Page 5

8-M. NEVADA WILDLIFE DATA SYSTEM UPDATE - PATTY WAGNER.

8-N. MARKETING NEVADA'S WILDLIFE - KELLY CLARK.

8-O. FELONY STATUTE UPDATE - ROB BUONAMICI.

8-P. CHRONIC WASTING DISEASE - GREGG TANNER.

9. REPORT ON GOVERNOR'S SAGE GROUSE CONSERVATION PLAN - GIL YANUCK

(1-1494) - Vice Chairperson Yanuck provided a report on the Governor's Team meeting which took place last week, wherein the current status of petitions was reviewed. He advised that the notices provided by the U.S. Fish and Wildlife Service indicated insufficient evidence to justify an emergency listing at this time. This decision will be challenged in court by the petitioners. The draft plans of the six local area planning groups are coming together, and Vice Chairperson Yanuck discussed the status of the same.

Vice Chairperson Yanuck advised that the First Annual Sage Grouse Symposium is scheduled for March 5 and 6, 2004 in Winnemucca. The purpose of the Symposium is to review the progress to date of the conservation program. Vice Chairperson Yanuck expressed the hope that the Symposium will become an annual event to review action plan success. He advised of an Internal Review Team meeting scheduled for February 3rd at the NDOW office, the purpose for which is to receive input, respond to the input and prepare for the final submittal in May. He acknowledged that representatives from the nine western states are all involved in the planning process at some level; some are not as committed as the Nevada group. In response to a question, he discussed the involvement of federal agencies in the developing conservation plans. In response to a further question, Vice Chairperson Yanuck advised that NDOW Director Terry Crawforth will be responsible for implementation of the plan once it is finalized. Mr. Crawforth will have, as resources, the Governor's Team, the NDOW staff biologists, and biologists from other agencies. Vice Chairperson Yanuck related details of a conversation with Sean Espinosa, who has received a number of complaints from a falconer in Gardnerville regarding the regulation on hunting sage grouse in the Pine Nut Mountains. The regulation was implemented by the Commission at the request of the Bi-State Planning Group.

10. REPORT AND POSSIBLE ACTION REGARDING THE FY2003/2004 CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE BUDGET (1-1819) - Vice Chairperson Yanuck advised that there is sufficient funding in the Board's budget to cover attendance at upcoming Commission meetings. He further advised that, effective January 1, 2004, the mileage allowance was increased from 35 cents to 37 cents a mile. Vice Chairperson Yanuck reviewed the upcoming meeting schedule, and discussed problems associated with travel to the Boulder City Commission meeting in April. (1-1883) Discussion took place regarding the upcoming meeting schedule and whether or not to stay an extra night when Commission meetings are in outlying areas. Vice Chairperson Yanuck noted Commissioner Bradley's opposition to this practice.

11. DISCUSSION AND POSSIBLE ACTION TO DESIGNATE A CCABMW REPRESENTATIVE AND AN ALTERNATE TO THE FEBRUARY 6 AND 7, 2004 WILDLIFE COMMISSION MEETING (1-1873) - Member Clyde acknowledged that he would be representing the Board at the upcoming Commission meeting.

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the February 2, 2004 Meeting

Page 6

12. DISCUSSION AND POSSIBLE ACTION TO SCHEDULE NEXT CCABMW MEETING.

The next Wildlife Commission meeting is scheduled for March 12 and 13, 2004 in Reno (1-1985) - Consensus of the Board was to schedule the next meeting for Monday, March 8th.

13. COMMENTS AND STATUS REPORTS FROM STAFF (1-1997) - Ms. King reported that she had discussed with Team Leader Tom Crawford the status of the Pine Nut Mountains Plan Amendment. Mr. Crawford advised that the draft plan will not be ready for public review until March or April.

14. DISCUSSION ONLY REGARDING FUTURE AGENDA ITEMS (1-2016) - None.

15. ACTION ON ADJOURNMENT (1-2020) - 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 2, 2004 meeting of the Carson City Advisory Board to Manage Wildlife are so approved this 8th day of March, 2004.

STEVEN R. WALKER, Chair