

# DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE

## MEETING AGENDA

DOUGLAS COUNTY COMMUNITY CENTER  
(CARSON VALLEY MEDICAL CENTER ROOM)  
1329 WATERLOO LANE  
GARDNERVILLE, NEVADA

[www.douglascountynv.gov](http://www.douglascountynv.gov)

5:30 P.M.

MARCH 22, 2016

### **CALL TO ORDER**

### **ROLL CALL AND INTRODUCTIONS**

### **PUBLIC COMMENT (No Action Can be Taken)**

At this time, public comment will be allowed on those items not appearing on the agenda that are within the jurisdiction and control of the Douglas County Advisory Board to Manage Wildlife.

Public comment is limit to three minutes per speaker. If you are going to comment on a specific agenda item scheduled for discussion and action, please do so when that item is opened for public comment.

### **FOR POSSIBLE ACTION. APPROVAL OF AGENDA**

The Wildlife Board reserves the right to take items in a different order to accomplish business in the most efficient manner; to combine two or more agenda items for consideration, and; to remove items from the agenda or delay discussion relating to items on the agenda.

### **FOR POSSIBLE ACTION. APPROVAL OF MINUTES:**

- **January 25, 2016**

The Administrative Agenda will be handled as follows:

- (1) The Chairman will read the agenda title into the public record.
- (2) The Presenter, if any, will provide a report.
- (3) The Board will then discuss the matter.
- (4) The public will then be allowed to comment on the item and comment will be limited to three minutes per speaker.
- (5) Once public comment is completed, the Board will then ask any

follow-up questions and take action.

1. **FOR POSSIBLE ACTION. DISCUSSION ON THE ELECTION OF A CHAIRMAN AND A VICE CHAIRMAN OF THE DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE.**
2. **FOR POSSIBLE ACTION. PRESENTATION BY DOUG MARTIN ON THE MAISON ORTIZ YOUTH OUTDOOR SKILLS CAMP.**
3. **FOR POSSIBLE ACTION. DISCUSSION REGARDING THE ACTIVITIES OF THE TRI-COUNTY WILDLIFE WORKING GROUP.**
4. **UPDATE (INFORMATIONAL ONLY) ON THE BI-STATE SAGE GROUSE.**
5. **The following items, 5a through 5l, are items that will be heard before the Nevada Board of Wildlife Commissioners at the next meeting, March 24 & 25, 2016, at the Lyon County Administrative Complex, 27 South Main Street, Yerington, Nevada. The Douglas County Advisory Board to Manage Wildlife may take the following action, or a variation thereof, on each item: support the item, not support the item or not take a position on the item. Public Comment will be allowed on each item.**

**5a–5l. DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER THE DOUGLAS COUNTY ADVISORY BOARD SHOULD TAKE A POSITION ON:**

**5a. FOR POSSIBLE ACTION. DISCUSSION ON THE FIRST READING OF THE HUMBOLDT COUNTY ELK SUB-PLAN.** The Commission will be presented with the draft Humboldt County Elk Sub-plan for review and possible action. Subsequent to this presentation, the draft Humboldt County Elk Sub-plan will be brought before the Humboldt County Commission for their approval and the Nevada Board of Wildlife Commissioners for final adoption. The Commission may forward questions or needed clarifications to the local sub-plan committee for their feedback prior to final approval.

**5b. FOR POSSIBLE ACTION. DISCUSSION ON THE SECOND DRAFT OF THE WILDLIFE DAMAGE MANAGEMENT COMMITTEE REPORT AND FISCAL YEAR 2017 DRAFT PREDATION MANAGEMENT PLAN.** The Commission will consider permanent adoption of a regulation relating to The Commission will hear a report from the Wildlife Damage Management Committee chairman, the second draft of the proposed Fiscal Year 2017 Predator Management Plan will be presented, and the Commission may take action to provide recommendations for modification of the second draft for the May Commission meeting.

**5c. FOR POSSIBLE ACTION. DISCUSSION ON THE FIRST READING OF THE WILDLIFE DAMAGE MANAGEMENT COMMITTEE'S APPROVED REVISION TO EXISTING POLICY #23 ON PREDATION MANAGEMENT.** On behalf of the Wildlife Damage Management Committee (WDMC), the Department will present suggested amendments to existing Commission Policy #23 on Predation Management approved by the WDMC on Jan. 28, 2016, at their meeting in Las Vegas.

The amendments suggested are generally to make the existing policy compliant with Assembly Bill 78 (adopted during the last legislative session) and to make the policy consistent with adopted practice. In accordance with Commission Policy #1, this will serve as the first reading of Policy #23. The second reading will occur at the May Commission meeting and the Commission may adopt the revised policy at that meeting.

**5d. FOR POSSIBLE ACTION. DISCUSSION ON LICENSE SIMPLIFICATION, DEVELOPMENT OF HARVEST MANAGEMENT GUIDELINES, AND AMERICA'S WILDLIFE VALUE QUESTIONS.** The Department will provide the Commission with three reports on ongoing processes for license simplification, development of new harvest management guidelines, and a report on the America's Wildlife Value Questions.

- A **License Simplification** –The Commission will hear a report on the processes being worked on with contractor Loren Chase regarding license simplification.
- B **Harvest Management Guidelines** – The Department will update the Commission on its progress of updating harvest management guidelines for Nevada hunting seasons.
- C **America's Wildlife Value Survey and Questions** – A report on America's Wildlife Value Survey and Questions will be provided.

*(This item is agendaized as an Informational Item on the Nevada Board of Wildlife Commissioners' Agenda)*

**5e. FOR POSSIBLE ACTION. DISCUSSION ON ADMINISTRATIVE PROCEDURES, REGULATIONS, AND POLICY COMMITTEE (APRPC) REPORT, RECOMMENDATIONS, AND COMMISSION GUIDANCE.**

- A **APRPC Report** – Commissioner and Committee Chairman McNinch will report on the committee meetings held in January and February and present an anticipated schedule for moving forward with a comprehensive Commission Policy Review.

*(This item is agendaized as an Informational Item on the Nevada Board of Wildlife Commissioners' Agenda)*

- B **APRPC Recommendations and Request for Commission Guidance on Policy Numbering and Policy Review Delegation to Various Committees** - Commissioner McNinch will report the Committee's recommendation and request the Commission's guidance to retain the current policy numbering format, and to delegate the review of Commission Policy #24, "Hunting Opportunities Among Weapons and Hunter Groups" to the Tag Allocation and Application Hunt Committee, and to delegate the review of Commission Policies #60 through #67 related to habitat and publically owned lands to the Commission's Public Lands Committee.

*(This item is agendaized as an Action Item on the Nevada Board of Wildlife Commissioners' Agenda)*

- C **Rules of Practice Review, Status, and Commission Guidance –** Commissioner McNinch will provide a status report on the Rules of Practice review, including Commission Policies #1 “General Guidelines for the Commission;” #3 “Appeals;” #4 “Petition Process and Regulatory Adoptions Policy,” and NAC 501.195 related to petitions, and NAC 501.140 - 190 related to appeals. The committee is seeking discussion and feedback from the Commission regarding concepts to modify the Rules of Practice that the committee has discussed.

*(This item is agendaized as an Action Item on the Nevada Board of Wildlife Commissioners’ Agenda*

**5f. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 14-11 AMENDMENT #3, 2015-2016 UPLAND GAME, MIGRATORY UPLAND GAME AND FURBEARER SEASONS AND LIMITS AMENDMENT.** The Commission will consider amendment #3 to the 2015 – 2016 season dates and length for the third Mason Valley Wildlife Management Area wild turkey hunt period. Amendment #3 would extend the wild turkey hunt for this period from two days to its original, intended 9-day length extending from April 23 through May 1, 2016 rather than the current two day hunt period of April 30 through May 1, 2016.

**5g. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 16-11 MIGRATORY GAME BIRD SEASONS, BAG LIMITS, AND SPECIAL REGULATIONS FOR WATERFOWL AND WEBLESS MIGRATORY GAME BIRDS; PUBLIC HUNTING LIMITED ON WILDLIFE MANAGEMENT AREAS AND DESIGNATED STATE LANDS 2016-2017 SEASON.** The Commission will consider recommendations for seasons, bag limits, and special regulations for migratory game birds for the 2016 – 2017 season and adopt regulations that comply with the proposed regulations framework for the 2016 – 2017 hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission will also consider rules regulating public hunting on Wildlife Management Areas and designated state lands.

**5h. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 456, SPECIAL INCENTIVE ELK ARBITRATION PANEL, LCB FILE NO. R031-15.** The Commission will hold a workshop on the temporary regulation which expired Nov. 1, 2015, relating to amending Nevada Administrative Code (NAC) 502.42283 by which the Commission may facilitate decisions by appointing or serving as the arbitration panel should arbitration of elk incentive tag awards become necessary.

During adoption of the permanent NAC, the Legislative Counsel Bureau (LCB) and the Legislative Commission have questioned specific language choices recommended by the Department that directly influence the application of the Administrative Procedures Act (APA). The primary concern expressed by the Legislative Commission deals with the ability of an arbitration panel to issue a final and binding decision without providing a means for appeal. In short, an appointed panel may be able to provide such a decision, yet when the Commission acts in this capacity it may be deemed an administrative act that must be consistent with the provisions of the APA. The attempts by the Department to recommend acceptable language to adequately describe this nuance have thus far

been unclear. *(This item is agendaized as a Workshop/ Informational Item on the Nevada Board of Wildlife Commissioners' Agenda)*

**5i. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 460, DEFINITION OF "SPIKE ELK," LCB FILE NO. R013-16.**

The Commission will consider amending NAC 502.104 and 502.1045 to define "Spike Elk" in a manner that limits inadvertent errors in the field. The intent is to consider and possibly broaden the definition of spike in a manner that is consistent with the management objective of defining a spike while reducing the likelihood of errors in harvest identification. *(This item is agendaized as a Workshop/Informational Item on the Nevada Board of Wildlife Commissioners' Agenda)*

**5j. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 458, ELECTRONIC RIFLE TRIGGERS, CALIBER AND CARTRIDGE LENGTH, AND SMOKELESS POWDER RESTRICTIONS, LCB FILE NO. R144-15.**

The Commission will hold a second workshop to consider a regulation relating to amending Chapter 503 of the Nevada Administrative Code. The proposed regulation amendment contains two changes. The first change will clarify the use of black powder substitutes that are considered smokeless powder. The second change would make it unlawful to hunt a big game mammal with a rifle using a centerfire cartridge of caliber .46 or larger or an overall loaded cartridge length of 3.8 inches or longer. The amendment would also make it unlawful to hunt a big game mammal with any firearm equipped with an electronic or computer-controlled trigger.

A workshop was held in Las Vegas on January 29, 2016. The Commission directed the Department to hold a second workshop to consider additional changes, including: changing the term "big game mammal" to "any game animal" and either adjusting the "overall loaded cartridge length" to something that wouldn't impact custom reloads for popular hunting cartridges or changing the terminology to account for casing length rather than overall loaded length. Additional information was requested to show which rifles may be prohibited under either scenario. *(This item is agendaized as a Workshop/Informational Item on the Nevada Board of Wildlife Commissioners' Agenda)*

**5k. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 459, UNMANNED AERIAL VEHICLES (DRONES), LCB FILE NO. R145-15.**

The Commission will hold a second workshop to consider a regulation relating to amending Chapters 501 and 503 of the Nevada Administrative Code. The proposed regulation amendment contains two changes. The first change would make the prohibition of using aerial devices for the purpose of hunting year-round rather than the current prohibition of 48-hours prior to any open season and during any open season. The second change is to clarify existing language that prohibits the use of unmanned aerial vehicles for the purpose of hunting, locating, or observing big game animals. The changes would extend aerial scouting prohibitions and clarify the existing regulation by explicitly listing unmanned aerial vehicles.

A workshop was held in Las Vegas on January 29, 2016. The Commission directed the Department to hold a second workshop to consider additional changes, including: changing the term "big game mammal" to "any game animal" and adding terminology to Section 2 to clarify that the regulation is specific to "real time" satellite imagery rather

than commercially available imagery products such as Google Earth. *(This item is agendaized as a Workshop/Informational Item on the Nevada Board of Wildlife Commissioners' Agenda)*

- 5I. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 440, TRAIL CAMERAS AND OTHER DEVICES, LCB FILE NO. R012-16.** The Commission will hold a workshop to consider a regulation relating to amending Chapter 503 of the Nevada Administrative Code. The proposed regulation change is intended to restrict the use of motion and heat sensing cameras that are left for a period of time, and not held in the hand. The proposed language would prohibit the use of trail cameras to locate or observe big game mammals for the purpose of hunting from August 1 to December 31. The Commission directed the Department to develop this regulation at the September 2013 meeting. *(This item is agendaized as a Workshop/Informational Item on the Nevada Board of Wildlife Commissioners' Agenda)*
- 6. CORRESPONDENCE OR COMMUNICATIONS BOARD MEMBERS HAVE RECEIVED.** This is an opportunity for Board members to discuss any correspondence or communication they may have received regarding matters over which the Board has jurisdiction and control. No action will be taken other than to possibly have an item placed on the next agenda.
- 7. DISCUSSION ON THE RESULTS OF THE JANUARY 29 & 30, 2016 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS.** There will be no action taken.
- 8. FOR POSSIBLE ACTION. DISCUSSION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO ATTEND UPCOMING WILDLIFE COMMISSION MEETINGS AND TO REPRESENT THE FINDINGS OF THE DOUGLAS COUNTY WILDLIFE ADVISORY BOARD. ONE MEMBER WILL BE DESIGNATED AS A SPOKESMAN FOR THE DOUGLAS COUNTY ADVISORY BOARD.**
- 9. FOR POSSIBLE ACTION. DISCUSSION TO SCHEDULE THE NEXT WILDLIFE ADVISORY BOARD MEETING.** The next Commission meeting is scheduled for May 13 & 14, 2016, in Reno and the Commission will review and discuss potential agenda items for that meeting. The Commission may change the date and meeting location at this time. The chairman may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed. The next Douglas County Advisory Board to Manage Wildlife meeting is tentatively scheduled for Tuesday, May 10, 2016.
- 10. FUTURE AGENDA ITEMS.** This is an opportunity for Board members to request that items be placed on future agendas. There will be no deliberation or action taken other than to request the Chair to place the item on an agenda.

## **ADJOURNMENT**

**NOTICES:** The Douglas County Advisory Board to Manage Wildlife is pleased to make

reasonable accommodations for any citizen who wishes to attend this meeting. If special arrangements are necessary, please contact Craig Burnside, Chairman, at 775-901-2882, or, in writing, at 1388 Saratoga Street, Minden, Nevada 89423, as soon as possible.

In accordance with Nevada Revised Statutes 241, this agenda closes three days prior to the meeting day and has been posted before 9:00 a.m. on Tuesday, March 15, 2016 at the following locations: Douglas County Community & Senior Center, Douglas County Historic Courthouse, USPS Gardnerville Post Office, and USPS Minden Post Office Main Office.

Copies of supporting material can be found at: [www.ndow.org/Public\\_Meetings/Commission/Agenda/](http://www.ndow.org/Public_Meetings/Commission/Agenda/). Copies of supporting material can be requested in person from Lorraine Kabat by calling 775-782-0029.

On some occasions, a quorum of this Advisory Board may be attendance at the Nevada Wildlife Commissioners meetings. No action will be taken by the Douglas County Advisory Board to Manage Wildlife on those occasions other than to have a spokesperson inform the Nevada Board of Wildlife Commissioners of the recommendations that this Advisory Board has duly acted upon at previous meetings.