

AGENDA

Clark County Advisory Board to Manage Wildlife

Wednesday, December 3, 2003, 7:00 p.m.
Pueblo Room, Clark County Government Center
500 South Grand Central Parkway, Las Vegas, Nevada

Members:

Shawn Fairbairn, Chair
Tracy Hammond, Vice Chair
Daniel Swanson

Dan Gildner
Cindy Alexander

<p>In accordance with NRS 241.020 this agenda has been properly noticed and posted at the following locations.</p> <p>CC Government Center 500 S. Grand Central Pkwy. Las Vegas, NV (Principal Office)</p> <p>Nevada Department of Wildlife Region III Headquarters 4747 W. Vegas Drive Las Vegas, NV</p> <p>City of Henderson 200 Water Street Henderson, NV</p>	<p>City of Boulder 400 California Ave. Boulder City, NV</p> <p>Clark County Regional Government Center 101 Civic Way Laughlin, NV</p> <p>Moapa Valley Community Center 320 N. Moapa Valley Blvd. Overton, NV</p> <p>City of Mesquite 10 E. Mesquite Blvd. Mesquite, NV</p>
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Sec. 1 Call to Order

- a. This meeting has been properly noticed and posted in conformance with the Nevada Open Meeting Law.
- b. Pledge of Allegiance

Sec. 2 Organizational Items

- a. Approval of Agenda for December 3, 2003
- b. Approval of Minutes of the September 24, 2003, meeting.

Sec. 3 Public Comment Period

- a. Persons wanting to speak on items not on agenda. The CCABMW may not take action. Any items requiring action will be placed on future agenda of the CCABMW.

Sec. 4 Action Items

- a. **Commission General Regulation 313 (LCB File No. R122-03)**
Proposed regulation makes various changes to Chapter 488, Watercraft. Would allow a person to request their name and records be removed from lists sold; clarifies certain requirements for vessel titling and registration; requires annual registration of vessels documented by the Coast Guard; allows the use of an authorization number in lieu of the registration and validation decals for 10 days upon an internet transaction; adds criteria for the boat dealer program for approval and denial of applications and for cancellation.

MINUTES

CLARK COUNTY ADVISORY BOARD TO MANAGE WILDLIFE WEDNESDAY, DECEMBER 3, 2003

7:00 p.m.

PUEBLO ROOM

CLARK COUNTY GOVERNMENT CENTER

500 Grand Central Parkway

Las Vegas, NV 89155

MEMBERS PRESENT:

Shawn Fairbairn, Chair
Tracy Hammond, Vice-Chair
Dan Gildner
Dan Swanson

NDOW PERSONNEL PRESENT:

Craig Stevenson
Elsie Sellars
Brad Hardenbrook
Steve Albert

MEMBERS ABSENT:

Cindy Alexander

Wildlife Commissioners Present

Chairman Tommy Ford
Clint Bentley

I. CALL TO ORDER

- A. This meeting was legally noted and posted in conformance with the Nevada Open Meeting Law.
- B. The meeting was called to order at approximately 7:00 p.m. by Shawn Fairbairn, Chair. The Pledge of Allegiance was recited.

II. ORGANIZATIONAL ITEMS

- A. The December 3, 2003 agenda was unanimously approved as written. Motion by Swanson; seconded by Fairbairn.
- B. The minutes of the September 24, 2003 meeting were unanimously approved as written. Motion by Fairbairn; seconded by Swanson.

III. PUBLIC COMMENT

- A. Charles Musser commented on the desire to limit the sale of information from NDOW public records, and recommended identification numbers be used in place of names on published lists. Advisory board member Gildner commented that this issue is addressed in the meeting's agenda (Commission General Regulations 313 and 314) and that additional public input will be sought at that time.

IV. ACTION ITEMS

- A. Commission General Regulation 313 (LCB File No. R122-03): Discussion was held regarding the sale of lists containing personal information. Steve Albert, NDOW commented that NDOW is a public agency and information collected is largely of public record. The agency is limited in its ability to deny access to this information, and the regulation change is a way for individuals to remove their names from saleable lists. Fairbairn moved to approve; seconded by Hammond. Approved unanimously.

- B. Commission General Regulation 314 (LCB File No. R137-03): Chair Fairbairn entertained a question regarding the proposed application fee for businesses applying to be a licensed agent. Steve Albert, NDOW reported on the proposed change. The application fee would apply only to new licensed agents; existing agents would not be required to pay the fee. The intended purpose of the fee is to offset the costs associated with processing an application, such as background checks.

A lengthy discussion was held on the opportunity to purchase bonus points with a tag application when the individual does not wish to be eligible to draw a tag. Commissioner Ford reported on the proposed change and offered the example of a hunter who would be out-of-state during the hunting season but submits an application in order to earn points.

A brief discussion was held regarding the ability to opt out of saleable lists containing personal information. NDOW staff and commission members were uncertain if an individual would be able to opt of all NDOW lists at one time, or if duplicate requests would be required for the different divisions; also it is unclear if such an opt out is permanent or would require annual action.

Additional comments were received regarding Commission General Regulation 314; the board considered the comments and discussed the complexity of this proposed regulation. It was determined that additional information was needed to make a recommendation on the regulation as a whole. Motion by Hammond to support the opportunity to opt out of lists sold and table remainder of regulation until additional information can be obtained; seconded by Swanson. Approved unanimously.

- C. Commission General Regulation 315 (LCB File No. R1384-03): Steve Albert, NDOW presented information regarding the proposed regulation. The regulation would increase fees for certain special licenses and permits. Swanson moved to approve; seconded by Gildner. Approved unanimously.
- D. Commission General Regulation 318 (LCB File No. R163-03): Commissioner Chair Ford explained the non-refundable portion of an unsuccessful application for a tag was introduced with a sunset date. If approved, this regulation will cause the current system to be a permanent change. Steve Albert, NDOW informed the board that the proposed regulation 318 will be rolled into proposed regulation 314. Swanson moved to approve; seconded by Hammond. Approved unanimously
- E. Commission General Regulation 319 (LCB File No. R159-03): A lengthy discussion was held regarding the proposed regulation limiting off-road use of ATVs while in possession of a weapon declared legal for an open hunting season. Wilford Allen raised concerns regarding the appropriateness and ability of NDOW to enforce the proposed regulation. The recommendation was made that if the regulation is necessary, that NDOW work with the appropriate agencies to regulate the activity.

Several members of the public commented that year-round seasons might have the unintended effect of a year-round prohibition on off-road ATV use by hunters.

Chair Fairbairn and Steve Albert, NDOW commented on NDOW's authority to regulate the manner and means of hunting and that the proposed regulation is intended to control the rate at which new roads are being established. Mr. Albert clarified that the proposed regulation permits the retrieval of harvested game; and that the proposals are based on research of regulations in other states and Canadian provinces. Commissioner Bentley read from the proposed regulation.

Board member Swanson reported receiving calls requesting that the proposed regulation not be supported. Blake Monk reported that NRS 405.191 has a broader definition of right-of-way and

conflicts with the proposed regulation's restrictions. Mr. Albert reported that legislative research was done, but will check into this reported conflict.

A number of public members commented that the regulation was too far-reaching and that an educational component may be useful in controlling destructive and disruptive ATV use.

Fairbairn moved to not support the regulation in its written state and request NDOW improve educational efforts; seconded by Gildner. Motion failed: Fairbairn (Y), Gildner (Y), Swanson (N), Hammond (N). Item reopened for discussion.

Additional discussion held regarding the impact of ATV use in general and the impact upon wildlife. Members of the public acknowledged that irresponsible ATV use is detrimental and that appropriate action by NDOW may improve the situation and continue to improve the image of hunters. Motion by Swanson to support the state's efforts to regulate ATV use but request the state hold a workshop to discuss and improve the current proposed regulation; seconded by Hammond. Motion carried 3 – 1. Swanson (Y), Gildner (Y), Hammond (Y), Fairbairn (N).

- F. Commission General Regulation 320 (LCB File No. R176-03): Discussion was held regarding confusion around the definition of "antler" in NDOW regulations. Kevin Kelly spoke in favor of prohibiting devices that hold arrows at full draw and in favor of updating language regarding the use of mechanical broadheads. Public comments also received on the use of scopes on muzzleloaders. The board discussed and addressed the individual elements of this item.

Motion by Gildner to recommend that allowance of open, peep and optical sights of any power for muzzleloaders be supported; Fairbairn seconded. Approved unanimously

Motion by Hammond to support proposed updating of legal weapons regulations for archery equipment; Swanson seconded. Approved unanimously.

Motion by Hammond to not accept proposed regulations addressing sex/cape and antler regulations; Swanson seconded. Motion carried 3-1. Fairbairn (Y), Swanson (Y), Hammond (Y), Gildner (N).

- G. Commission General Regulation 322 (LCB File No. 160-03): Discussion regarding the use of electric motors in specified backwater areas with sensitive native fish. The proposed regulation is more restrictive than the flat wake regulations currently required in these areas. Motion by Swanson to approve; Fairbairn seconded. Approved unanimously.
- H. Wild Horse Management: Commission Chair Ford gave a brief report on the Wild Horse Management program. He reported that the Attorney General will report on the status of attempts to work with BLM to improve the wild horse management program. No action taken.
- I. California Bighorn Sheep Transplant: Discussion regarding a request from Idaho Department of Fish and Game to receive California bighorn sheep for their reintroduction program. Motion by Swanson to support and recommends NDOW require predator control prior to transplanting; Fairbairn seconded. Approved unanimously.
- J. Wayne E. Kirch Conservation Award Program: Chair Fairbairn reported Cindy Alexander has accepted an appointment to the award committee. No action taken.
- K. NDOW and State Wildlife Commission Property Purchase: Elsie Sellars, NDOW reported on the Peer property purchase. The commission is requesting \$13,800 from CCABMW to assist with the purchase of 7.95 acres adjacent to the Overton Wildlife Management Area. Motion by Swanson to approve the request; seconded by Fairbairn. Approved unanimously.

V. PUBLIC COMMENT

- A. Bill Vasconi, President of the Fraternity of the Desert Bighorn announced FoDB will be discussing seven or eight bighorn projects.

VI. ADMINISTRATIVE ITEMS

- A. Approval of Budget Items: Swanson moved to pay appropriate expenses including secretarial fees and postage; Fairbairn seconded. Approved unanimously.

VII. ADJOURNMENT

- A. The meeting was adjourned at approximately 9:45 p.m.

- b. **Commission General Regulation 314 (LCB File No. R137-03)**
Proposed regulation makes various changes to Chapter 502, Licenses, Tags and Permits. Would allow a person to request their name and records be removed from lists sold; adds requirements for the upland game bird stamp and duplicate licenses; requires an application fee for a business applying to be a licensed agent; revises stamp requirements for the Colorado River Drainage; revises application hunt requirements for applying for bonus points without the opportunity to obtain tags; increases the swan tag fee; allows residents to apply for hunting licenses with the tag application and allows residents and nonresidents to apply together for deer hunts; allows a first-come-first served process instead of a manual draw; provides housekeeping for certain terminology and provisions as a result of the 2003 legislative session.
- c. **Commission General Regulation 315 (LCB File No. R138-03)**
Proposed regulation makes various changes to Chapter 503, Special Licenses and Permits. Increases fees for certain special permits and provides housekeeping for certain terminology and provisions as a result of the 2003 Legislative Session.
- d. **Commission General Regulation 318 (LCB File No. R163-03)**
Regulation 318 proposes to revise the amount of money from the tag fee received from each unsuccessful applicant for a tag in the partnership wildlife drawing that is to be deposited with the state treasurer for credit to the Wildlife Account and the amount which is to be refunded to unsuccessful applications regardless of big game species applied for.
- e. **Commission General Regulation 319 (LCB File No. R159-03)**
Proposed regulation establishes a regulation which prohibits a hunter or trapper from carrying a weapon declared legal for the hunting of big game mammals or game birds in or on an off-road vehicle which is being driven more than 25 yards off an established road on public land in a management area or unit which has a hunting season open and in progress for the hunting of big game or upland game birds.
- f. **Commission General Regulation 320 (LCB File No. R176-03)**
The proposed regulation addresses updating legal weapons regulations for firearms and archery equipment to keep pace with technological advances; including: electronic or optical sights, types of powder, mechanical broadheads, devices which hold arrows at full draw, etc. The proposed regulation also addresses confusion regarding sex/cape and antler regulations. The proposed regulation will read more consistently with other western states.
- g. **Commission General Regulation 322 (LCB File No. 160-03)**
The proposed regulation changes language regarding the use of electric motors in designated areas and adds the lagoon south of Laughlin within Section 33, T32S., R66E., M.D.B. and M. as marked with signs and buoys, or both, to the list of areas limited to vessels without motors and vessels under power of electric motors, for purposes of resource protection. The areas of the lagoon proposed for protection by this regulation are described as “back water areas”, utilized by sensitive native fish. A regulation more restrictive than a “flat wake” regulation is required in these areas.

- h. **Wild Horse Management**
The board will receive a report on the Wild Horse Management Program. The commission may take action to seek assistance from elected and appointed officials for improved wild horse and burro management in Nevada.
- i. **California Bighorn Sheep Transplant**
The board will receive a report on the bighorn sheep transplant program. The commission will consider a request from Idaho Department of Fish and Game to receive California bighorn sheep for their reintroduction program.
- j. **Wayne E. Kirch Conservation Award Nominations**
The board will entertain nominations from the public for the Kirch Conservation Award. The award is given annually to an individual, non-profit organization, outdoor sports club, or business that has demonstrated significant results towards conservation, management or enhancement of wildlife.
- k. **NDOW and State Wildlife Commission Property Purchase**
NDOW and State Wildlife Commission are requesting \$15,000 from CCABMW funds for the purchase of the Peir Property.

Sec. 5 **Discussion Items**

- a. **Big Game Water Projects in Clark County**
Discuss efforts of Rocky Mountain Elk Foundation's efforts to install water guzzlers in the Mount Charleston Area.

Sec. 6 **Public Comment Period**

Sec. 7 **Administrative Items**

- a. Approval to pay normal expenses including secretarial and postage expenses.

FOR ADDITIONAL INFORMATION

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