

AGENDA

Clark County Advisory Board to Manage Wildlife

Wednesday, February 4, 2004, 7:00 p.m.

Pueblo Room, Clark County Government Center
500 South Grand Central Parkway, Las Vegas, Nevada

Members:

Shawn Fairbairn, Chair

Dan Gildner

Tracy Hammond, Vice Chair

Cindy Alexander

Daniel Swanson

In accordance with NRS 241.020 this agenda has been properly noticed and posted at the following locations.

CC Government Center
500 S. Grand Central Pkwy.
Las Vegas, NV
(Principal Office)

Nevada Department of Wildlife
Region III Headquarters
4747 W. Vegas Drive
Las Vegas, NV

City of Henderson
200 Water Street
Henderson, NV

City of Boulder
400 California Ave.
Boulder City, NV

Clark County
Regional Government Center
101 Civic Way
Laughlin, NV

Moapa Valley Community Center
320 N. Moapa Valley Blvd.
Overton, NV

City of Mesquite
10 E. Mesquite Blvd.
Mesquite, NV

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 February 4, 2004
- b. Approval of Minutes of the December 3, 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 Number 323 Workshop**
The regulation would revise the application hunt requirements for applying for bonus points without the opportunity to obtain tags. Note: If enacted, these provisions cannot be implemented for the 2004 hunt year.
- b. **Wild Horse Management**
The commission will review recent actions seeking assistance from elected and appointed officials for improved wild horse and burro management in Nevada.

MINUTES

CLARK COUNTY ADVISORY BOARD TO MANAGE WILDLIFE WEDNESDAY, FEBRUARY 4, 2004

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
Cindy Alexander

NDOW PERSONNEL PRESENT:

Elsie Sellars
Brad Hardenbrook
Roddy Shepard
Frank Chaves
Patrick Cummings

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 February 4, 2004 agenda was unanimously approved as written. Motion by Swanson; seconded by Fairbairn.
- B. The minutes of the December 3, 2003 meeting were unanimously approved as written. Motion by Fairbairn; seconded by Swanson.

III. PUBLIC COMMENT

- A. Roddy Shepard, NDOW Southern Region, presented a report on the status of water development for big and small game in southern Nevada. He reported that the Habitat Bureau of NDOW continues to monitor and maintain guzzlers in southern Nevada. The bureau has three primary goals: maintain existing units, coordinate the location and equipment to maximize benefits, and monitor units for use, effectiveness, vandalism, and degradation due to natural elements.

Some guzzlers were installed in the late 1940's and are in need of major repair or reclamation of the land. The bureau has made use of volunteers for maintenance of the water developments, and Mr. Shepard was encouraged to coordinate with the advisory board and individuals to take advantage of the interest and enthusiasm of sportsmen in the area.

Additional discussion was held regarding the funding of the program. It was determined that moneys from stamp sales would likely continue to fund both the development and maintenance of such sites as both directly improve habitat.

IV. ACTION ITEMS

- A. Commission General Regulation Number 323 Workshop: Public comment was solicited regarding the proposed revision to the application for bonus points without the opportunity to obtain tags. Darrel Garvin, representing himself, spoke in opposition to the proposition. He commented the bonus system has been changed in the past and that it does not require additional changes, and the proposed change may favor those hunters with the means to hunt out-of-state. Upon questioning, Commissioner Ford explained the proposition was brought forth on petition. Chair Fairbairn lead a discussion of the board members regarding the potential benefit to Nevada's military personnel serving out-of-state and overseas. The proposed change would allow these and other individuals interested in earning additional bonus points, without actually entering the drawing for a tag. Hammond remarked that the system may prevent wasted tags being drawn for those who know they could not use the tag. Swanson stated the proposed change provided the same opportunity to all individuals and the proposed cost of five dollars was not prohibitively expensive. Swanson moved to recommend passage of CGR 323 as written, seconded by Gildner. Approved unanimously.
- B. Wild Horse Management: Commission Chair Ford reported the Wildlife Commission will recommend the Nevada Attorney General file suit against BLM for failure to comply with wild horse and burro management programs. Swanson moved to send a letter to NDOW in support of legal action, seconded by Chair Fairbairn. Approved unanimously.
- C. Wildlife Heritage Tags: Board received comments from Commission Chair Ford regarding the number of heritage tags by species to be issued for hunt year 2005. Commissioner Ford reported the cap is mandated by state statute and cannot be changed without legislative action. Commissioner Bentley reported the recommendation involved a policy re-write but there is no intended change to the cap. Chair Fairbairn moved to approve recommendation, seconded by Swanson. Approved unanimously.
- D. Commission Regulation 03 – 16 Amendment #1: Discussion held regarding the proposed change allowing mixed residency party applications. NDOW staff clarified that no additional non-residents would be allowed (i.e. if the non-resident ratio had been met, the entire mixed residency party application would be rejected). The only doe hunt in the state has been set for Paradise Valley in Humboldt County, the proposal sets the hunt number for the purpose of applying for tags. Prior permission to access private lands would still be required. Hammond moved to accept, seconded by Swanson. Approved unanimously.
- E. Commission General Regulation Number 319: Public comment was heard regarding the proposed regulation restricting the manner and means of hunting or trapping with the aid of an off-road vehicle. Ralph Clary, representing himself, spoke in opposition to the proposal. Mr. Clary aired concerns regarding loss of access to remote areas, he also stated he believes off-road vehicles protect the health and safety of injured or ill sportsmen. The board engaged in a discussion with Mr. Clary regarding the BLM regulations and the apparent lack of resources to adequately enforce these regulations. Mr. Clary also called for improved education of all off-road vehicle users. Blair Isom, representing himself, spoke in opposition to the proposed regulation. Mr. Isom also requested additional efforts be taken to educate ATV users.

Board member Hammond spoke regarding the focus of the regulation on hunters. NDOW has the authority to govern the manner and means of hunting, and therefore the regulation can only be applied to hunters.

Chair Fairbairn referenced letters he received from members of the public and requested their comments be reflected in the minutes. Derril Wenzel wrote in opposition to any new law or regulation restricting use of ATVs during hunting season, and referenced existing federal laws regulating off-road travel. Mr. Wenzel also referenced Arizona Revised Statute 17-454 stating "No person shall drive a motor operated vehicle . . . where such cross-country driving is prohibited by law or regulation . . ." Mr. Wenzel supports that wording as it appears to give state and local law enforcement officials authority to "enforce federal laws on federal land".

Mark J. Cooper wrote in opposition to the proposed regulation. He requests NDOW rescind the regulation and evaluate if action is needed and consider which course of action is most appropriate. Mr. Cooper also challenged the accuracy of cited BLM studies regarding the increase in ATV trails. Reportedly, BLM is unable to substantiate that such a study was ever completed.

Bill Vasconi, representing The Fraternity of Desert Bighorns, stated that wildlife should be the bottom line. Mr. Vasconi stated the idea is unpopular and there is mixed support and opposition among the FODB. He reported seeing the effects of wildlife and habitat degradation, and attributed this, in part, to stress caused by increased off-road vehicle use. Mr. Vasconi does not support taking action at this time, but emphasized the importance of sportsmen getting involved in setting the standard before another state or federal agency sets more restrictive rules.

Commission Chair Ford reported that no action will be taken in the immediate future, and that a series of workshops and discussions will take place. Board member Swanson stated that these continued discussions required support of the Commission's proposal. Swanson emphasized his opinion that the details of the proposal likely would change, but a lack of support at this point would effectively kill the workshops and result in maintaining the status quo.

Hammond moved to continue workshops regarding off-road vehicle restrictions, Swanson seconded. Approved unanimously.

- F. Commission General Regulation Number 320 (LCB File No. R176-03): Discussion held regarding proposed revisions to the use of scopes with black powder weapons and evidence of sex requirements for harvested big game animals. Commission Chair reported no significant changes to the regulation, with the exception of no power limitation for black powder scopes. Bill Vasconi spoke in opposition to the unlimited power of scopes on black powder weapons due to the traditional use of black powder weapons. Wayne Bliss spoke in opposition to scope power beyond x1 except for medical exemptions.

Chair Fairbairn moved to support revisions with the exception of the proposed revisions regarding evidence of sex requirements for harvested big game animals, Hammond seconded. Approved unanimously.

V. DISCUSSION ITEMS

- A. Report heard regarding the \$13,800 donation to assist with the State's purchase of the Peer property adjacent to the Overton Wildlife Management Area. The CCABMW approved the donation at the December 3rd, 2003 meeting; the board has requested and is waiting to receive additional information and instruction from NDOW and State Lands to complete the transaction.

VI. PUBLIC COMMENT

- A. Received a report regarding the latest sheep hunt, a 90% hunter success rate was reported.
- B. The Clark County Shooting Advisory Board continues to meet. The board will be selecting a new chair, and are working with Senator Reid to acquire \$15 million to finish the shooting range.

VII. ADMINISTRATIVE ITEMS

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

VIII. ADJOURNMENT

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

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The commission may also develop a strategy regarding inadequate funding and management of wild horse and burro programs.

- c. **Wildlife Heritage Tags**
The commission will decide the number of heritage tags by species to be issued for hunt year 2005.
- d. **Commission Regulation 03 – 16 Amendment #1**
Amends current big game season regulation, including: establishing a resident private lands depredation hunt in Paradise Valley in Humboldt County and associate special regulations; amends current tag application rules to conform with new statutes and regulations; establishes seasons for 2004 antlered mule deer hunts 1331, 1341, and 1371 allowing for mixed residency party applications (CGR 314); establishes quotas for the nonresident restricted deer hunt 1235.
- e. **Commission General Regulation Number 319**
The regulation would restrict the manner and means of hunting or trapping with the aid of off-road vehicles that are used off established roads in combination with weapons declared legal for the hunting of big game mammals or game birds.
- f. **Commission General Regulation 320 (LCB File No. R176-03)**
Revises regulation regarding legal weapons for hunting and evidence of sex requirements for harvested big game animals.

Sec. 5

Discussion Items

NDOW and State Wildlife Commission Property Purchase

CCABMW approved payment of \$13,800 to assist in the State's purchase of the Pier property adjacent to the Overton Wildlife Management Area. The Clark County District Attorney is reviewing the transaction to determine what, if any, written agreement must be entered into prior to finalizing the transaction.

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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Southern Headquarters
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Las Vegas, NV 89158
(702) 486-5127

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