ADVISORY BOARD TO MANAGE WILDLIFE
CHURCHILL COUNTY, NEVADA

155 N. Taylor Street, Suite 110
Fallon, Nevada 89406
(775) 423-4092
Fax: (775) 423-7069
Contact Person: Pam Moore, Deputy Clerk, 775-423-4092
E-mail: pammoore@churchillcounty.org

******NOTICE OF PUBLIC MEETING******

PLEASE POST

PLACE OF MEETING: **Churchill County Administration Building, 155 North Taylor Street, Commission Chambers, Suite #145, Fallon, NV**
DATE & TIME: **November 14, 2016 at 6:00 p.m.**
TYPE OF MEETING: **Meeting of the Advisory Board to Manage Wildlife**

Notes:

I. ***These meetings are subject to the provisions of Nevada Open Meeting Law (NRS Chapter 241). Except as otherwise provided for by law, these meetings are open and public.***

II. ***Action will be taken on all Agenda items, unless otherwise noted.***

III. ***The Agenda is a tentative schedule. The Advisory Board to Manage Wildlife may act upon Agenda items in a different order than is stated in this notice – so as to affect the people's business in the most efficient manner possible.***

IV. ***The Advisory Board to Manage Wildlife may combine two or more Agenda items for consideration, remove an item from the Agenda, or delay discussion relating to an item on the Agenda at any time.***

V. ***In the interest of time, the Advisory Board to Manage Wildlife reserves the right to impose uniform time limits of not more than three minutes upon matters devoted to public comment.***

VI. ***Any statement made by a member of the Advisory Board to Manage Wildlife during the public meeting is absolutely privileged.***

Agenda:

1. **Call to Order.**
2. **Pledge of Allegiance.**
3. **Public Comment: Comment upon matters not on Agenda.**
4. **Verification of the Posting of the Agenda.**
5. **Consideration and possible action re: Review and Adoption of Agenda as submitted or revised.**
6. **Consideration and possible action re: Review and Adoption of Minutes of the meeting held on September 19, 2016.**

7. **Consideration and possible action re: Review of Correspondence.**
8. **Appointments:**
   A. **Consideration and possible action re: Items listed on the Final Nevada Board of Wildlife Commission's Agenda for November 18 and 19, 2016 (copy of Draft Agenda attached and marked as Exhibit "A" but the final Agenda may or may not include additional items and the final Agenda will be the one considered for discussion and action.)**
   B. **Consideration and possible action re: Fallon Range Training Complex Modernization Plan and how it will impact Churchill County's wildlife.**
9. **Consider Future Agenda Items.**
10. **Public Comment: Comment upon matters not on Agenda.**
11. **Adjournment.**
12. **Affidavit of Posting:**

State of Nevada)
: ss
County of Churchill)

*I, **Pamela D. Moore**, Deputy Clerk of the Board, do hereby affirm that I posted, or caused to be posted, a copy of this notice of public meeting, on or before the 7th day of November, 2016, between the hours of 9:00 a.m. and 12:00 p.m. at the following locations in Churchill County, Nevada:*

1. *City Hall;*
2. *County Administration Building;*
3. *Public Library;*
4. *Churchill County Law Enforcement Center;*
5. *The Churchill County Website @ www.churchillcounty.org; and*
6. *The State of Nevada Website @ https://notice.nv.gov/.*

Pamela D. Moore, Deputy Clerk of the Board

Jacqueline A. Bauman, who was subscribed and sworn to before me this 7th day of November, 2016.

Linda Rothery, Chief Deputy Clerk

Endnotes:
Disclosures:
**Churchill County is an equal opportunity provider and employer.*
Accommodations:

**Churchill County will make all reasonable efforts to assist and accommodate physically handicapped persons desiring to attend. Persons who are disabled and require special assistance may contact the Churchill County Commission, in writing at 155 N. Taylor Street, Suite 110, Fallon, Nevada 89406, or by calling (775) 423-4092 or the TDD Nevada Relay Number 711.*

Procedures:

**The public meetings may be conducted according to rules of parliamentary procedure.*

**Persons providing public comment will be asked to state their name for the record.*

**The Advisory Board to Manage Wildlife reserves the right to restrict participation by persons in the public meeting where the conduct of such persons is willfully disruptive to the people's business.*

**All supporting materials for this Agenda are available by requesting a copy from the Deputy Clerk prior to the meeting. During the meeting, there will be one copy available for public inspection. Additional copies are available by making the request from the Deputy Clerk. You are entitled to one copy of the supporting materials free of charge.*

** In accordance with Federal law and U.S. Department of Agriculture policy, Churchill County is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability (not all prohibited bases apply to all programs). To file a complaint of discrimination, write USDA, Director, Office of Equal Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800)795-3972 (voice), or (202)720-6382 (TDD).*

Nevada Board of Wildlife Commissioners' Meeting *DRAFT* Agenda

Nevada State Capitol Building
Capitol Assembly Chambers
Second Floor
101 N. Carson St.
Carson City, NV 89701

Videoconferencing at the following Locations:

Grant Sawyer Building
555 E. Washington Ave., Fifth Floor, Suite 5100
Las Vegas, NV 89101

Public comment will be taken on every action item and regulation workshop item after discussion but before action on each item, and at the end of each day's meeting. Public comment is limited to three minutes per person. The chairman, in his discretion, may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. Persons are invited to submit written comments on items or attend and make comment during the meeting and are asked to complete a speaker card and present it to the Recording Secretary. To ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments in order to avoid the appearance of deliberation on topics not listed for action on the agenda.

Forum restrictions and orderly business: The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech.

Irrelevant and unduly repetitious statements and personal attacks that antagonize or incite others are examples of public comment that may be reasonably limited.

Please provide the Board of Wildlife Commissioners ("Commission") with the complete electronic or written copies of testimony and visual presentations to include as exhibits with the minutes. Minutes of the meeting will be produced in summary format.

Friday, Nov. 18, 2016 – 10:30 a.m.

1 **Call to Order, Roll Call of Commission and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Wallace**

2 **Approval of Agenda – Chairman Wallace – For Possible Action**
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

3 **Nevada Department of Wildlife Project Updates – Secretary Wasley – Informational**
The Commission has requested that the Department provide regular project updates for ongoing projects and programs as appropriate based on geography and timing of meetings. These updates are intended to provide additional detail in addition to the summaries provided as part of the regular Department Report and are intended to educate the Commission and public as to the Department's ongoing duties and responsibilities.

4 **Member Items/Announcements and Correspondence – Chairman Wallace – Informational**
Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide

copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record). Correspondence sent or received by Secretary Wasley may also be discussed.

5 **County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational**
CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.

6* **Approval of Minutes – Chairman Wallace – For Possible Action**
Commission minutes may be approved from the Sept. 23 and 24, 2016, meeting.

Commission Regulations - For Possible Adoption/Public Comment Allowed

7* **Commission Regulation 17-01, Taking of Raptors for Falconry for 2017- 2018 – Wildlife Diversity Administrator Jennifer Newmark – For Possible Action**
The Commission will consider and may take action to approve the 2017 - 2018 season dates, species, quotas, limits, closed areas, application procedures and deadlines, and take of raptors for falconry.

8* **Commission Regulation 17-02 Noncommercial Collection of Reptiles and Amphibians for 2017 - 2018 – Wildlife Diversity Administrator Jennifer Newmark – For Possible Action**
The Commission will consider and may take action to approve 2017 - 2018 season and limits for noncommercial hobby collecting of live, unprotected reptiles and amphibians.

9 **Regulations for Workshop - Public Comment Allowed**

A* **Commission General Regulation 466, Partnership in Wildlife (PIW) Drawing and Restricted Nonresident Guided Deer Draw Applicant Eligibility, LCB File No. R140-16 – Management Analyst 3 Maureen Hullinger – Workshop/Public Comment Allowed**
The Commission will hold a workshop to consider two amendments to Chapter 502 of the Nevada Administrative Code (NAC). Presently, the main tag drawing precedes the PIW tag drawing during the main draw. Consequently, those applicants who elected to participate in the PIW program but draw a big game tag in the main drawing cannot compete in the PIW drawing. Endorsed by the Tag Allocation and Application Hunt Committee (TAAHC), the amendment to the regulation would change the draw sequence by having the PIW drawing precede the main drawing, allowing all applicants who opt into the PIW program to compete for coveted PIW tags. Furthermore, as recommended by the TAAHC, the second amendment will result in the allowance of restricted nonresident guided deer draw applicants to also apply for deer tags in the Silver State tag, PIW and the main drawing if otherwise eligible.

B* **Commission General Regulation 470, Miscellaneous Petitions, LCB File No. R095 - 16 – Administrative Procedures Regulation and Policy Committee (APRPC) Chairman and Commissioner David McNinch – Workshop/Public Comment Allowed**

The Commission will hold a workshop to consider amending Chapter 501 of the Nevada Administrative Code (NAC). The regulation was developed by the Wildlife Commission's APRPC after several public meetings incorporating relevant suggestions from the public, legal counsel, the Department and the committee. The amendments will simplify petition form requirements and the petition process overall.

10* **Nevada Department of Wildlife License Simplification Strategy Update – Game Division Administrator Brian F. Wakeling – For Possible Action**

The Department has conducted substantial data analysis and public input since the effort to simplify hunting and angling license structures was initiated just over one year ago. The Department will provide an overview of the information obtained to date, along with suggestions for bundled privileges and fees. The Commission may vote to support the Department's license structure proposal.

11* **Nevada Department of Wildlife Update of Guidelines for Harvest Management in Nevada – Game Division Administrator Brian F. Wakeling – For Possible Action**

The Department will provide an update on the status and process of refining the draft harvest guidelines for consideration by the Commission. The Department will provide a briefing on revisions since the September 2016 Commission Meeting. The Commission may provide the Department with direction regarding further development.

12* **Second Reading, Policy 2, Publications – Commission and APRPC Chairman David McNinch – For Possible Action**

The Commission will conduct a second reading of Commission Policy 2, Publications, and may take action to officially repeal the policy as recommended by the APRPC.

13* **Second Reading, Policy 31, Lahontan Cutthroat Trout Management Guidelines – Wildlife Staff Specialist Pat Sollberger – For Possible Action**

The Commission will conduct a second reading of Policy 31 with edits incorporated from the first reading on September 23, 2016. The Commission may take action to approve the policy.

14* **Second Reading, Policy 33, Fisheries Management Program – Wildlife Staff Specialist Pat Sollberger – For Possible Action**

The Commission will conduct a second reading of Policy 33 with edits incorporated from the first reading on September 23, 2016. The Commission may take action to approve the policy.

15 **Public Comment Period**

Persons wishing to speak are requested to complete a speaker's card and present it to the recording secretary. No action can be taken by the Commission at this time; any item requiring Commission action may be scheduled on a future Commission agenda.

Saturday, Nov. 19, 2016 - 8:30 a. m.

16 **Call to Order, Roll Call of Commission and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Wallace**

17 **Approval of Agenda – Chairman Wallace – For Possible Action**
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

18 **Member Items/Announcements and Correspondence – Chairman Wallace and Secretary Wasley – Informational**
Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record). Correspondence sent or received by Secretary Wasley may also be discussed.

19 **County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational**
CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.

20 **Reports – Informational**

A* **Fallon Naval Air Station and Nellis Air Force Base Public Land Withdrawals – Chief of Habitat Alan Jenne or Habitat Staff Biologist John Tull**
The Department will provide an update and overview of the proposals being analyzed through the National Environmental Policy Act (NEPA) process for legislative action to extend the current administrative withdrawals and to consider additional areas for withdrawal at both the Fallon Naval Air Station and the Nevada Test and Training Range.

B* **Tag Allocation and Application Hunt Committee (TAAHC) – Commissioner and Committee Chairman Brad Johnston**
The Commission will hear a report on the committee's recent meeting.

C* **Wildlife Trust Fund Semi-Annual Report – Deputy Director Liz O'Brien**
A report will be provided on the investment and expenditure of the money in the Wildlife Trust Fund for the period of July 1, 2015 to June 30, 2016, pursuant to NRS 501.3585.

D **Department Activity Report – Secretary Wasley**

E* **Litigation Report – Deputy Attorney General Harry Ward**

F* **Application Hunt 2016 Draw Report – Don Sefton, Systems Consultants**
Systems Consultants will present an interim annual report of the 2016 big game draw. Information is presented in tables and charts and includes interim application, license and tag fees and counts as well as bonus point and client statistics for the draws already completed this year.

21* **Predation Management Fiscal Year 2016 Report – Staff Specialist Pat Jackson and Game Division Administrator Brian F. Wakeling – Informational**
The Game Division will present the status of the 2016 Predation Management Report. Per Commission Policy 23, the Department shall prepare an annual Predation Management Status Report (Status Report) detailing results of the previous fiscal year's projects. This status report shall be presented at the last Commission meeting of each calendar year.

22* **Development of a Commission Policy Regarding Wildlife Contests – Chairman Wallace – For Possible Action**
The Commission will discuss a prior draft of a Wildlife Contest Policy forwarded by the Administrative Procedures, Regulations, and Policy Committee, which was discussed by the Commission at their August 12, 2016 meeting. The Commission may choose to discuss the merits of the policy and may amend, forward, discard, or reinitiate development of a policy that articulates the Commission's perspective regarding contests of take of wildlife.

23 **Commission General Regulations for Adoption – For Possible Adoption**

A* **Commission General Regulation 463, Duties of Person Transporting Vessel or Conveyance, LCB File No. R093-16 – Wildlife Staff Specialist Pat Sollberger and Wildlife Staff Specialist Karen Vargas – For Possible Action**
The Commission will consider amending Chapter 488 of the Nevada Administrative Code (NAC). The change amends Chapter 488 of NAC by adding a new section that requires the owner, operator or person in control of any vessel or conveyance that is launched on any body of water in this State to drain the water from the vessel or conveyance and any equipment on the vessel or conveyance and also requires the owner, operator or person in control of a vessel or conveyance that is transported on a public road in this State or has been taken out of any body of water in this State ensure that the drain plugs, drain valves and any other devices used to control the draining of water remain open while transporting the vessel or conveyance on public roads in this State. The proposed regulation also amends language in NAC 488.520 to accommodate the changes above and remove repetitive language.

The Commission held a workshop on September 23, 2016, and no changes were recommended by the Commission.

B* **Commission General Regulation 471, Truckee River Motorized Vessel Closure, LCB File No. R139-16 – Chief Game Warden Tyler Turnipseed – For Possible Action**
The Commission will consider adopting an amendment to Chapter 488 of the Nevada Administrative Code (NAC). Existing regulations set forth certain bodies of water on which only vessels without motors are allowed and certain bodies of water on which only vessels without motors and vessels powered by electric motors are allowed. This regulation adds to the list of waters with such a restriction, the Truckee River from the

California-Nevada state line to the point where the river enters the Pyramid Lake Indian Reservation. This regulation also extends the exception to the restrictions to all such specified waters and to any vessel that is owned, operated and used for official purposes by a federal, state or local governmental entity, or any vessel operating pursuant to a permit for a marine event that is requested by a federal, state or local governmental entity.

The Commission held a workshop on September 23, 2016, and no changes were recommended by the Commission.

C* **Commission General Regulation 464, Appeals, LCB File No. R074-16 – APRPC Chairman and Commissioner David McNinch – For Possible Action**

The Commission will consider amending Chapter 501 of the Nevada Administrative Code (NAC). This regulation revises provisions relating to practice before the Commission. It provides more efficiency in scheduling appeals, will define that "calendar" days are used for calculation of deadlines, and more clearly notify the appellant in advance of a hearing that the Commission has limited jurisdiction. It will also provide for two, separate Attorneys General (one for the Commission and one for the Department) to avoid conflicts with one attorney advising two sides of the appeal. It also requires the appellant to give the agency advance notice of legal representation to improve scheduling for a separate lengthier time needed on agendas.

These changes were approved at the May 12, 2016, meeting of the Wildlife Commission's APRPC which included relevant suggestions from the public and legal counsel. The Commission held a workshop in Reno on August 12, 2016, where the Commission asked to include information regarding the notice to the appellant and also to insert language that if a party fails to file certain information within 14 days they may waive their right to a hearing on the appeal. A revision of the regulation was requested from the Legislative Counsel Bureau (LCB); which, contained additional edits.

D* **Commission General Regulation 465, Antelope and Elk Waiting Periods, LCB File R141-16 – Management Analyst 3 Maureen Hullinger – For Possible Action**

The Commission will consider amending Chapter 502 of the Nevada Administrative Code (NAC). The TAAHC recommended the amendment to the regulation to standardize the waiting period for a person to be eligible to apply for each of the species antelope and elk after receiving a tag. Regardless of harvest, the antelope waiting period after receiving a tag would be three years, and the antlered elk waiting period after receiving a tag would be five years.

The Commission held a workshop on this regulation on September 23, 2016. The Commission did not have any recommended changes.

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24 **Future Commission Meetings and Commission Committee Assignments – Secretary Tony Wasley and Chairman Wallace – For Possible Action**

The next Commission meeting is scheduled for Feb. 10 and 11, 2017, in Reno and the Commission will review and discuss potential agenda items for that meeting. The Commission may change the time 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.

25 **Public Comment Period**

Persons wishing to speak are requested to complete a speaker's card and present it to the recording secretary. Public comment will be limited to three minutes. No action can be taken by the Commission at this time; any item requiring Commission action may be scheduled on a future Commission agenda.

*Support material provided and posted to the NDOW website, and updates to support material will be posted at ndow.org

*Support material for this meeting may be requested from Recording Secretary Suzanne Scourby at (775) 688-1599; supporting material for this meeting is available for the public at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Reno, NV, 89511. In accordance with NRS 241.020 this agenda closes three days prior to the meeting date and has been posted on the NDOW website at NDOW.org and at the following Department of Wildlife offices: 1100 Valley Road, Reno, NV, 89512; 380 W. "B" Street, Fallon, NV, 89406; 815 E. Fourth Street, Winnemucca, NV 89445; 60 Youth Center, Elko, NV, 89801; 1218 N. Alpha Street, Ely, NV 89301; 744 S. Racetrack Road, Henderson, NV 89015; and 4747 W. Vegas Dr., Las Vegas, NV, 89108.

Notice to the Public: Nevada Department of Wildlife receives Federal Aid in Fish and/or Wildlife Restoration. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, sex, or disability. Individuals with hearing impairment may contact the Department at 775-688-1500 via a text telephone (TTY) telecommunications device by first calling the State of Nevada Relay Operator at 1-800-326-6868. Disabled individuals in need of special services should contact the Department prior to the meeting at (775) 688-1599.