

Washoe County Advisory Board to Manage Wildlife –  
November 2, 2022 minutes

1. **PLEDGE OF ALLEGIANCE** [Non-action item]
2. **CALL TO ORDER AND ROLL CALL** [Non-action item]

*Members in Attendance*

1. Matt Melarkey, Chairman (arrived at 7p.m.)
2. Coby Rowe, Vice Chairman
3. Steve Robinson
4. Jim Rhea

*Members Absent*

1. Ryan Browne

*Others in Attendance*

1. Rex Flowers, public
2. Rick Lund, public
3. Jon Ewanyk, Washoe County Wildlife Biologist
4. Kristie Knight, Department of Wildlife

3. **PUBLIC COMMENTS**-[Non-action item]

No public comment was given

4. **Approval September 19, 2022 minutes**-[For possible action]

**Member Rhea motioned for approval of the September 19, 2022 CAB minutes. Member Robinson seconded. The motion carried unanimously.**

5. **Approval of November 2, 2022 AGENDA**-[For possible action]

Vice Chair Rowe called for approval of the consent agenda and additional agenda items for the November 2, 2022 meeting. Member Robinson requested Agenda Item 8b be pulled from the consent block.

**Member Rhea motioned for approval November 2, 2022 meeting agenda. Member Robinson seconded. The motion carried unanimously.**

6. **BOARD MEMBER MEETING ASSIGNMENT**-[Non-action item]

Vice Chair Rowe asked which members would be able to attend the upcoming Commission meeting. Member Robinson said he would be at the second day of

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the meeting and Member Rhea said he would be able to attend the first day of the meeting. .

**7. COMMITTEE, MEMBER AND LIAISON UPDATES-[Non-action items]**

Member Robinson said he had received strange calls from an individual asking if he was with the wildlife committee. There was no other updates. .

**8. CONSENT ITEMS – For Possible Action – [For Possible Action]**

A. **Commission Policy 11- Heritage Grants– [For Possible Action]**

B. **Commission Policy 23 – Predation Management – First Reading—**  
[For Possible Action]

C. **Commission Policy 24 – Hunting Opportunities Among Various Weapons Classes and Hunter Groups – Third Reading– [For Possible Action]**

D. **Commission Policy 60 – Water Application Guidelines – Second Reading– [For Possible Action]**

E. **Commission Policy 61 – Water Rights – Second Reading – [For Possible Action]**

F. **Commission Policy 62 - Mitigation Policy- First Reading– [For Possible Action]**

G. **Commission Policy 66 – Management and Use of Wildlife Management Areas – Second Reading– [For Possible Action]**

Vice Chair Rowe asked if there was any public comment, and no public comment was given.

**Member Rhea motioned for approval November 2, 2022 consent items 8a, 8c, 8d, 8e, 8f, 8g. Member Robinson seconded. The motion carried unanimously.**

**9. Consent Calendar items pulled for further discussion – For Possible Action – [For Possible Action]**

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Vice Chair Rowe opened Agenda Item 8b for discussion and review of Commission Policy 23. Member Robinson asked Mr. Ewanyk, Washoe County Biologist, about predator control. He asked for clarifications on when the Department would do, or not do, predator management. Mr. Ewanyk said he was not entirely positive on all of the proposed changes, but he did say the policy had undergone multiple revisions. Member Robinson said he felt that the way the policy was written allowed the department reasons for not conducting predator management and he did not agree with policy as written. Mr. Ewanyk said additional discussions would be had at the upcoming Commission meeting and additional changes may be made.

During public comment, Rex Flowers said he recommended the board make a recommendation to the Commission that it did not agree with the way the proposed policy was written. He said he felt there was a good chance the entire policy would be rewritten anyways.

**Member Robinson moved to recommend the adoption of Commission Policy 23 – Predation Management as written but note the board would recommend changes at a later date. Vice Chair Rowe seconded. The motion carried unanimously.**

**10. Commission General Regulation 500, Subdivision Map Review –**  
[For Possible Action]

Vice Chair Rowe opened discussion to consider amending Nevada Administrative Code (NAC) 502 to provide for the Department review of tentative subdivision map(s) and inclusion of recommendations for methods to avoid or minimize impacts to wildlife, mitigation measures, best management practices or required design features, and provide for collection of associated fees to the Department for carrying out such reviews.

Member Robinson asked the Department to clarify its authority with regard to General Regulation 500. Mr. Ewanyk said that while this was out of his area of expertise, he believed the Department's authority was limited. Ms. Knight, Department of Wildlife, agreed with Mr. Ewanyk's assessment regarding the limited authority. Member Robinson said he hoped the Department could have more authority on the regulation.

During public comment, Rex Flowers said he would like the board include language in the proposal that the Department shall recommend developing access and egress to public lands and where public lands were previously accessible would continue to be maintained. He said the Stonegate project in

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the North Valleys was going to have a large impact on the mule deer population in that area. Rick Lund added that he was discouraged about the public input process for the Somerset project. He said he hoped to see a change at a legislative level that would allow for additional authority for the Department.

**Vice Chair Rowe moved to recommend the adoption of Commission General Regulation 500, with a change to section 7 to add maintaining existing access and egress of roads and trails to public land, Member Robinson seconded. The motion carried unanimously.**

**11. Commission General Regulation 502, Junior Hunt and Turkey Program– [For Possible Action]**

Vice Chair Rowe opened discussion to consider amending Nevada Administrative Code (NAC) 502 to limit the number of successfully awarded tags in the junior hunt program. The regulation also removes hard close dates for submitting a turkey harvest return card and allow for junior turkey bonus points to convert to the adult point category once a junior is age eligible able to participate in the junior hunt turkey program. There was no initial board comment.

Member Robinson thought the proposal was sufficient overall. Vice Chair Rowe advised that a PowerPoint for the item would be made available at the Commission meeting but was not included in the documents for this meeting. There was no public comment.

**Vice Chair Rowe moved to recommend the approval of Commission General Regulation 502, Junior Hunt and Turkey Program as written, Member Robinson seconded. The motion carried unanimously.**

**12. Commission General Regulation 510, FCFS Exchange to Obtain a Tag – [For Possible Action]**

Vice Chair Rowe opened the item to consider a temporary regulation amending Nevada Administrative Code (NAC) 502 that would include any money, goods, or services exchanged for procurement of a tag through the FCFS program as grounds for suspension from the program.

Mr. Ewanyk said the issue trying to be addressed through this regulation is to prevent individuals from paying others to obtain a tag on their behalf. Member

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Robinson asked if the issue was single individuals doing this, or large groups of people attempting access tags. Mr. Ewanyk said they were unsure of who, or how many, people were attempting to obtain tags this way. Vice Chair Rowe said he understood the intent, but it would need to evolve each year. Member Robinson said he did not see the point in trying to regulate this because he did not think the issue rose to a level that needed a regulation.

Rex Flowers provided public comment. He said that he was against the proposal because it was temporary. He added that because of other regulations that were going to be contemplated, it would make more sense to combine the various proposals into one permanent regulation policy proposal.

During board discussion member Rhea said he agreed with Mr. Flowers comment, and he would like to see a permanent regulation proposal that would have multiple readings so input could be provided. Member Robinson agreed and said he would be in favor of waiting as well. .

**Member Robinson moved to reject Commission General Regulation 510, FCFS Exchange to Obtain a Tag. Vice Chair Rowe seconded. The motion carried unanimously.**

**13. Commission General Regulation 506, Possession of Golden Eagles Under Certain Circumstances – [For Possible Action]**

Vice Chair Rowe opened discussion to consider amending Nevada Administrative Code (NAC) 503 to allow for possession of a golden eagle under certain circumstances. Member Robinson said he thought this was a well thought out regulation.

During public comment, Rick Lund said he was curious how this came about. He said that he personally knows there is a need for this. He said clarity was needed on this issue because when an eagle is wounded, it is unclear who can keep the eagle. Kristie Knight said the proposed regulation came about after the 2021 legislative session.

**Member Robinson moved to approve Commission General Regulation 506, Possession of Golden Eagles Under Certain Circumstances as written. Vice Chair Rowe seconded. The motion carried unanimously.**

At 6:51 p.m. and after completion of Agenda Item 13, Chair Melarkey attended

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the meeting, and took over chairman duties from Vice Chair Rowe

**14. Commission General Regulation 509, License and Vessel Product Refunds – [For Possible Action]**

Chair Melarkey opened to the item to consider amending Nevada Administrative Code (NAC) 502 and 488 to allow the Department authority to provide refunds on licenses and vessel products. There was no board discussion or public comment.

**Vice Chair Rowe moved to approve Commission General Regulation 509, as written. Member Rhea seconded. The motion carried unanimously.**

**15. Commission Regulation 23-02, Taking of Raptors for Falconry for 2023-2024 – [For Possible Action]**

Chair Melarkey opened the item to consider the 2023-2024 season dates, species, quotas, limits, closed areas, application procedures and deadlines, and take of raptors for falconry. There was not initial board comment.

During public comment, Rick Lund spoke about regulations regarding goshawks and where they may or not be captured. He said the regulations needed to be addressed to remove the restrictions on trapping of Northern Goshawks who were passage hawks in northern Elko county. He noted he would like the regulation to change so as to allow the trapping of a passing goshawk in Elko county which is consistent with the rest of the state.

After public comment, the board discussed various ways in which to address Mr. Lund's concern. Chair Melarkey reiterated the point that Mr. Lund had made to ensure the board was interpreting the amendment correctly. Member Robinson noted that he thought there would need to be two changes in the regulation instead of just one. John Ewanyk, Washoe County, added that he agreed there would need to be a change to in multiple parts of the regulation.

Members of the board along with Mr. Ewanyk and Mr. Lund continued to discuss different variations of amended language to best address the concern around the passing goshawk captures in northern Elko county that did not impact other aspects of the regulation.

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**Chair Melarkey moved to approve Commission Regulation 23-02 as written, with the following changes: under paragraph 2 in the brief explanation section species open falconry statewide continue to be Cooper’s hawk, sharp-shinned hawk, prairie falcon, merlin, American kestrel, red-tailed hawk, ferruginous hawk, and great horned owl; and northern goshawk statewide except Elko County north of I-80, which is for northern eyas goshawk closed. And a change to the 2023 and 2024 SEASONS AND PERMIT QUOTAS FOR TAKING RAPTORS FOR FALCONRY, subsection the take of eyas goshawk in northern Elko County is closed. Member Robinson seconded. The motion carried unanimously.**

16. **Commission Regulation 23-03, Noncommercial Collection of Reptiles and Amphibians for 2023-2024– [For Possible Action]**

Chair Melarkey opened the item to consider the approval of the 2023-2024 season and limits for noncommercial hobby collecting of live, unprotected reptiles and amphibians. There was no initial comment by members of the board and no public comment.

**Vice Chair Rowe moved to approve Commission Regulation 23-03 on commercial Collection of Reptiles and Amphibians for 2023-2024 as written. Chair Melarkey seconded. The motion carried unanimously.**

17. **Commission Regulation 22-12 Amendment #1, Upland and Furbearer Seasons– [For Possible Action]**

Chair Melarkey opened the item to consider the proposed changes amending the spring turkey application period and draw dates for the 2023 season. There was no discussion by the board or public comment.

**Vice Chair Rowe moved to approve Commission Regulation 22-12 Amendment #1, Upland and Furbearer Seasons as written. Member Robinson seconded. The motion carried unanimously.**

18. **Commission General Regulation 508, Antler Points and Spike Elk Defined – [For Possible Action]**

Chair Melarkey opened the item to consider adopting NAC 502 that would clarify definitions pertaining to “antler point” and “spike elk” for certain big game mammals and reduce the potential occurrence of inadvertent infractions. Chair

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Melarkey noted that at the recent Commission meeting, the changes that were proposed by the Washoe CAB were thought to require the creation of a new season. Chair Melarkey asked if the board had any comments regarding the action taken at the most recent Commission meeting. Member Robinson said noted the regulation appeared to try and align with other states, which he disagreed with. Chair Melarkey said he also did not agree with the definition of spike in the proposed regulation. He said he felt that the board should attempt to alter the definition again although that was what was tried at the previous meeting. Kristie Knight added that the prior definition did make it challenging for law enforcement. She added that the Department would support any recommendation the Commission put forth. The members of the board continued to discuss proposed changes for the regulation.

Chair Melarkey asked if there was any public comment. There was no public comment.

**Chair Melarkey moved to approve Commission General Regulation 508, Antler Points and Spike Elk Defined as written with the following changes: Sec. 502.104 “Spike Elk” is any antlered elk having a non-branched beam on either antler and Sec 502.1045 “Spike Elk Only” means in a designation of elk that may be taken during an open season only antlered elk having a non-branched main beam on either antler, Member Rhea seconded. The motion passed unanimously.**

**19. Commission General Regulation 510, FCFS Exchange to Obtain a Tag– [For Possible Action]**

Chair Melarkey opened the item to consider a temporary regulation amending Nevada Administrative Code (NAC) 502 that would include any money, goods, or services exchanged for procurement of a tag through the FCFS program as grounds for suspension from the program. Upon opening the item, the board noted that agenda item 19 was a duplicate of a previous agenda item in the meeting. Chair Melarkey explained that the Commission had intentionally created the two separate items, so there would still need to be action on this item, even if the motion was identical to the motion earlier in the meeting.

During public comment, Rex Flowers said that if the item being heard on day one of the Commission meeting, the item would not move on to the second day of the meeting.

**Member Rhea moved to reject Commission General Regulation 510, FCFS Exchange to Obtain a Tag, if accepted during the workshop. Vice Chair**



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**Rowe seconded. The motion carried unanimously.**

**20. Future Meeting Agenda Items – Informational only- Public Comment Allowed**

Chair Melarkey asked if there were any items members of the board would like to see on future agendas. Member Robinson said he would like to see a presentation from regarding wild horses from a professor at the University of Nevada. Chair Melarkey said a member of the public had reached out to him regarding a presentation on surveys using drones which Chair Melarkey planned on adding to a future agenda as well.

During public comment, Rex Flowers said he was having discussion with the Department regarding the transferring of tags by individuals who had either died or incurred an injury that did not allow them to use their tag. He said he was hoping to make changes to how the transferring of a tag could occur so as to allow other sportsman the opportunity to use the tag in the event someone is unable to use a tag during a given season.

**21. PUBLIC COMMENTS [Non-action item]**

There was no public comment.

**22. ADJOURNMENT [Non-action item]**

Chair Melarkey adjourned the meeting at 7:39 p.m.