

Washoe County Advisory Board to Manage Wildlife

Tuesday ~ June 7, 2011 ~ 6:30 p.m.

MINUTES

Nevada Department of Wildlife
Conference Room B
1100 Valley Road, Reno, Nevada

MEMBERS

Rex Flowers, Chair
Rick Smith, Vice-chair
John Reed, Secretary
Glen Copeland
Daryl Harwell

1. PLEDGE OF ALLEGIANCE *

Chair Flowers led the Pledge of Allegiance.

2. CALL TO ORDER AND ROLL CALL*

Chair Flowers called the meeting to order at 6:30 p.m. A quorum was established.

PRESENT: Glen Copeland, Rex Flowers, Daryl Harwell, John Reed and Rick Smith.

ABSENT: None.

3. APPROVAL OF MAY 9, 2011, MINUTES

It was moved by Member Copeland, seconded by Member Reed, to approve the May 9, 2011, minutes, as submitted. The motion carried unanimously.

4. PUBLIC COMMENTS *

There were no public comments.

5. BOARD MEMBER MEETING ASSIGNMENT – *A discussion and selection of member(s) to attend the Nevada Board of Wildlife Commissioners meetings on August 12 and 13, 2011, in Fallon, Nevada.*

Member Harwell will attend the August 12 and 13, 2011, meetings, in Fallon, Nevada.

Chair Flowers stated that he may attend the August 12, 2011, meeting as well.

6. RECOMMENDATIONS ON CANDIDATES AS REQUESTED BY GOVERNOR BRIAN SANDOVAL FOR THE NEVADA BOARD OF WILDLIFE COMMISSIONERS: *b) Actively engaged in farming; c) Actively engaged in ranching; and e) Three (3) members who during the last three (3) of the four (4) years immediately preceding their appointment held a resident license to fish or hunt, or both in Nevada.*

Chair Flowers opened the agenda item noting that there had been a question on the original correspondence from Governor Sandoval's office about vacant positions. Chair Flowers explained that the Washoe County agenda had been duly posted by the time the intent had

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been clarified. Therefore, there will be no discussion about recommendation(s) for the ranching position.

Chair Flowers opened the discussion on the farming position noting that Grant Wallace had applied for the positions. Drawing attention to correspondence from Fred Church, Chair Flowers noted that Doug Busselman of the Farm Bureau supports Mr. Wallace for the open position.

There was some discussion about the recommendation process. It was explained that the Governor (Brian Sandoval) was not required to seek input from the County Game Boards (CAB) and that the original request had indicated a response was needed by Monday, June 6, 2011. As the discussion continued it was pointed out that the Governor had requested recommendations for not only the farming position but also three (3) sportsmen positions. It was noted that candidate applications are not typically released to the public or CAB's.

Hearing no public comment on the farming representative position, Chair Flowers asked for board discussion or a motion.

It was moved by Member Harwell, seconded by Member Smith, to recommend that Governor Brian Sandoval appoint Grant Wallace as the farming representative on the Nevada Board of Wildlife Commissioners. The motion carried unanimously.

Chair Flowers opened the meeting to discussion on the three (3) vacant sportsmen positions.

Member Smith stated that he had submitted a letter of intent and recused himself.

Chair Flowers stated that he will abstain from voting to avoid a possible tie vote.

There was some discussion about the interview process for the three (3) candidates present. It was noted that the number of representatives from Washoe County might not have been increased due to a change in an omnibus piece of legislation that may have increased the base population to 700,000.

Chair Flowers noted that one of the positions represented Clark County and that Mr. McBeath is seeking reappointment. Other positions include replacement or reappointment of Commissioner Lent – Washoe County and Tom Cavin – Carson City.

Jack Robb commented that he had reapplied to serve on the Commission and that he also supports Mr. Tom Wilson and Mr. Rick Smith as candidates. Mr. Robb explained that during his tenure on the Commission he had strived during his time on the Commission to listen to all points of public, CAB and staff positions before making a decision. Mr. Robb suggested that the board consider ranking their recommendations to the Governor.

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Rick Smith concurred with Mr. Robb that he too could support the three candidates present. Mr. Smith noted outlined his previous involvement with various boards (American Little League and Rocky Mountain Elk Foundation as well as his five (5) years of service on the Washoe County Advisory Board to Manage Wildlife. Mr. Smith stated that, as many can attest to and have witnessed, that he is willing and able to stand up and be heard and will listen to the public, staff and other sportsmen on the issues before making a decision. Additionally, Mr. Smith explained that he feels changes need to be made at the Commission level to find the common grounds needed to make the best decision possible that benefits the public and sportsmen. Mr. Smith stated that if appointed he would strive to return the State of Nevada to its former premier position.

Tom Wilson agreed with Mr. Robb and Mr. Smith's statements and explained that, in his opinion, there are too much politics on the current Commission which he believes has led to poor decisions. Mr. Wilson noted that his passion as a sportsman is waterfowl and that he will work to achieve consensus on difficult issues such as the Bear Hunt and Trailsafe's trapping bill that he worked on with the Nevada Trapper's Association and Trailsafe.

Chair opened to public comments.

Chair Flowers noted that Daryl Capurro serves as the Conservation representative on the Commission and that Washoe County may have two (2) members. Mr. Flowers will reserve further comments until after the public and board have made their comments.

Member Copeland noted that this would be a difficult process due to the lack of information on other candidates and others that may be interested in serving on the Commission.

Chair Flowers commented that the public may wish to speak on other candidates such as Eddie Booth, Ken Wellington, Jeremy Drew, Kensen Lee and Tom Cavin as well as Commissioner McBeath or anyone else of interest.

Judi Caron commented that she had contacted the State of Nevada seeking additional candidate information and that her inquiry had been referred to the Nevada Attorney General's Office.

Mr. Robb noted that Mike Turnipseed – former State Water engineer, had applied from Douglas County as had Ken Wellington from Elko County.

Ms. Caron suggested that either a brief recess or the candidates present be asked to leave the meeting to allow the public an opportunity to speak candidly with the board on each of the candidates.

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There was some discussion about how best to allow the public an opportunity to pose their questions to the candidates through the board as a whole while allowing an opportunity for candidates to respond.

Mr. Smith suggested that the candidates volunteer to leave the meeting after the questions had been posed and responded to.

Chair Flowers stated that he would allow the public an opportunity to pose questions and hear each candidate's response.

Mel Belding noted that meeting attendance was important and that Mr. Robb had been unable to attend certain meetings due to out of town commitments. Additionally former CAB Member Tom Wilson had not sought reappointment due to the birth of a child and that Mr. Smith is the operations manager for a major manufacturing operation. Mr. Belding asked each candidate to address those concerns as well as how each would represent Washoe County.

Mr. Robb explained that as a member of the Commission he must represent all sportsmen in the State of Nevada not just Washoe County and that he would attend all meetings.

Mr. Wilson commented that he and his spouse had spoken at length about child rearing and that she is fully in support of his candidacy to serve on the Commission. Mr. Wilson stated that he would continue to thoroughly research all matters coming to the Commission and that sportsmen would be a priority in his deliberations.

Mr. Smith stated that he has raised his children and that he also has discussed the additional commitment with his spouse who is supportive. Mr. Smith explained that he had met with the senior management/owners of his employer about his interest in serving on the Commission and has their approval. Mr. Smith noted that he is surrounded by individuals that are capable of running the operation without his direct and personal supervision.

Member Copeland asked how each candidate would represent sportsmen of Washoe County when voting as a Commission member.

Mr. Smith stated his representation of Washoe County would have an effect on his deliberations. However, as a representative of all sportsmen of the State of Nevada, he will continue to listen to all comments, from the public, CAB's and subject matter experts and what level of impact a decision may have on Washoe County.

Mr. Wilson concurred with Mr. Smith's comments noting that the primary responsibility of a Commission member is to represent all sportsmen. However, more direct interaction with the local constituency and those sportsmen that one sees on a regular basis will provide a better opportunity to add their expertise in his decision making process.

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Mr. Robb agreed with Mr. Wilson and that the more readily available input from Washoe County sportsmen and residents would allow him to be better attuned to the concerns and desires of his constituents. Mr. Robb recalled that during his tenure on the Commission he had attended meetings in Nye and other counties.

A general consensus among the candidates present to Member Copeland's inquiry about previous Commission decisions on the Kirsch Award and Duck Stamp program, was that the Commission had erred in their modification of these and other issues over the past several years.

Member Harwell asked each candidate to explain how they felt they could impact the Commission.

Mr. Robb commented that he believes his previous experience as a Commission member and the CAB experience of both Mr. Smith and Mr. Wilson, would be beneficial to the Commission as a whole. It is crucial that newly appointed members be able to assist in righting the ship which appears to be on its side. Mr. Robb pointed out that while he had proposed a one tag per person policy he had made the motion to make that proposal go away after listening to the testimony and thought presented.

Mr. Wilson noted that. In his opinion, there are already too many politics and individual agendas present on the current Commission, which he has witnessed many times during testimony that he felt the Commission took only because it was required. Mr. Wilson stated that he would not vote for or against any matter without having first researched the matter and listened to the testimony provided the public, sportsmen and others. Mr. Wilson stated that he would not guarantee on how he would vote.

Mr. Smith concurred with previous comments and explained that during his first few years on the CAB he had felt the Commission always listened to all sides of an issue before taking action. However, over the past few years that has changed with the current Commission disregarding input from the public, CAB's and others. It is Mr. Smith's belief that had the Commission taken more time in the approval of the Bear Hunt that a middle ground could have been identified resulting in a decision that all parties could accept. Although the position is that of a sportsman's representative, Mr. Smith stated that he would take the advice, concerns and input from ranching, farming and conservationists into his deliberations and strive towards a compromise position that is acceptable to all parties. Mr. Robb stated that he continues to support both Mr. Smith and Mr. Wilson as viable candidates for the Commission and emphasized the he too believes in listening to all input before making a decision.

Chair Flowers noted that he is familiar with all candidates and that he can support all three.

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Responding to Member Reed's concern about the process, Chair Flowers explained that this would be one of many matters that the CAB's and new Commission could review and modify.

Judi Caron suggested that Policy 1 be modified so that there is more input from the public CAB's and others in how the meeting agenda is set and subcommittees are formed by reverting to its former processes that respected professionals as well as public and CAB interests. It is Ms. Caron's belief that having public participation on subcommittees is crucial in crafting policy/regulation modifications.

Mr. Wilson commented that he too had been frustrated by the manner in which the current Commission conducts business with little or no interest in hearing public, sportsmen or staff input. Of particular concern is the current practice of having the first and second reading of any modification during the 2-days of meetings held by the Commission as the process does not provide an opportunity for additional input from the CAB's and public when changes to the proposed policy/procedure is made the first day of the two day meeting.

Mr. Robb commented that while he found the somewhat slow process somewhat frustrating he understands the need to be thoughtful and take time to make sure the matter is properly addressed. Mr. Robb noted that there is some concern about budget issues as it pertains to subcommittee processes. Therefore, it is Mr. Robb's belief that it is crucial that budget issues be considered when public participation may result in additional costs.

Mr. Smith recalled that in previous years the Commission had taken Public Comment before moving to the election of new officers. Mr. Smith believes it is critical that Commission leadership have the respect of the public as well as the CAB's. During the past year the Washoe County CAB implemented a policy of having each board member serve as the liaison to each of the Commission's subcommittees. Mr. Smith noted that there are procedures that can reduce costs that will preserve the budget.

Ms. Caron expressed her desire to see a more proactive working relationship among and between the CAB's and the Commission.

Mr. Robb noted that his telephone contact information had not changed and that there are concerns about the level of input a Commissioner provides at the CAB level without having a perception that the Commissioner has already made a decision without having heard the matter in public form at the Commission level. Additionally, more emphasis must be placed on the distribution of information in a timely manner.

Mr. Wilson concurred noting that wildlife itself is not confined to a single county nor does it end at a county or state border. Therefore, it is important that when and where possible regional issues be discussed at a regional forum so that lines of communications are open and function freely.

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Mr. Smith commented that as Chair of the CAB he had always tried to secure and provide as much information as possible and to the extent possible not voice a personal opinion on any topic. Mr. Smith pledged that he would continue to try and get information provided in a timelier manner and take input from all sides as he begins deliberation of an issue.

Don Klebenow recalled his previous career at UNR (University of Nevada, Reno) teaching Wildlife Management. Mr. Klebenow asked the candidates to provide their thoughts on biological issues, which the current Commission has, in his opinion, tended to disregard.

Mr. Wilson noted his frustration in providing testimony to the Commission that was disregarded and stated that he would seek an opportunity for biologists to address reports that are counter to their recommendations, which the current Commission has not done. It is Mr. Wilson's feeling that the Commission only took public testimony since it is required under applicable statute.

Mr. Robb explained that while he did not always vote on the side of science as a Commission member, he tried to balance the biological needs with the social expectations of user groups.

Mr. Smith recalled that the primary focus of the current Commission has been the increase in Muledeer populations without regard for science or other issues such as habitat restoration. The Commission has engaged in an aggressive predator management program without addressing other key issues such as habitat restoration, urbanization of habitat and other issues that adversely affect herd populations and species.

Chair Flowers expressed his appreciation to the candidates for answering questions.

Mr. Smith explained that while the board has a difficult decision to make he does not believe there can be any wrong choices since the selection will be the best of the best in his opinion.

The meeting recessed at 7:51 p.m. and reconvened at 7:59 p.m.

Candidates Robb, Smith and Wilson voluntarily left the meeting at 7:59 p.m.

Chair Flowers shared anonymous recommendations he received via email correspondence as follows: Kensen Lee as possible alternate to Mike McBeath; Jim Jeffress- former Commission member; concern that Jack Robb was anti-archery; reappointment of Tom Cavin.

During the discussion it was noted that Jim Jeffress no longer lived in the State of Nevada and was therefore not eligible to serve on the Commission.

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Chair Flowers read correspondence (copy on file) from Fred Church – Chair, Nevada Bowhunters supporting Jeremy Drew, Ken Wellington and Rick Smith. Mr. Flowers then outlined the activities and involvement of the candidates noting that Mr. Drew can express opposing viewpoints without antagonism and that Ken Wellington has been actively involved with Elko County for several years. Mike Turnipseed served at the State of Nevada Water Engineer and would bring a wealth of water related expertise to the Commission. Tom Cavin is up for reappointment as is Mr. McBeath of Clark County. Jack Robb has served on the Commission previously with Tom Wilson and Rick Smith both having served on the Washoe County CAB.

During the discussion it was explained that the recommendations would be sent to the Governor's Office by Friday, June 10, 2011.

Chair Flowers opened the meeting to public comment.

Mr. Klebenow suggested that Tom Cavin be retained and that Rick Smith be recommended for appointment to the Commission as he has no personal knowledge of any other prospective candidates.

Diana Belding asked why other upcoming vacancies had not been agendaized for discussion and action.

Chair Flowers explained that the agenda was based on the written request of Governor Sandoval and that should the Governor wish to replace Commissioner Capurro he has the option of seeking additional input from the CAB's. However, the public may provide comment on prospective conservationist as part of the public record of tonight's (June 7, 2011) meeting.

Ms. Belding suggested that Mike Turnipseed, Mike McBeath and Rick Smith be recommended for the sportsman positions.

Ms. Caron expressed her support for the Grant Wallace recommendation to fill the farming vacancy. Ms. Caron then suggested Mike McBeath be retained for his past leadership on a variety of issues; Ken Wellington from Elko. Additionally, Ms. Caron suggests that Eddie Booth be considered for the Commission noting that he is well respected and has worked in the recruitment of youth and adults. Jeremy Drew has the necessary qualifications as does Rick Smith. Ms. Caron outlined her concerns with answers provided to her question on Policy 1 by Jack Robb that his contact information has not changed. Ms. Caron commented that she had found Mr. Robb to be unapproachable and would not suggest him being forwarded as a candidate. Ms. Caron stated that while she holds Tom Wilson in high regard and with great respect she is not convinced that he would be able to fulfill the duties on the Commission as he had not sought a second term on the Washoe County CAB.

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Mr. Belding stated that he believes that Mike Turnipseed would be a well-qualified candidate given his expertise in water and water related issues. As a former State employee, Mr. Turnipseed is well versed in how the State of Nevada government operates. Mr. Belding explained that he could not support Tom Wilson due to the time commitment and issues that may arise with a small child, which he believes is more important. Mr. Belding then commented that he could support either Tom Cavin or Jeremy Drew and that Ken Wellington of Elko County is an excellent choice as is Rick Smith.

Chair Flowers closed the meeting to public comment.

There was some discussion about the reappointment of Mr. McBeath to the Commission. It was noted that Mr. McBeath tends to support CAB recommendations

It was moved by Member Reed, seconded by Member Harwell, to recommend that Governor Brian Sandoval reappoint Mike McBeath to the Nevada Board of Wildlife Commissioners by Governor Brian Sandoval. The motion carried: Members Copeland, Harwell and Reed assenting; Chair Flowers abstaining; and Member Smith recused.

Discussion then turned to the three candidates from Washoe County. It was noted that former CAB Member Wilson has chosen not to seek a second term although he was recommended and supported by Trailsafe and the Trappers Association. Other discussion suggested that it might be appropriate to have another attorney appointed to the Commission given Mr. Wilson's analytical mindset and assistance in assuring that proposed regulation modifications were properly worded. Additionally, his expertise in waterfowl would be an asset to the Commission.

Discussion then turned to Mike Turnipseed of Douglas County. It was noted that his expertise in water related issues would be beneficial to the Commission. Other discussion noted that Rick Smith would also be an asset although Member Harwell has some concern about whether Mr. Smith has his own agenda.

Discussion then focused on Jack Robb who is said to be friends with Governor Sandoval, which could result in a situation similar to that of Gerald Lent and former Governor Jim Gibbons. It was suggested during the discussion that Mr. Robb's friendship with Governor Sandoval might not be as close as many may think. It was emphasized that Governor Sandoval uses a very analytical approach in his governance. Other discussion noted that Mr. Robb had not attended many meetings after his term expired on the Commission. It is thought that there is a need to have new people on the Commission to "repair stated the Commission". Of some concern is that Mr. Wilson's home life may have a far greater effect on his ability to participate in Commission meetings than he believes.

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It was moved by Member Copeland, seconded by Member Reed, to recommend that Governor Brian Sandoval appoint Mike Turnipseed to the Nevada Board of Wildlife Commissioners. The motion carried: Members Copeland, Harwell and Reed assenting; Chair Flowers abstaining; and Member Smith recused.

It was moved by Member Harwell, to recommend that Governor Brian Sandoval appoint either Tom Wilson or Rick Smith to the Nevada Board of Wildlife Commissioners. The motion died due to lack of a second.

During the discussion it was noted that there might not be a need to have another attorney appointed to the Commission as there is already one serving attorney on the Commission with two (2) Deputy Attorney General attorneys present at Commission meetings.

Chair Flowers reopened public comment.

Mr. Belding commented that he did not believe there was a need for another attorney on the Commission.

It was moved by Member Copeland, seconded by Member Reed, to recommend that Governor Brian Sandoval appoint Rick Smith to the Nevada Board of Wildlife Commissioners representing sportsmen. The motion carried: Members Copeland, Harwell and Reed assenting; Chair Flowers abstaining; and Member Smith recused.

Member Smith rejoined the meeting at 8:57 p.m.

7. **MEMBER COMMENTS *** – *Limited to items not addressed elsewhere on the agenda. While the Washoe County Advisory Board to Manage Wildlife may not engage in discussion or take action on any item identified under this topic the matter may be placed on a future agenda for discussion and possible action or recommendation of action to the Nevada Board of Wildlife Commissioners.*

Chair Flowers noted that the Commission (Nevada Board of Wildlife Commissioners) would conduct a telephonic meeting on Monday, June 13, 2011, to discuss Landowner Compensation Tags. Mr. Flowers pointed out that the Washoe County Advisory Board to Manage Wildlife, had discussed and recommended that the Commission approve the staff recommendations at their May 9, 2011, meeting.

Member Harwell stated that the Nevada Waterfowl Association had sold the Heritage Antelope tag for \$16,000.00.

Chair Flowers noted that the Washoe County BCC (Board of County Commissioners) had reappointed him to the Washoe County Advisory Board to Manage Wildlife on May 24, 2011.

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Member Reed suggested a discussion about a change being proposed in the State of California on the use of copper rather than lead bullets.

8. FUTURE MEETING AGENDA ITEMS * – Selection of additional agenda item(s) for the Monday, August 8, 2011, meeting.

The August 8, 2011, meeting agenda, may include, but is not limited to: 1) Election of Officers: a) Chair; b) Vice-chair; and c) Secretary; 2) Development of a remediation project using Ruby Pipeline remediation funds – Member Copeland; 3) Waterfowl Research Project – An informational update from the U. S. Fish and Wildlife Services on a proposal to amend the Wood Duck limit in Churchill County – Chris Nicolai – U. S. Fish and Wildlife Services; and 4) Waterfowl and Upland Game quotas.

9. ADJOURNMENT

Chair Flowers adjourned the meeting at 9:04 p.m.

AS APPROVED BY THE WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE IN SESSION ON AUGUST 3, 2011.

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