

DRAFT Minutes
Nevada Board of Wildlife Commissioners' Meeting

1100 Valley Road
Reno, NV 89512
Final Agenda

Friday, May 14, 2010 – 9 a.m.

- 1 Call to Order, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Lent
- 2 Presentation of the Wayne E. Kirch Wildlife Conservation Award – Chairman Lent
- 3 Approval of Agenda – Action
The Commission will review the agenda and may remove items from consideration or adjust the order of presentation. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.
- 4 Member Items/Announcements
Commissioners 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.
- 5 County Advisory Boards to Manage Wildlife (CABMW) Member Items –
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 Public Comment Period
- 7 Approval of Minutes – Action
Commission minutes from the March 19 and 20, 2010, meeting.
- 8 Correspondence – Chairman Lent – Informational
The Commission will review and may discuss written items (letters and emails) sent or received by the Commission since the last regular meeting and provide copies for the exhibit file (Commissioners will provide hard copies of their correspondence for the written record).
- 9 Appeal Hearing – Mr. Aaron Hughes - Action
The Commission will hear an appeal from Mr. Hughes on the Department of Wildlife's denial of his 2010 Master Guide License
- 10 Commission Policy #50, Duck Stamp Procedure – Management Analyst 3 Kim Jolly -
Informational
The Commission will conduct a first reading to review recommendations and changes from NDOW staff, including delete the stamp printing sections on the last two pages and update the purpose in order to coincide with the new duck stamp regulation.
- 11 Workshop - Informational
- A Commission General Regulation 375 – Apprentice License - LCB File No. R019- 10 –
Program Officer III Maureen Hullinger
The Commission may adopt a regulation relating to hunting; providing for the issuance of an apprentice hunting license; requiring a mentor hunter to complete a mentor hunter affidavit for each apprentice hunter he accompanies and directly supervises; restricting mentor hunters to accompanying and directly supervising one apprentice hunter at a time; and providing other matters properly relating thereto.

- B Commission General Regulation 378 – Guide License Changes - LCB File No. R006-10 – Chief Game Warden Rob Buonamici
The Commission may adopt a regulation relating to wildlife; revising the date after which the Department of Wildlife will not process an application for the issuance or renewal of a master guide license; amending certain examination dates for a master guide license; amending the requirements concerning the amount of insurance a master guide must carry; authorizing the Department to deny, revoke or suspend a guide’s license for a conviction of a crime involving physical violence, theft or fraud; and providing other matters properly relating thereto.
- C Commission General Regulation 379 – Junior Hunt Eligibility Changes - LCB File No. R150-09 – Program Officer III Maureen Hullinger
The Commission may adopt a proposed regulation relating to junior hunts; expanding the period of eligibility for applicants for a junior hunt; revising provisions relating to the number of years for which an applicant may apply for a junior hunt; and providing other matters properly relating thereto.
- D Commission General Regulation 385 – Expired Duck Stamp Purchase - LCB File No. R011-09 – Program Officer III Maureen Hullinger
The Commission may adopt a proposed regulation relating to state duck stamps; setting forth the price of unexpired state duck stamps; authorizing a person to obtain or purchase an expired state duck stamp under certain circumstances; and providing other matters properly relating thereto.
- 12 University of Nevada, Reno College of Agriculture Main Station – Chairman Lent - Action
The Commission may draft a letter stating the Commission’s position on the potential closure of the University’s College of Agriculture and sale of the Main Station.
- 13 Ruby Pipeline Vya Work Camp and NDOW Participation in Routing of Pipeline – Chief of Habitat Dave Pulliam - Action
The Commission will support or oppose the Department recommendations on the Ruby Pipeline Project Proposal.
- 14 Western Association of Fish and Wildlife Agencies (WAFWA) Annual Conference – Chairman Lent – Action
The Commission will designate one Commissioner to attend WAFWA’s annual conference in Anchorage, Alaska.
- 15 Mule Deer Harvest Strategies – Big Game Biologist Tony Wasley - Informational
A report will be presented on mule deer harvest strategies and their population level impacts.
- 16 Reports – Informational
- A Mule Deer Restoration Committee – Commissioner Raine
- B CABMW Reports on Mule Deer Overview Efforts Within Each County – CABMW Members
- C Bighorn Sheep Disease Update – Wildlife Staff Health Specialist Peri Wolff
- D Wildlife Damage Management Committee – Commissioner Raine
- E Finance Committee – Commissioner Howell and Deputy Director Patrick Cates
- F All Gifts, Grants, Donations, and Bequests to Nevada Department of Wildlife Presented to Commission for Recognition- Deputy Director Patrick Cates

- G Litigation Report – Deputy Attorney General Nhu Nguyen
- H Department Activities/Leadership Team Notes – Secretary Ken Mayer

Saturday, May 15, 2010 – 8:30 a.m.

- 17 Call to Order, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Lent
- 18 Member Items/Announcements
Commissioners 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.
- 19 County Advisory Boards to Manage Wildlife (CABMW) Member Items – 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 Public Comment Period
- 21 County Advisory Boards to Manage Wildlife (CABMW) Budgets – Administrative Services Officer 2 Dale Hansen – Action
The 17 CABMWs have been polled regarding travel and operating funds needed from the state's Wildlife Account for fiscal year 2011. In accordance with NRS 501.320. The Commission will be asked to approve fiscal year 2011 Advisory Board budgets.
- 22 Wildlife Heritage Projects – Chairman Lent – Action
The Heritage Committee will provide recommendations to the Commission for approval of projects submitted for funding in fiscal year 2011 and including 2010 projects.
- 23 Commission Regulation 10 – 01 #1 – Chairman Lent – Action
Presentation of the Heritage Committee's vendor recommendations to the Commission for approval for the 2011 Heritage tags.
- 24 Commission Regulations – Action
- A Commission General Regulation 375 – Apprentice License - LCB File No. R019 -10 – Program Officer III Maureen Hullinger
The Commission may adopt a regulation relating to hunting; providing for the issuance of an apprentice hunting license; requiring a mentor hunter to complete a mentor hunter affidavit for each apprentice hunter he accompanies and directly supervises; restricting mentor hunters to accompanying and directly supervising one apprentice hunter at a time; and providing other matters properly relating thereto.
- B Commission General Regulation 378 – Guide License Changes - LCB File No. R006-10 – Chief Game Warden Rob Buonamici
The Commission may adopt a regulation relating to wildlife; revising the date after which the Department of Wildlife will not process an application for the issuance or renewal of a master guide license; amending certain examination dates for a master guide license; amending the requirements concerning the amount of insurance a master guide must carry; authorizing the Department to deny, revoke or suspend a guide's license for a conviction of a crime involving physical violence, theft or fraud; and providing other matters properly relating thereto. Note: See support material under agenda item #11B.
- C Commission General Regulation 379 – Junior Hunt Eligibility Changes - LCB File No. R150-09 – Program Officer III Maureen Hullinger

The Commission may adopt a proposed regulation relating to junior hunts; expanding the period of eligibility for applicants for a junior hunt; revising provisions relating to the number of years for which an applicant may apply for a junior hunt; and providing other matters properly relating thereto.

- D Commission General Regulation 385 – Expired Duck Stamp Purchase - LCB File No. R011-09 – Program Officer III Maureen Hullinger
The Commission may adopt a proposed regulation relating to state duck stamps; setting forth the price of unexpired state duck stamps; authorizing a person to obtain or purchase an expired state duck stamp under certain circumstances; and providing other matters properly relating thereto.
- 25 Second Reading, Commission Policy #50, Duck Stamp – Management Analyst 3 Kim Jolly – Action
The Commission will conduct a second reading to review recommendations and changes from NDOW staff, including delete stamp printing sections on the last two pages and update the purpose in order to coincide with the new duck stamp regulation.
- 26 Commission Regulation 09-01 Amendment #2 – Program Officer III Maureen Hullinger – Action
The Commission is being asked to approve corrections to Commission Regulation 09 – 01 Amendment #1 to include Fallon Naval Air Station and Nevada Test Site and Training Range restrictions which were omitted in Commission Regulation 09-01 Amendment #1.
- 27 Commission Regulation 10-02 – Big Game Quotas 2010 - Big Game Biologist Mike Cox – Action
The Commission will establish regulations for the numbers of tags to be issued for mule deer, pronghorn antelope, elk, bighorn sheep and mountain goats for 2010 – 2011.
- 28 Future Commission Meeting – Director Ken Mayer - Action
The next Commission meeting is scheduled for June 25 and 26, 2010, in Ely; and the Commission will review potential agenda items for that meeting. The Chairman may designate and adjust committee assignments as necessary at this meeting.

Nevada Board of Wildlife Commissioners present for two day meeting:

Chairman Gerald Lent	Vice Chairman Scott Raine	Commissioner Daryl E. Capurro
Commissioner Tom Cavin	Commissioner Howell	
Commissioner Michael McBeath	Commissioner Mori	Commissioner Grant Wallace

Secretary/Director Kenneth E. Mayer	Bryan L. Stockton, Deputy Attorney General
Suzanne Scourby, Recording Secretary	Nhu Nguyen, Deputy Attorney General

Nevada Department of Wildlife personnel present:

Deputy Director Rich Haskins	Deputy Director Patrick Cates
Chief of Conservation Education Kelly Clark	Joanne Trendler, Administrative Assistant 3
Program Officer III Maureen Hullinger	Chief Game Warden Rob Buonamici
Chief of Habitat Dave Pulliam	Management Analyst III Kim Jolly
Wildlife Staff Specialist Kevin Lansford	

Others in Attendance/Two Day Meeting:

George Corner, NV Outfitters and Guides	Carol Fish, APHIS, Wildlife Services
Mark Jensen, USDA Wildlife Services	Jack Spencer, USDA Wildlife Services
Luke Barto, USDA Wildlife Services	Don Klebenow, self
Gil Yanuck, Carson CABMW	Mel Belding, self
Ben Miller, USDA Wildlife Services	Glen Copeland, Washoe CABMW

Candido P. Mendive, Elko CABMW	Tom Cassinelli, Humboldt CABMW
Paul R. Dixon, Clark CABMW	Randy Lytle, self
Joe Bennett, USDA Wildlife Services	Jack Sengl, USDA Wildlife Services
Zack Bowers, USDA Wildlife Services	Mike Turnipseed, Douglas CABMW
William Miller, White Pine CABMW	Brett Jefferson, NV Bighorns Unlimited, Reno
Tom Wilson, Washoe CABMW/NV Waterfowl Assoc.	Tina Nappe, self
Kevin Strozzi, Nye CABMW	Don Molde, self
Don Sefton, Systems Consultants	Monty Martin, Systems Consultants
Gary Coleman, Pershing CABMW	John James
Shane Boren, White Pine CABMW	Bob Cook, Douglas CABMW
Jeremy Drew, Northern Nevada Safari Club Chap.	Leland Graves, Lyon CABMW
Randy Scilacci Jr., Pershing CABMW	Cory Lytle, Lincoln CABMW
Rick Smith, Washoe CABMW	Rex Flowers, Washoe CABMW
Dan Hill, Pershing County Chukars Unlimited	Judi Caron, self
Dianna Belding, self	Stu Tartaglia, self
John Ellison, Elko County Commission	Assemblyman John Carpenter

Friday, May 14, 2010

1 Call to Order, Introduction and Roll Call of CABMW Members – Chairman Lent

Chairman Lent called the meeting to order at 9:07 a.m. and asked the recording secretary for a roll call of the Commissioners present: Chairman Lent, Vice Chairman Scott Raine, Commissioners Capurro, Cavin, Howell, McBeath, Mori and Wallace.

Chairman Lent asked for roll call of CABMW members present: Paul Dixon, Clark; Mike Turnipseed, Douglas; Gil Yanuck, Carson; Candido Mendive, Elko; Glen Copeland, Washoe; Cory Lytle, Lincoln; Bill Miller, White Pine; and Tom Cassinelli, Humboldt.

2 Presentation of Wayne E. Kirch Wildlife Conservation Award – Chairman Lent

Chairman Lent read the remarks for Mr. Ben Miller's Conservation Award: Ben Miller has worked for the USDA Wildlife Services Division here in Nevada since 2002 and during this time Ben has worked ceaselessly to protect Nevada's native resources utilizing a wide variety of methods, including aerial gunning, and trapping of predators. Mr. Miller was instrumental in designing and implementing a new electronic calling system to increase effectiveness in eliminating predatory wildlife; particularly in Hunt Unit 014. Additionally, Mr. Miller has assisted the Department of Wildlife by recording global positioning system locations of wildlife observed while conducting routine predatory wildlife control work. Mr. Miller has worked countless hours removing lions, coyotes, ravens and other predatory wildlife from hunt Unit 014; protecting mule deer, sage grouse, antelope and other wildlife species. He and Commissioner Howell presented the award and thanked Mr. Miller and said that it is with great pleasure the

Nevada Board of Wildlife Commissioners presents the 2009 Wayne E. Kirch Conservation award to Ben Miller.

3 Approval of Agenda – Action

Commissioner McBeath said since Commissioner Cavin will not be present on May 15 and as the Commission has important items on the agenda related to Heritage projects he would like to have the Commission discuss moving that agenda item to today (Friday) in order for Commissioner Cavin to participate in the vote and move some items to Saturday. He said these items are of importance to the full Commission to vote on, and Heritage is paramount and in the past the Commission has moved items to take into account Commissioners schedules and this item warrants that action for full Commission participation.

Chairman Lent said we have a full agenda and there may be more people here Saturday and the Commission has AN appeal to hear and we have to do the workshops for regulations as we have to vote on those tomorrow.

Commissioner McBeath said we can move the Heritage projects to the June agenda and by then we may have a new Commissioner appointed to participate and moving the item to June would allow Commissioner Cavin and the new appointee to be present.

Commissioner Capurro said he has a concern with the first suggestion is that information is just coming out today and there may be people planning to come Saturday for this very issue and to change the agenda at this point would shut those people out.

Commissioner Cavin said he lost sleep over missing Saturday and was a difficult decision and he agreed that it would be prudent to move the item to June so the full Commission can discuss and vote on Heritage and asked for that change from the Commission as a fellow Commissioner.

Commissioner Wallace said along the lines of Commissioner Capurro's comment that he just received information this morning on the recommendations and there are lots of people who don't know what the recommendations are and for that reason he would agree with suggestion to moving discussion to June.

Deputy Attorney General (DAG) Stockton said for the record that this is a motion to suspend the rules which have to give way to Open Meeting Law, and have language about moving items around and believes the Commission has that discretion to move the item from one day to another, and would be safer for the Commission to delay to June than move the item from tomorrow to today.

COMMISSIONER MCBEATH MOVED THAT WE MOVE AGENDA ITEM #22 WILDLIFE HERITAGE PROJECTS WHEREBY COMMISSION APPROVES PROJECTS RECOMMENDED FOR FISCAL YEAR 2011 AND INCLUDING 2010 PROJECTS MOVED TO THE AGENDA FOR THE JUNE MEETING. COMMISSIONER MORI SECONDED THE MOTION.

Chairman Lent said no guarantee that in June that we will have a full Commission and the Commission also has an appeal in June and knows that will be a long hearing, and Heritage is on Saturday because more people will show-up. He said he will be voting to leave as is.

Commissioner Raine asked if motion is to suspend rules.

DAG Stockton clarified that it is a motion to amend the agenda.

**COMMISSIONERS IN FAVOR OF THE MOTION: MORI, WALLACE, CAVIN, MCBEATH.
COMMISSIONERS OPPOSED: CHAIRMAN LENT, RAINE, HOWELL, AND CAPURRO.
MOTION FAILED 4 - 4.**

COMMISSIONER RAINE MOVED TO APPROVE THE AGENDA. COMMISSIONER HOWELL SECONDED THE MOTION. MOTION APPROVED 8 - 0. CHAIRMAN LENT VOTED.

4 Member Items/Announcements –

Commissioner Cavin reported that he is member of the Lathrop/Capurro Scholarship Selection Committee and last month selected a second year University of Nevada, Reno (UNR) student from Elko, Joe Bennett. Commissioner Cavin said he had opportunity to accompany Wildlife Services Specialist and Kirch Award recipient Ben Miller on a project in the Granites Project 18, and they covered much ground in two days and he learned much and he would recommended that CABMW members or Commissioners complete a tag along as it was very interesting on how much they accomplish in the field.

Commissioner Raine said he has some old items that he would like to see come back to the Commission, one being a limited black bear hunt and initiate that over next few meetings and development of a regulation to restrict ownership of wolves.

Chairman Lent said minutes of last meeting stated DAG Newton would follow-up on the Clark County Shooting Park charging the Clark CABMW to use their facilities for their meetings and would like to hear a report on that.

5 CABMW Member Items –

Paul Dixon, Clark CABMW, said in response to Chairman Lent's comment about the Clark County Shooting Park facility charges, that he and other members of Clark CABMW donated the money to pay the rental fee for using the Clark County Shooting Park.

6 Public Comment Period – None

7 Approval of Minutes from the March 19 and 20, 2010, Meeting - Action

COMMISSIONER HOWELL MOVED TO APPROVE. COMMISSIONER CAVIN SECONDED THE MOTION. MOTION CARRIED 8 – 0. CHAIRMAN LENT VOTED.

8 Correspondence – Chairman Lent – Informational

Chairman Lent reviewed his correspondence: Correspondence from man who had elk and deer tag and turned in elk tag and wanted bonus points and doing research he did not get his bonus points and he talked to SCI and they reestablished his bonus points for elk not the deer as he hunted on the deer tag; email from Mark Paul that he did not apply last year in Nevada as he moved to Wyoming from California and his wife was a couple hours late filing his application on the Internet and when you go on the NDOW website it stated the deadline was April 19 and she thought she had until midnight on that date and then went to apply and found out the deadline was 5 p.m. and they are submitting an appeal for bonus points only.

Commissioner Cavin said he did not have written correspondence but had a phone call from friend who took hunter education with his daughter and they were enthralled with the class and the three instructors: Kelly Dean, Scott McDonald and Dan Hall, and Commissioner Cavin thanked all of the other hunter education instructors who are out there doing this on a weekly basis and volunteer their time and the Department has a great program.

Chairman Lent commented that a regulation is being drafted by NDOW staff to allow an extra week to apply for bonus points which would help someone in Mr. Paul's situation.

9 Appeal Hearing – Mr. Aaron Hughes – Action

DAG Stockton said a letter submitted to the Commission from Nevada Guides and Outfitters has been withdrawn as the Commission is in administrative court mode, and he said that anyone with a third degree of consanguinity or affinity needs to recuse themselves from the hearing. He advised the Commission that Findings of Fact, Conclusions of Law, have to be included in the motion.

Commissioner Wallace recused himself from the appeal hearing.

DAG Stockton swore Mr. Hughes in with an oath under penalty of perjury to tell the truth.

Mr. Hughes provided an explanation to the Commission of an incident whereby he was cited: He had two clients in Area 10 and had individual obtaining subguide license who told him his license was on its way who was assigned a client 70 miles across the dirt, upon arrival of client in Area 15, the person called and said his license was not approved and could not take client. Mr. Hughes said he was in camp with one set of clients and went to talk to other client and told him he would break away and take him out. Client told him that NDOW was watching him for about four days, and Mr. Hughes was cited by NDOW for not accompanying the client. He asked the Commission to consider that this is a citation, and if a truck driver cited you don't go out of business, and guiding is not a huge income and has taught hunter safety and is very supportive of Nevada, and his business brings clients into the state who bring and spend lots of money in the small communities of rural Nevada. He humbly asked that the Commission think of it from a business perspective, and that taking away his business for a citation. Mr. Hughes said he appreciates the Commission for taking time.

Cross Examination from Department:

Chief Game Warden Rob Buonamici asked Mr. Hughes if he was employed in law enforcement at one time and if he is aware of regulations and enforcement of regulations, and understands that regulations should be equally enforced across the board.

Mr. Hughes answered Mr. Buonamici that he is not disputing citation at all.

Commissioner Cavin said this was a nonresident guided hunt tag.

Mr. Hughes said yes.

Commissioner Raine asked if the client actively hunting in the absence of Mr. Hughes and packing heat.

Mr. Hughes said that he was actively looking for deer and had a firearm.

Commissioner Capurro asked Mr. Hughes if he was licensed to guide in both areas and asked what type of conflict when he spoke to warden.

Mr. Hughes said yes he was upset and he understood why he was cited but he was not aggressive with warden.

Commissioner Cavin asked if Mr. Hughes was aware you would forfeit guide's license

Mr. Hughes said he appeared at arraignment and paid fine and did not go back to court, and court issued warrant, sacrificed bail and accepted citation. He said he was absolutely not aware he would forfeit his license.

Commissioner Raine asked if the client was hunting, walking.

Mr. Hughes said that he told him areas to go and was walking, looking and glassing.

Commissioner Howell said he could have been looking for coyotes.

Mr. Hughes said that is what he would have said in court.

Dag Stockton said you can't take that into account factually as Mr. Hughes already admitted client was looking for deer.

Chairman Lent asked Mr. Hughes if he agrees that he is responsible for actions of client no matter what they do.

Mr. Hughes said yes and he has learned a valuable lesson from this experience.

Chief Game Warden Buonamici referenced the department's exhibits 1 – 8 as contained in the support material. Mr. Buonamici said the distance between the client and the guide was a vast distance and the guide regulation is specific that you must be accompanied by a guide. He said there is a myriad of guides who do it correctly and in fairness to guides who guide correctly this was egregious and needed to be addressed. Guiding is not a right it is a privilege and there are definite rules for guiding which is taken seriously because in a fashion the guides represent the Department and through licensing them represents approval. He said the denial does not mean he cannot reapply as staying out of the game for one year is appropriate for the violation and is a major violation to the other master guides of the state.

Chairman Lent asked Chief Game Warden Buonamici to read the regulation.

Chief Game Warden Buonamici read the NRS statute for guiding which states the client must be accompanied at all times by the licensed guide during the nonresident restricted hunt.

Commissioner Howell asked if Mr. Hughes was licensed in 2009.

Mr. Hughes said he missed the 2009 deadline and reapplied in 2010.

Commissioner Capurro asked if there are lesser penalties such as suspend or revoke instead of denial, i.e. impose another penalty other than dismissal of the application.

Chief Game Warden Buonamici said the Department can deny or revoke an application but save suspensions for extremely egregious violations and would not wait until renewal period but would pursue suspension upon conviction. This violation warrants

action and is not here saying he killed deer for five of his clients or anything like that but the crime warrants consequences.

Commissioner Raine asked if in investigation the warden took into account that client was not doing things in violation of orders by guide and or mitigating circumstances.

Chief Game Warden Buonamici said situation was one where the client knew guide was supposed to be with him, and the client was hunting. Mr. Hughes met with client prior to being out in field and gave him maps. Mr. Hughes stated to client that subguide could not make it as subguide's sister was killed in car wreck, which during the investigation was found to not be true. He said this was intentional violation committed by Mr. Hughes who knows laws as he is in law enforcement and he knows how to read law and based on that citation was appropriate.

Commissioner McBeath asked if Mr. Hughes cited or convicted for any other violations.

Chief Game Warden Buonamici said since this incident he was cited for failure to remove expired numbers from unused boat two weeks ago and he paid \$82 bail on April 29, 2010. He was also cited, but not germane to this statute and regulation regarding guides, but for expired trailer plates.

Mr. Hughes said the California number were still on the boat and was cited for that and he said he also has Nevada numbers.

Commissioner Capurro said point he wanted to pursue is whether or not violation would become an issue that could be brought up next year when he applies for a Master Guide License, as you indicated that issues that came up from removal of license to next period would be considered, and the Department would not take into account what led up to removal of license this year if he applies next year.

Chief Game Warden Buonamici said if Mr. Hughes applies next year and has no further convictions of any sort, than staff would look favorably on approving the application.

Commissioner Capurro said theoretically could you have fined him and not dismissed the license – administrative penalty.

Chief Game Warden Buonamici said process is we issue the citation then becomes matter between violator and court, no administrative penalty.

Commissioner Mori asked if Department authority when someone applies for guide license to make determination of eligibility or period ineligible.

DAG Stockton said that period of nonrenewal can be up to five years and that could be part of motion.

Commissioner Howell said Department is not asking for anything other than denial for 2010.

Chairman Lent said Mr. Buonamici and Mr. Hughes may present rebuttal and be cross examined with issues limited to the rebuttal.

Chief Game Warden Buonamici said with regard to Mr. Hughes statement with minimizing boat issue numbers that this is no different than if I moved from California and kept a plate from that state on the front and Nevada on the rear, and as Mr. Hughes is in law enforcement that is something he should be fully aware of.

Closing Arguments:

Mr. Hughes said he humbly asks the Commission to not to shut him down or take income from community over a misdemeanor penalty, he has already paid \$300 and has lost clients and is trying to rebuild his business. Mr. Hughes said nothing he could have done differently ethically for that client as he gave him his money back and promised him a free hunt.

Chief Game Warden Buonamici said this is not solely about a business it is fairness and equity to people who play by the rules, Mr. Hughes portrays himself as serious about his business and if he was, he would follow the rules, and not put himself in position of violating the rules. He said this boils down to fairness and doing the right thing, and we have.

Chairman Lent returned deliberations to Commission:

Commissioner Capurro asked DAG Stockton if Mr. Hughes had blown off his hunter and indicated he could not have him in the field, would assume that the hunter could have filed a claim and would Mr. Hughes have been cited for not taking care of his hunter. He was wondering if that would have been a mitigating circumstance or is a Catch-22 as he could have cited for that.

DAG Stockton said that could happen but the Commission has to decide the case on facts and that did not happen.

Chairman Lent said the fact is we have law that states you have to accompany the hunter in the field and is black and white that occurred and is the reason for the regulation, and cannot change that.

Commissioner McBeath said Chairman Lent's statement is true and furthermore is concerned that if we start creating exceptions he does not think the Commission has ability to do other sanctions, as we either agree with Department or not. He is concerned with not making a statement to the guides in general in the state that this is

serious matter with consequences and we cannot make exceptions in these types of circumstances. He does not want message sent that you have one bite of the apple and to be fair we would have to do this for another guide that does this. He said he would like to have Mr. Hughes be more involved on the front-end of this citation and that is where the effort should be made. Mr. Hughes admitted he violated the regulation and have to side on policy and message the Commission should be sending that serious consequences and Department is doing the minimum under these circumstances.

Chairman Lent said he had a personal experience in Alaska himself where he had to wait for the guide to be freed up before he could leave camp.

Commissioner Cavin noted the “may” in statute.

Commissioner Howell appreciates fact in Catch 22 and he could have called someone in law enforcement and obtained advice as to what to do.

Chairman Lent said the Commission has to generate a motion and noted the two decisions that need to be in a motion with the wording of “may” and the motion should tell why the denial, as we need facts for Attorney General.

Commissioner Howell said motion should state that denial is for 2010 only.

Findings of Facts

COMMISSIONER MCBEATH MOVED SETTING FORTH FINDINGS OF FACT: MR. HUGHES CONTRACTED WITH A NONRESIDENT HUNTER PURSUANT TO THE NONRESIDENT RESTRICTED GUIDE WITH A TAG TO HUNT IN AREA 115, THE SECOND FINDING OF FACT, WOULD BE THAT MR. HUGHES, DID NOT ACCOMPANY THE HUNTER DURING THE HUNT FOR AREA 115 AS REQUIRED BY NRS 502.149. MR. HUGHES WAS CITED BY THE DEPARTMENT FOR VIOLATION OF NRS 502.149 AND FINALLY MR. HUGHES IN EFFECT PLED GUILTY OR CONCEDED THAT VIOLATION OF NRS 502.149. COMMISSIONER MORI SECONDED THE MOTION. VOTE IN FAVOR OF MOTION: CHAIRMAN LENT, COMMISSIONERS RAINE, CAPURRO, CAVIN, HOWELL, MCBEATH, AND MORI. COMMISSIONER WALLACE RECUSED. MOTION PASSED 7 – 0.

Conclusion of Law

COMMISSIONER CAPURRO SAID HE WOULD MOVE THAT WE INDICATE THAT THE NAMED ARTICLES ARE PART OF THE FINDINGS OF FACT AND THAT THERE WERE NO MITIGATING CIRCUMSTANCES PRESENTED BY THE DEFENDANT OR IN DISCUSSION TO REVERSE THE CONCLUSION.

COMMISSIONER MCBEATH SAID HE WOULD RESTATE COMMISSIONER CAPURRO'S MOTION AND AMEND THE MOTION TO MAKE CONCLUSION OF LAW THAT AARON HUGHES VIOLATED NRS 502.149 THAT STATES THAT NONRESIDENT HUNTER MUST BE ACCOMPANIED BY LICENSED GUIDE OR SUBGUIDE WHO COSIGNED THE APPLICATION, AND FURTHER THAT DEPARTMENT PURSUANT TO NAC 504.671 HAS PROPERLY DENIED THE APPLICATION TO REVOKE OR SUSPEND MR. HUGHES GUIDE LICENSE BASED ON CITATION OF CHAPTER 502 OF NRS AND THAT THE COMMISSION FURTHER FINDS AS CONCLUSION OF LAW THAT AT THE REQUEST OF THE DEPARTMENT THAT THE DENIAL IS FOR HUNT YEAR 2010 AND MR. HUGHES MAY REAPPLY FOR THE 2011 HUNT AND THAT OBVIOUSLY HIS APPLICATION WILL BE RECONSIDERED AT THE TIME BUT NOT THE VIOLATION HE IS BEING SANCTIONED FOR TODAY. COMMISSIONER CAVIN SECONDED THE MOTION. VOTE IN FAVOR OF MOTION: CHAIRMAN LENT, COMMISSIONERS RAINE, CAPURRO, CAVIN, HOWELL, MCBEATH, AND MORI. COMMISSIONER WALLACE RECUSED. MOTION PASSED 7 – 0.

COMMISSIONER MCBEATH MOVED THAT THE COMMISSION APPROVES THE DEPARTMENT'S DENIAL OF THE LICENSE OF AARON HUGHES FOR VIOLATION OF NAC 506.671 6 A. COMMISSIONER MORI SECONDED THE MOTION. VOTE IN FAVOR OF MOTION: CHAIRMAN LENT, COMMISSIONERS RAINE, CAPURRO, CAVIN, HOWELL, MCBEATH, AND MORI. COMMISSIONER WALLACE RECUSED. MOTION PASSED 7 – 0.

10 Commission Policy #50 – Management Analyst (MA) 3 Kim Jolly

MA 3 Jolly said the changes the Department is requesting are housekeeping and are self-explanatory in the support material.

Commissioner Raine asked if duck stamp section eliminated how this will be handled in the future. Commissioner Raine said this originally was included as it is political with much interest in duck stamps and he is not sure if Commission should be off the hook with eliminating the Commission's role.

MA 3 Jolly said the duck stamp inventory will be handled by the Department internally. MA 3 Jolly said last time we discussed policy the direction from previous Commission and Administrative Policy and Procedures meetings, the Commission's interest was sponsorship of art contest and judging. The policy is actually enhanced and clarified for Commission to focus on purpose of contest. She said the last two pages regarding handling and distribution of stamps is too much detail for a Commission policy and limits the Department's ability to be reactive to times and efficiency.

Chairman Lent said one of the reasons is that first editions of stamps are valuable and this should go to the Procedures Committee and bring it back to them to go through before voting.

Commissioner Capurro said this is first reading and theoretically the Commission could send to committee for second reading and go from there.

Secretary Mayer said if you look at wording that has been struck, which is the original wording, staff is just cleaning up language that is not germane to operations of the Department or the Commission.

Chairman Lent said it is more than clean-up it is deletion of two-thirds of the policy and still believes it should go back to the Procedures Committee and let them return with it.

Commissioner Raine said he has more concerns than should be dealt with here today and with the deletions and issues, the policy should at least go through the committee process.

Commissioner Cavin said as presented is what is left of Policy 50 and what is being deleted should maybe be put into another internal policy that is specific of how inventory is disposed of, as the stamps are valuable, and he would be more in favor of that. He said we do need to know of what the disposal procedure is of the stamps and would hate to do away with that before we have something else in place.

Chairman Lent said he would send this item back to Procedures Committee and also does not see the wording whereby the judges cannot have an interest, and on page 1 word "state" needs to be capitalized.

MA 3 Jolly said the Commission did not approve those, and from our discussion with this was to get the Department's portion, and the Commission has the discretion for the judging panel.

11 A Commission General Regulation 375 – Apprentice License – LCB File No. R019 – Program Officer III (PO III) Maureen Hullinger

PO III Hullinger reviewed the support material (exhibit file) submitted with the regulation. She said \$68,800 is fiscal note for the changes, and she read names of the CABMWs in support of the regulation: Eureka, Elko, White Pine, Washoe and Lincoln. Washoe had recommendation that they would like to allow for more than one mentor to supervise an apprentice.

Chairman Lent asked where the \$68,800 will come from for reprogramming.

Director Mayer said the funding comes from the \$10 application fee which is in a account that has over \$1 million and is used for modifications to the draw system. He said the change during the special session now allows the Department to use the application hunt fee to pay for costs with the draw such as licensing staff time.

Deputy Director Cates said the legislation opened up to pay for business processes such as Nevada Wildlife Data System (NWDS) and staff time associated with the cost.

Commissioner Raine asked what level of penalty may be imposed on the mentors for not following NAC and what is the liability and responsibility of the mentor.

DAG Stockton said he did not look at regulation from that angle but generally the Board has jurisdiction over license to hunt as far as criminal and negligent behavior those issues go to the courts.

Commissioner Capurro said law allowing for apprentice license was legislation passed by legislature and all we are doing here is adopting regulation to implement it and not question of whether we agree, question is a mentor, is that at is least having one, and thinks the way statute is written would allow for more than one mentor. He also said that a letter from the Conservation League was received supporting the apprentice license.

Tom Wilson, Washoe CABMW, said they are in favor of the regulation and the reason for the amendment that they added is due to Section 9, which states a mentor can have one apprentice, but Section 3 says the apprentice may be accompanied and supervised by one mentor. He said the apprentice license is designed for bird hunting/upland game hunting, not big game, and bird hunting is the most dangerous hunting we have and that is why they recommended two mentors to assist with the hunt as a lot going on during a bird hunt and would assist with safety.

Commissioner Howell said mentor program and the apprentice hunter application requires two signatures, the specific apprentice and mentor, and he does not see a problem with buddy accompanying them but one person is responsible as it should be. He said you can't have two or three because who would be the primary responsible person.

Commissioner Raine asked Chief Game Warden Buonamici to address the liability concerns and wants it clear what liability the mentor can expect.

Chief Game Warden Buonamici said multitude of scenarios out there which will be dealt with on a case by case basis, such as apprentice hunting without mentor, citation issued, and wardens will look at all situations. He said from a liability standpoint he is not a civil attorney and can't say much except potential to sue is there for anyone.

11 B Commission General Regulation 378 – Guide License Changes – LCB No. R006-10 – Chief Game Warden Buonamici

Chief Game Warden Buonamici said the regulation changes address clean-up with previous regulation and guide application period for master guides is from Oct. 1 to Dec. 1 and that coincides with hunting season while they and the Department are at their busiest. Staff met with the Nevada Guides and Outfitters Association (NGOA) and proposed dates of July 1 to August 31. The draft regulation in support material packets states August 30 and the date should be August 31. The next change is to coincide with that is the date for the master guide examination which is currently April through Nov. 30, and are proposing new dates of Jan. 1 to August 31. Chief Game Warden Buonamici said final proposed change in response to guide license hearing is adding to Section 5 wording for “the Department may revoke or deny a guide license for (a) felony or (b) crime with physical violence,” and that could be a misdemeanor as well. Also a change to insurance and raising provision from \$5,000 to \$25,000 for property damage that the guides are required to have.

Chairman Lent said he understands that some guides wait for clients to apply and by the August 31 deadline they won’t know if they even have clients.

Chief Game Warden Buonamici said that potentially could affect the guides and how they run their business and a myriad of reasons for the date such as some hunting seasons start in July, the time involved in processing the applications, and making the process more user friendly.

Commissioner McBeath said we want to portray Nevada’s guide industry as a profession and legitimate and they should be licensed and deal with your business and what clients you get based on the draw. He is interested in what NOGA has to say but need something firm in place.

Public Comment –

George Corner of NGOA thanked the Department again for working closely with them on this regulation and they support the regulation and proposed changes. He said the insurance requirement change is to be consistent with what federal land management agencies require.

Chairman Lent said he heard from other guides and he asked Mr. Corner how many guides in their association and how many feel as you do.

George Corner, NGOA, said they did not poll the association but those in attendance at the meeting voted for it, and they do not represent all the guides in Nevada. Mr. Corner said he would estimate 40 to 50 guides as members in his association.

Chairman Lent has heard from other guides who said that this will impede other guides and would like to know how many represented.

Tom Wilson, Washoe CABMW, said they concur with recommendation with exception of Section 5, subsection 3, adding denial of master guide application by the Department for physical violence, theft or fraud. They had problem with non felonious crimes such as battery. He said what is connection of simple battery and revoking/denying guide license, and his experience as a prosecutor is that we had so many cases pled down to simple battery, a misdemeanor. He said they were confused as to the connection of battery to revocation of license as it is easy to get conviction for battery as "intended" action can be prosecutable.

Chief Game Warden said on Oct. 1, 2009, staff sent survey to all the guides in the state regarding this regulation and proposed changes, and the regulation was based on results of the survey. He said staff also presented the regulation at the NGOA meeting.

Commissioner Raine said he is in favor of the regulation except for the wording "crimes involving physical violence."

Chief Game Warden Buonamici said staff felt that should be in there as guides represent the Department of Wildlife and have our stamp of approval and for hunters should we be overly concerned, but by same token the hunter brings family members on guided trips and do we want someone with a propensity toward violence to be entrusted with these family members. He said the Department has civil liability responsibility.

Commissioner Capurro said he agreed with Chief Game Warden Buonamici that we are putting the Commission's stamp of approval on guides as well as the Department.

11C Commission General Regulation 379 - Junior Hunt Eligibility Changes – LCB File No. R150-09 – Program Officer Maureen Hullinger

PO III Hullinger reviewed the regulation as sent in support material (exhibit file) which is junior hunt eligibility, age 17 to 18, eligible years to apply from four to five, and transfer of bonus points. Implementation is proposed for 2011 and the cost is estimated at \$1,000. PO III Hullinger said the CABMW comments received were supported with the exception of Washoe CABMW who did not support the age change from 17 to 18 and suggested the Commission redefine the junior hunt as novice hunt.

Commissioner Capurro said the regulation is a result of his suggestion as he was on the Application Hunt Committee for the Commission more than 10 years ago, and was his suggestion for the Junior Hunt and what they found in statistics is that average age of hunter is going up by one year that tells us we are losing young people while older people like himself still hunting. He said the reason for that is from age 12 to 16 is that they were not getting opportunity for a tag, and we set aside a separate tag allocation

for them and this regulation does not change number of tags toward youth hunt rather the change allows for a senior in high school to hunt still, and that is all it does. Yes, it will put more people in the pool for restricted number of tags that we have, but in his mind the youth hunters will save the sport and need accommodations for them or will be serious problem with nonhunters having a leg up over sportsmen. He is surprised by Washoe CABMW's response as he read all the other CABMW minutes and all in favor.

Commissioner Raine disclosed that although he has four children that will be junior hunters they do not apply yet and that will not affect his vote.

Tom Cassinelli, Humboldt CABMW, said they also opposed this recommendation as some 18-year-olds were getting in and cut that back to four years, and they have concerns with putting more people in as four years with youth hunt should be enough to get people into the sport and if not fulfilling the quotas would say let them hunt until 40 but we want to have the younger ones into the hunt. He said they felt youth hunt is doing what it was intended for and they are opposed to stretching it out.

Chairman Lent asked if opposed to increasing the youth tag numbers.

Tom Cassinelli, Humboldt CABMW, said if you do this you would increase the numbers and that needs to go through the counties and sportsmen.

Commissioner Capurro said the Commission did not receive Humboldt CABMW minutes and that is why he made his earlier comment about no board complaining about this.

Tom Cassinelli, Humboldt CABMW, apologized and said the minutes of their meeting were not sent because they do not have a recording secretary although they did get their quota recommendations in.

Paul Dixon, Clark CABMW, said the Commission mentioned that they said 3,000 tags and when we set up the junior hunt it was set at 3,000 tags, but have never obtained that. He said they were in favor of extending the age bracket to get numbers up and would not see impact of other people not having capability. He asked how many people have been applying for youth hunt and not getting a tag.

Chairman Lent said those questions would be better addressed during the quota session of this meeting.

Commissioner Cavin asked if sense of how many 17-years-olds would be in the 18 year old bracket.

Don Sefton, Systems Consultants Inc. (SCI), said roughly 2,500 applicants and figure four years, it may be adding 600 – 650 for each year added roughly. He said older kids do drop out.

Commissioner Capurro said potential is for 17-year-olds and those are the numbers we need by tomorrow.

Glen Copeland, Washoe CABMW, said his board was unanimous in vote against supporting the regulation because you will put more youth into the youth draw. Some kids are already not drawing tags at all in a couple of years and some younger kids will not get tags, they are pro youth on their CABMW, and this youth hunt has been a controversial thing for a few years now. They made suggestion to look at youth hunt and maybe need to revise the hunt to include novice hunters.

Commissioner Capurro said would be helpful if Mr. Sefton found out relationship of number of applicants to tags and relationship to general hunt. He said there is vast difference between general hunt and ratio in the youth hunt. Even though we will increase numbers but not cut down on potential for youth tags.

Bill Miller, White Pine CABMW, said they also opposed the regulation, he did get the minutes back from their board and PO III Hullinger acknowledged that and does not know why that did not make this list. Their board was opposed because they want the lower ages to hunt such as 11, 12, and 13.

Commissioner Capurro said the action denoted in the White Pine minutes is to support the regulation and that is what he has to go by.

- D Commission General Regulation 385 – Expired Duck Stamp Purchase – LCB File No. R011-09 – PO III Maureen Hullinger

Postponed to later in the agenda to accommodate schedules of presenters.

- 12 University of Nevada, Reno College of Agriculture – Chairman Lent – Action

Professor Kurt Pregitzer reported on the proposal to close the College of Agriculture and Biotechnology and Natural Resources (CABNR) at the University of Nevada, Reno. He said things have changed significantly from when we addressed the Commission in March. He said the College of Agriculture is no longer slated to be closed now the proposal is to reorganize the college from five departments to three. The Department of Natural Resources and Environmental Science will remain unchanged which was the proposal all along. New proposal is for third new Department within the college named Food, Agriculture and Nutrition. The proposal for Main Station is to study for one year with no changes, and a committee being formed to do that, and nothing formal about Main Station at all now, but what happens in the future may be determined by this committee over the year.

Chairman Lent said the proposals won't be finalized until June and would behoove the Commission to state its concerns in a letter to the president, Board of Regents and provost, that the Commission supports maintaining agricultural resource as that is where the Department gets its biologists. The Main Station Farm is last wildlife sanctuary in the valley and would encourage them to keep that.

Dr. Thain of Department of Biotechnology with the Department of Agriculture said Acting Dean for the College, Dr. Pardini, is forming three committees, and one is to look at long-term aspect of Main Station, the other is to look at research being conducted at Main Station, and finally a committee to look at curriculum development with this new Department and what we will offer. He said if anyone interested in participating on those committees to express their interest to Director Mayer who serves on the CABNR Advisory Committee.

Assemblyman John Carpenter from Elko said basically this sounds good but still are gutting College of Agriculture and thinks there will be a move later in the state legislature to move the college to Elko and reality is if mining and agriculture were in Elko they could get lots of support. College of Agriculture is taking brunt of budget cuts because we need to face that as cowboys we don't have the clout and they are picking us off. Hopefully, Senator Goicoechea can get that done.

Don Klebenow, professor emeritus of College of Agriculture, said the Commission should go for it and advocate their support for the College and let the public know of the Commission's support.

Chairman Lent said he has this on the agenda is very concerned as the college supplies wildlife professionals and is concerned about losing wildlife sanctuary on Main Station Farm and the Commission should take a strong position and send letter to provost, Board of Regents, and President Milton Glick, stating opposition and loss of wildlife managers and disposal of Main Station Farm. He said he supports what Assemblyman Carpenter said and we need graduate students for wildlife programs of this agency.

Commissioner Capurro said this program looks like death by one thousand cuts and agrees that in 10 years there won't be College of Agriculture which was one of the two main colleges when founded. He said the question of transferring the Main Station Farm to status to be sold has been in the legislature the last few sessions and it houses some of the most important research facilities and intent of legislature so they could address financing issue after they get rid of College of Agriculture.

Chairman Lent said Main Station is unique piece of property.

Commissioner Mori agreed with statements made by Chairman Lent and Commissioner Capurro, and we need to show support for these programs and people are more active and vocal with their thoughts, because at the last meeting we heard that it would be

closed, and now the restructuring proposal is from five Departments to three. In reference to Main Station Farm he had daughter graduate from UNR who used facilities and his family has history of use with College of Agriculture and the stem cell research going on is one example of how Agriculture impacts wildlife as is use of antibiotics for bighorn sheep disease outbreak.

Commissioner McBeath asked if Main Station will be used for wildlife students and if the programs will continue.

Professor Pregitzer said wildlife students are using the property and it is recognized as important place for wildlife.

Commissioner Cavin said he is a graduate of College of Agriculture and the college is essential to the mission of the Department of Wildlife to have biologists keyed into Nevada and important to have that relationship. He said the Main Station Farm is the last vestige of the Truckee Meadows and is in full support of a letter and doing whatever we can.

COMMISSIONER RAINE MOVED THAT LETTER BE DRAFTED IN NAME OF NEVADA BOARD OF WILDLIFE COMMISSIONERS IN SUPPORT OF THE CONTINUED EXISTENCE OF UNIVERSITY OF COLLEGE OF AGRICULTURE AND RETENTION OF MAIN STATION FARM ALONG WITH WHAT WAS STATED TODAY WITH EXACT WORDING TO BE APPROVED BY THE CHAIRMAN AND TO BE SENT TO ALL INDIVIDUALS AS NECESSARY AT THE DISCRETION OF THE CHAIR TO INCLUDE BOARD OF REGENTS INCLUDING CHAIR ASAP. COMMISSIONER CAVIN SECONDED. MOTION CARRIED UNANIMOUSLY WITH CHAIRMAN LENT VOTING.

- 13 Ruby Pipeline Vya Work Camp and NDOW Participation in Routing of Pipeline – Chief of Habitat Dave Pulliam – Action

Chief of Habitat Dave Pulliam reviewed the timeline (exhibit file) of the Department's involvement with the Ruby Pipeline starting with 2008 scoping meeting and noted that there may be some misunderstanding out there of the Department's involvement. He said the Department's approach to the pipeline has been to focus on location alternatives to minimize impacts to wildlife and establish through decision making process reclamation standards to be met on disturbed habitat. He said staff conducted a mile by mile assessment of wildlife conditions from habitat quality aspect and wildlife values overall. The preferred Ruby route is crossing the recent Snowstorm Mountain acquisition and that right of way was approved by the Department of Wildlife and is being processed and issued by State Lands. He said as far as NDOW not being involved that it far from the fact of the matter as NDOW has been involved since the beginning. He said FERC has made decision on the route choosing "preferred alternative" and NDOW did have concerns with route, as NDOW preferred following Route 140 going in to Oregon. Mr. Pulliam said the mitigation package is satisfactory to the Department

and all along have worked cooperatively and in support of the pipeline and the FERC process.

Commissioner Capurro asked if known how many sage grouse leks are affected across the state.

Chief of Habitat Dave Pulliam said he did not know off the top of his head but knows there are a significant number of leks and nesting areas across the line especially in the western portion and if the 140 alternative would have been selected that would have gone through the Sheldon and the U.S. Fish and Wildlife Service (USFWS) was opposed.

Chairman Lent asked if NDOW has taken position of opposition on any segment of the line for the habitat.

Chief of Habitat Dave Pulliam answered no and that we have cooperated since the beginning and Department took stand that we would like thorough assessment of alternatives and impact of going up 140 through the Sheldon and made clear we preferred that route. Mr. Pulliam said timing of construction has been identified in relation to nesting and at no time has anyone involved said we oppose the project and the agency has been very supportive of the project and have worked cooperatively with the proponents to minimize impacts to wildlife.

Commissioner McBeath asked in regard to the USFWS listing decision on sage grouse, warranted but precluded, was there any decision about rerouting given that determination.

Chief of Habitat Pulliam said USFWS's approach was questioned by the Department and the refuge system took an opposite stance which seemed contradictory to us that they would not support an alternative route that would minimize impact to sage grouse.

Commissioner Cavin asked status of the pipeline project at the moment, such as are they building or not.

Chief of Habitat Pulliam said Ruby is staging materials along the line and the supplies can be seen from Interstate 80. He said the man camps will be on private property and will house up to 600 – 700 people, and their recreational activities during the off-hours or weekends can impact wildlife by disturbing habitat and may even have instances of poaching. He said NDOW has discussed a law enforcement presence and Washoe County may add two deputies but not sure at this time if funds exist to add game warden.

Commissioner Capurro said important that NDOW have its own law enforcement presence at the man camp and asked if there is an opportunity for Ruby to pay for the cost of a warden.

Chief of Habitat Pulliam said the Department is working on that with Ruby either directly or through BLM. He said we are hoping to work something out with them.

Public Comment -

Assemblyman John Carpenter said he is representing Elko County and northern part of Humboldt County. He said he appreciates the Commission having this on the agenda as very important for the Commission to hear what has been going on and staff for bringing them up to date. He had the Environmental Impact Statement book for Ruby Pipeline all that Mr. Pulliam spoke of is addressed in the book with the ramifications and entire line surveyed from Wyoming where it starts across Utah, and greatest portion is in Nevada, and within two miles of the pipeline they have documented 104 leks. His main reason being here is to get support of the pipeline with mitigation efforts that will be made and mitigation will be substantial and talked to BLM manager and it has not been firmly established how much money for sage grouse mitigation but he thinks it is about \$12 million and Nevada has two-thirds of sage grouse and should get about \$8 million for mitigation in addition to what they normally do. Mitigation for raven control and in 10 years or so the habitat will be better than it is now. Entire pipeline will be buried and will be a huge boost for people that will be put to work on this pipeline, which is about 15 percent from Nevada and also the assessed value for each county such as \$7 million for Elko. Right now they are waiting for cultural surveys from BLM and do not foresee right of way issues and probably start in June. He said he would really appreciate support of Commission for mitigation efforts that the Department has undertaken with the Company. He said there has been statements out there that the Department did not support the pipeline and believes that comes from the opposition to the route that NDOW preferred but USFWS was opposed and only way to overcome that is if Ken Salazar overruled the State Office of USFWS.

Commissioner John Ellison of the Elko County Commission said Assemblyman Carpenter said much of what he would say and that Mr. Pulliam is right that much work has been done mile by mile. On May 18 the Elko County Commission and other rural county commissions will be at Governor's office for presentation on sage grouse issues throughout the state. He said Elko County is committed to policing the man camps for speeding and littering and good security. He said the pipeline will potentially open up energy plant development as power plants were proposed in Elko and White Pine Counties but did not have the terms of fuel, and this potentially will open that up.

Don Klebenow, retired UNR professor, said strutting grounds have been reduced significantly with the peak in 1989, in 2010 three strutting grounds with 83 birds. He said we have lost 75 percent of males. Point he wants to make is that areas along pipeline, the leks are important as is condition of habitat indicated by leks, and things are already declining without the pipeline so the pipeline will have an impact.

Mike Turnipseed said he is on Douglas CABMW and also has contract to supply water to Ruby Pipeline and everything you have heard is correct and added that the line is 670 miles and he too asked about going through 140 and he heard USFWS objected because it did not fit in with resource management plan. Mr. Turnipseed provided further details on the man camp and pipeline with completion date scheduled for 2011.

Assemblyman Carpenter said a letter of support from the Commission would be good in the event of opposition.

Commissioner Raine asked if he fully understands, and would ask Director Mayer if it is correct that the Department, now fully supports construction of the project with the agreed upon mitigation. If that is the case he would be happy to support that position.

Director Mayer said the Department has supported the project from the very beginning.

Commissioner Cavin asked if Department is tolerating or supporting the project, and thinks we are tolerating.

Chief of Habitat Pulliam said he would like to answer that and would say that the Department supports the project as it has from the beginning, knowing this, it is a buried pipeline not above ground, and difference in reclamation and restoration. He said we provided initial input and mitigation projects for all four states are in range of \$12 million to pay for offsite reclamation work along the line or in vicinity for habitat fragmentation or loss. He said the Department is charged with protecting wildlife and staff involved and identifying and participating in biological assessment team and project stipulations.

Commissioner Capurro said he would like the motion to include supporting need for game warden protection once the man camp is developed and already problem up there on the Sheldon with poaching and need exposure of a warden.

COMMISSIONER RAINE MOVED DEPARTMENT FULLY SUPPORTS CONSTRUCTION OF THIS PROJECT WITH AGREED UPON MITIGATION AND THEREFORE THAT BEING THE DEPARTMENT POSITION AS HE UNDERSTANDS IT TODAY HE MOVED THAT THE COMMISSION ISSUE POSITION STATEMENT THAT WE FULLY SUPPORT THIS CONSTRUCTION OF VITAL INFRASTRUCTURE PROJECT WITH AGREED UPON MITIGATION. TO BE PLACED IN APPROPRIATE LOCATIONS AS DEEMED APPROPRIATE BY THE CHAIR. COMMISSIONER MORI SECONDED THE MOTION.

Commissioner Mori said NDOW support carries weight as does Commission support and important to pass motion.

MOTION PASSED UNANIMOUSLY 8-0. CHAIRMAN LENT VOTED.

11 D Commission Regulation 385- Expired Duck Stamp Purchase – LCB File No. R011-09 – PO III
Maureen Hullinger

PO III Hullinger said CGR 385 had one more language change in subsection 1 (b 1) adding language “if a person is provided electronic documentation by the Department that he has paid fee for a duck stamp and wishes to obtain an expired stamp for that license year may obtain a stamp within 30 days” and are removing the restriction from main office to “Department.” It will be initiated at headquarters but may be broader eventually with availability at other offices. The fee is identified at \$10 and fee for expired stamp purchased by holder of an electronic stamp is described.

14 Western Association of Fish and Wildlife Agencies (WAFWA) Annual Conference –
Chairman Lent – Action

Secretary Mayer said WAFWA is in Anchorage, Alaska, and only two staff members are going. One Commissioner is budgeted to attend. He said the closer the date gets the more expensive flights are and the hotel room is \$250 per night.

Commissioner Cavin said after attending WAFWA in California he would recommend that two Commissioners attend, and believes attendance is warranted as team building and learning, workshops are valuable, however, he understands with the budget crunch the state is experiencing that it would be difficult to send two Commissioners this year.

Commissioner Raine said one thing obvious at WAFWA is that vital policies passed at WAFWA with direct effect on state, and supports basically attending WAFWA wholeheartedly, the Department and the Commission, or nothing. He said if we spend the dues then we need to participate in the policy making portion of the meeting. He said he thinks it is appropriate for the chairman to attend.

Commissioner Capurro said the agenda has the Commissioners’ Committee and several seminars that need to be covered and knows that one person can cover all that, and need Commission involvement in these seminars.

Director Mayer said the Department can afford to send one Commissioner and if two want to attend that would require a trip to Interim Finance Committee and he has been told by Governor’s office not to ask for more.

Chairman Lent said the WAFWA conference is in the next fiscal year, and he will direct Finance Committee to bring forth a recommended budget for the Commission. He said Idaho sends three people and most states send more than one person. He said for instance nine employees attended the CABMW meeting, and asked if less employees attended those meetings, could the savings going to the Wildlife Account to help provide travel funds for the Commission.

Commissioner Raine said the entire Commission budget is less than WAFWA dues, than they should at least participate or not spend them.

Commissioner Capurro suggested allocating \$4,000 and let the chairman decide who attends.

Public Comment –

Paul Dixon, Clark CABMW, said this decision will impact CABMW budgets.

Deputy Director Patrick Cates said the category account is the same for the Commission, the CABMWs, and the Department and staff could go to Interim Finance Committee to augment that category.

COMMISSIONER CAVIN MOVED TO SEND ONE COMMISSIONER TO SUMMER MEETING AND THE DEPARTMENT TO COME UP WITH MONEY NOT TO EXCEED \$4,000 AND IF ANOTHER COMMISSIONER WANTS TO WORK WITH THE CHAIRMAN FOR TWO TO ATTEND THEY CAN. COMMISSIONER CAPURRO SECONDED THE MOTION.

Commissioner Raine said we need to designate individual or one Commissioner.

Commissioner Mori questioned if this trip will be taking money from the CABMWs.

Deputy Director Cates said it is from the same category – the Commission and the CABMWs.

Commissioner Cavin said the intent of the motion is to authorize one and if the chairman wants to kick in money or stay with someone, all we are doing is not limiting this to one person.

COMMISSIONERS IN FAVOR OF THE MOTION: VICE CHAIRMAN RAINE, CAPURRO, CAVIN, HOWELL, MCBEATH AND WALLACE. COMMISSIONER MORI OPPOSED. CHAIRMAN LENT DID NOT VOTE. MOTION CARRIED 7 – 0.

15 Mule Deer Harvest Strategies – Big Game Biologist Tony Wasley – Informational

Big Game Biologist Tony Wasley made a power point presentation on mule deer harvest strategies (exhibit file).

Chairman Lent said some slides had studies noted and he would like the studies footnoted to insure that they are valid.

16 Reports – Informational

A Mule Deer Restoration Committee – Commissioner Raine

Commissioner Raine said the committee has had three meetings with four more meetings planned over the next three months. He said the committee has rough guidelines and basically came up with categories such as history and will have categories to make suggestions. He said it is a work in progress and committee decided making this a long drawn out process would not be good and decided to push forward and get something done. The next meeting is scheduled for June 2010.

B CABMW Reports on Mule Deer Overview Efforts within Each County – CABMW Members

Gil Yanuck, Carson CABMW, reported that they met April 29 and three counties have joined together, Carson, Douglas, and Washoe. He said the highlights is agreed to go back to each CABMW with joint action that includes herd and habitat related analysis. They will request staff support from NDOW and have them attend next discussion, and felt they could provide recommendations and aid in discussion of land and water issues. There are six people working together and will bring recommendations forward to their CABMW and then the Commission.

Candy Mendive, Elko CABMW, said they had one meeting and came with same ideas as other boards and they decided to wait until mule deer committee makes their recommendation. He said he personally prefers doing something similar to Utah where under the Partners for Conservation and Development they restored over one million acres and all their efforts are joined together and do one effort instead of piecemeal.

Cory Lytle, Lincoln CABMW, said at their meeting they provided a skeleton draft plan which is a collaborative effort with NDOW biologists and others. He said they used local biologists data to make their plan and did come up with some ideas similar to other CABMWs. He said it is key to getting projects pushed through to have involvement from federal agencies.

Paul Dixon, Clark CABMW, said his question is whether the committee talked about statistics for removal of predators and secondly has the committee talked about wild horses and their effect on range land.

Commissioner Raine said they have gone over that history at length and would suggest reviewing the committee minutes and one of the points that they are working toward a conclusion on feral wild horses. He said they have discussed the rise and fall of mule deer and spent a whole meeting on history of mule deer with opposite points of view.

Chairman Lent suggested that CABMW members try to attend the meetings or correspond with committee members via email.

C Bighorn Sheep Disease Update – Wildlife Health Specialist Peri Wolff, DVM

Dr. Wolff made a power point presentation on the status of the bighorn sheep disease event (exhibit file) and what the science is showing relative to the die-off. Dr. Wolff said nine individual die-offs are occurring in five western states, with 900 plus or minus sheep mortalities. Nevada has lost 103 out of 180 sheep in the East Humboldts and 34 have been lost out of an estimated herd of 160 in the Ruby Mountains. Clinical findings are the same, coughing sheep with nasal discharge, lethargic, and many deaths. She provided an overview of the history of pneumonia in bighorn sheep.

Chairman Lent said should we be studying the surviving sheep and look at a vaccine as the same with humans for which we do have a vaccine for elderly people for pneumonia. He said there might be something in them whereby they have developed immunity over time.

Dr. Wolff said studies are being done which is why they wanted to radio collar about 30 sheep to go back and find specific animals that survived the outbreak and we have cultures from them while sick to see what is going on in six to 18 months and follow-up with lambs born. She said the research community is very interested in the lungs of these animals that do survive.

Commissioner Capurro said he knows hunters who took sheep off the north Rubies three to four years after the 1996 die-off and when opened up they still had black lungs, and although they appeared healthy they weren't. He asked if they regain their health or live with a disability.

Dr. Wolff said a little of both, and that once they have the damage in their lungs that they are affected and their lungs may not recover and the question is if they are still shedding some of the infection or do they have a walled off infection. She said some animals probably never got that sick and made a full recover, and that is why follow-up work is important as far as putting pieces of the puzzle back together in regard to the die-off.

D Wildlife Damage Management Committee – Commissioner Raine

Commissioner Raine said the committee met May 7 for a preview to the vendors so that they know what we will be asking them to do in the coming year. He said we will be asking the Commission to vote on project recommendations in August, and plan to meet before that in June. He said they voted to continue several projects which were approved unanimously by the committee, and additional project presented as informational item.

E Finance Committee – Commissioner Howell and Deputy Director Cates

Commissioner Howell reported that the Finance Committee met and reviewed the Department's upcoming budget deadlines with the committee.

Deputy Director Cates said budget splits will be done with the director's office and Operations and the budget is evolving.

F Gifts, Grants, Donations and Bequests to NDOW Presented to Commission for Recognition
Deputy Director Patrick Cates

Deputy Director Cates said the Department received two donations from Nevada Wildlife Record Book, one donation in the amount of \$2,500 for fabrication of displays at Overton and \$3,085 for "Color Nevada Wild" a coloring book that is distributed through schools. From Heritage tag auctions the Department received \$109,542 from Wild Sheep Foundation, \$80,018 from Mule Deer Foundation, \$3,000 from Wild Turkey Foundation, \$45,064 Safari Club International, Nevada Bighorns Unlimited \$132,279, year to date through sales we have received donations for predator management and Operation Game thief combined \$11,000 and all else was previously reported. He provided Chairman Lent with certificates for signature to award donors.

G Litigation Report – DAG Nguyen

DAG Nguyen said in addition to the report submitted in support material that on the wild horse case she attended a hearing held last week in Washington D.C., and many legal issues have transpired since the Department filed for intervener status. The only issue left as far as plaintiffs is concerned is they don't dispute that horses removed are in excess but wanted them placed back on the Calico range. At the briefing they amended that and said if not Calico than put them back on public lands but they did not identify where on public lands, and at hearing in D.C. they clarified where they wanted the horses put on public land which was surrounding areas in Nevada and she was able to represent to the court that although Nevada is vast we are unique in that we do not receive much rainfall and have the largest number of horses which seemed to make an impression on the court. The court has not issued its decision yet. She said there is a proposal to send the horses to prairie areas where they can roam, and will be interesting to see what the court ruled. Again, important that NDOW and the Commission were involved, as that made good impression on court on landscape issues.

Director Mayer said DAG Nguyen is being modest as her brief established the effects of wild horses on wildlife which had not been done before and trashed their experts and they basically stipulated to that.

Commissioner Capurro congratulated DAG Nguyen on her brief which was excellent and asked if horses still in Fallon as a result of the court action or have they been moved to the midwest.

DAG Nguyen said the horses are still in Fallon and thanked Commissioner Capurro for the compliment and added she had assistance from Department staff in compiling the information for the brief.

H Department Activities/Leadership Team Notes – Director Mayer

Director Mayer said the agency is behind on the notes and will take any notes or suggestions.

Meeting adjourned at 5:30 p.m.

Saturday, May 15, 2010 – 8:30 a.m.

- 17 Chairman Lent called the meeting to order at 8:30 a.m. and asked for a roll call of Commission and CABMW members.

Commissioners present on Saturday: Chairman Lent, Vice Chairman Raine, Capurro, Howell, McBeath, Mori and Wallace. Commissioner Cavin excused absence.

CABMW members present: Glen Copeland, Washoe; Gil Yanuck, Carson; Candido Mendive, Elko; Tom Cassinelli, Humboldt; Bob Cooke, Douglas; Paul Dixon, Clark; Rick Smith, Washoe; Gary Coleman, Pershing; Randy Scilacci, Pershing; Bill Miller, White Pine; Shane Boren, White Pine; Cory Lytle, Lincoln, Leland Graves, Lander.

- 18 Member Items/Announcements – None

- 19 CABMW Member Items - None

- 20 Public Comment –

Don Sefton, Systems Consultants, made a power point presentation with flash interim numbers on the big game draw in response to questions asked yesterday: Web applications are up, paper down, total number of applications down at this point, but not seeing excessive dropout rate due to the economy. Commissioner Capurro asked how many youths will turn 17 to expand the pool, and he would estimate the number at 254 that would be added back. Of the 254, 151 youths would drop out on four year issue if not changed to five years, so it would be 100, if not amended, as PO III Hullinger suggested.

Secretary Mayer said he would remind the Commission that the decisions they make on tag quotas and residents and nonresidents have an impact, and that one decision the Commission made on Rocky Mountain bighorn sheep caused the Department a \$73,606 hit on its budget and that does not include licenses lost as people did not apply and these things may not seem to be a big deal but can turn out to be a fiscal issue. He said he appreciates Mr. Sefton's report in real time and the ability to show impact of decisions.

Commissioner McBeath said if we had that information when we removed the tag maybe the Commission would think longer and harder, and had he known that information, he may have made a different decision.

Commissioner Capurro said on flip side, if no animals or few animals, he is reluctant to put people in the position where they do not have a decent hunt and does not want to subject sportsmen to ghost tags where there is nothing to hunt

George Corner, NGOA, said to answer yesterday's question of the membership number in his organization, that he has 39 members at the present time. He said the Association tried to present a letter yesterday to the Commission supporting NDOW's decision in regard to not issuing Mr. Hughe's a master guide license and he asked DAG Stockton for the procedure to present their interests as an intervener or how you want to say it. The Association has a vested interest in these hearings concerning guides, and language addressing master guide was asked for by the Association. He asked the Commission if possible for persons or groups to have input when they have a vested interest to participate in the hearings.

Chairman Lent said he brought that up that the law said that and was specific and thinks justice was served.

21 County Advisory Boards to Manage Wildlife (CABMW) Budgets – Administrative Services Officer 2 Dale Hansen – Action

Deputy Director Cates said the CABMWs and Commission are paid out of the same budget category from the Department (Category 11). He said he is prepared to do an augmentation for FY 2011 if necessary, and his main concern about augmenting the budget is for out-of-state travel which is a line item that is being highly scrutinized by the Governor's Office and the Legislature, and keeping in line with the Governor's recent memo to agencies and boards to curtail out-of-state travel unless absolutely necessary. That does not mean if the Commission incurs more out-of-state travel than was budgeted it comes out of the CABMWs, depending on what the Commission approves today he will be writing a work program to augment the budget with justification for in-state travel of the Commission and CABMWs and does not see that being a problem.

Administrative Services Officer 2 Dale Hansen said the Department prepared a spreadsheet (exhibit file) showing four different funding options for the CABMWs.

Chairman Lent said his opinion is that the CABMWs requesting funds need to be attending meetings as we need their participation and the ones that don't attend he has a problem with funding them. Chairman Lent asked Director Mayer if the Department is making changes or adjustments to travel on the Governor's order.

Director Mayer said yes reductions have been made.

Deputy Director Cates said out-of-state travel was reduced by 40 percent for Department employees. The Commission category was not reduced during the Special Session as the board could not perform their regulatory duties. He said he is confident that the work program for in-state travel would pass, again the out-of-state travel is scrutinized more closely.

Director Mayer said the Department along with other state agencies had across the board cuts, but does not know of Commission/Boards that took cuts.

Commissioner McBeath said he read NRS 501.320 and the section states that annually the CABMWs prepare their budgets with detail, and in talking of various options and legal requirement for the budgets, is there an assumption that we need to fund enough for the CABMWs to conduct their regular functions. He asked if the DAGs feel the same.

DAG Stockton said not sure he understands the question, but the requirement is to fund the boards but Commission has discretion in determining how much they need to do their mission.

Commissioner McBeath said we are talking of options with what they did in prior years and the focus should be on what they need to perform their functions. He gave example of Clark CABMW and needing more funding due to an Open Meeting Law (OML) complaint and in response Clark County added a layer of requirements to their process of getting agendas and minutes out, etc...He said the counties are cutting their budgets back and are now pushing back against the state. He said there is a base level to fund for CABMWs to function and complete the requirements under NRS and the Commission needs to fund that, and we can look at prior year budgets.

Chairman Lent said he does not see requirement where you are allowed to hire additional people, because he knows other CABMWs want to hire transcribers and they are very expensive. He said he was secretary to the Washoe CABMWs and knows what a chore preparing the meeting materials can be but if all do that it is a big expenditure.

Commissioner McBeath noted that counties are in tough budget times and items that the county may have covered in the past such as transcription costs are being pushed back and wants to make sure that whatever decision we make is in compliance with NRS to allow CABMW members to travel, prepare agendas and minutes, and any other Open Meeting Law (OML) requirements.

Commissioner Capurro said the problem is endemic to government where you budget every two years, and private businesses do not have to do that, and is frustrating. He said he does not think anyone wants to cut out any CABMW, rather what we are talking about is reducing costs to match what everyone else is having to do. It is very hard to anticipate expenses two years out and we all have been constrained by the budget and is to the detriment of being able to address issues.

Commissioner McBeath said he agrees with Commissioner Capurro but Commission budget is separate from the CABMW issue here. He said he looks at Commission budget and thinks Commission should have more process and bothers him that we only are able to send one person to WAFWA.

CABMW Comment –

Paul Dixon, Clark CABMW, said he understands Chairman's concern and Commissioner McBeath summarized the Clark CABMW situation well. Under NRS 501.303 the statute lists duties stating members are required to attend certain meeting, although he attends all meetings as there is something pertinent to the CABMW such as regulations or policies in addition to season and bag limits on the agenda, and at a minimum all travel has to be covered. He said he and other board members use their own money to travel to keep the travel budget at a minimum.

Chairman Lent said he knows the statute and CABMW responsibilities he is just wanting to insure everyone is doing all they can to reduce costs or save money. He said he does not have a problem with the boards having travel money if they attend the meetings.

Paul Dixon, Clark CABMW, said the OML complaint required the Clark County to hire a permanent stenographer and district attorney to attend their meetings. He said this is the first time that they are requesting the costs be partially covered for the additional staff.

Gil Yanuck, Carson CABMW, provided history of CABMW manual and said he has spent a lot of time assisting CABMWs with drafting budgets and helped each county realize their "real" costs. He said one challenge in crafting the budget is not knowing where the meetings are for the next year and they use past calendars to estimate, which is a variable. Mr. Yanuck said the OML requires minutes and to ask the members of the board to transcribe the minutes is time consuming and the product would be garbage. Carson's recording secretary works for the Carson County Commission and she prevents

them from getting into trouble and does not charge them for the services. He said he takes issue with the augmentation process as they still have meetings to attend after February and that has not been done and we are off by three meetings.

Chairman Lent said Mr. Yanuck is correct. He said perhaps Mr. Hansen could work with Mr. Yanuck to have the CABMWs all use the spreadsheets that he developed so that it is consistent.

Tom Cassinelli, Humboldt CABMW, said they formulate their budget around their travel rather than their clerical which has made a problem with getting agendas and minutes out in a timely manner. He said some of the members travel 70 to 80 miles to their own county meetings and if their budget is cut they won't be able to attend some of the lesser meetings.

Rick Smith, Washoe CABMW, said when you don't know where the meetings are is difficult to budget and he has spoke to staff at the Department and first list stated what was given to CABMWs and the latest is better but still does not match as he went back four years through receipts with documentation. He agrees with Chairman Lent on participation and said Washoe CABMW members have attended every single meeting and additionally have assigned members to attend committee meetings. He said Washoe CABMW is making extra effort for participation. As far as recording secretary they were the first board to have a secretary and was a great idea and historically has been a great move and Washoe CABMW has the best meeting minutes as he has been told that by the Commission. The recording secretary for Washoe CABMW has been doing the minutes since 1999 and he does a great job for the county. Mr. Smith said if you want to get better at budgets you need to start later in February. He said knowing where the meetings are in advance would help immensely. He said in their budget request they are factoring into it that next year is a legislative year and there may be additional costs and they factor in a cost of living expense. For reduction of costs he pays for the printing and mailing himself, and they are already doing as much as they can to cut costs, and he asked that the Commission fund their request but if they have to cut, to please go with option #1.

Candido Mendive, Elko CABMW, said the first flaw in the system is that budget numbers only go to chairman no one else, and he is representing the board today, but does not know the numbers. He said he pays for printing himself and that is why their numbers are low. Mr. Mendive said this is his eighth meeting that he has attended and has only put in travel claims once. He noted that we have two attorneys here today and all the years he has attended his CABMW meetings they do not have legal counsel attend although the CABMWs are held to the same laws as the Commission and other boards.

Bob Cook, Douglas CABMW, said as far as agenda items go when there is a meeting in Las Vegas and if his board members feel the agenda does not pertain to them they do not go to reduce costs and they are doing everything they can as far as travel expenses.

He said he has been to five OML presentations and that they are targeting small boards and next is Commission on Ethics and would urge all CABMWs to get a presentation on OML and Ethics as any communication can potentially be a violation. He said they have printing expense of support material for the public as part of their job and is another expense Wildlife not paying for, the county is. The board's secretary is paid hourly and is well worth it to keep the board within the law.

Bill Miller White Pine said he does not want to be redundant but all CABMWs have same concerns and expenses. He said he stays with relatives while traveling when he can to reduce expenses and has questions about the Workman's Compensation issue.

Deputy Director Cates said the Workman's Compensation being charged by the counties is not consistent.

Gil Yanuck, Carson CABMW, provided clarification on CABMWs charges for Workman's Compensation and noted that the majority of counties are not charging.

Glen Copeland, Washoe CABMW, said he is a former secretary and has had to listen to four hours of a tape recorder, and he said that his board is very engaged and committee participation is time consuming, and that the time commitment away from his job costs him money, and the time away from family is priceless.

Chairman Lent said he agrees with everything he said and that he likes how Washoe CABMW rotates representation at each Commission meeting so that others get experience.

Mr. Copeland said the board really appreciates when a Commissioner attends their meeting and at their last meeting Chairman Lent attended and the meeting before that Commissioner Capurro attended.

Chairman Lent asked Deputy Director Cates to explain Option #2

Deputy Director Cates said in the fall if final reports received would assist with projections and augmentations.

Secretary Mayer said we could conduct the evaluation in the fall

Commissioner Raine said within the motion would like to see review of the CABMW budgets before the end of the calendar year as wide variations between budget requests and expenditures.

Commissioner Mori said from what he has heard today he believes that the importance of CABMW is paramount and need information from them around the state and from what he has heard none of the CABMWs are spending money frivolously. He said he is

leaning toward Option #1 which allows them to function and agrees with looking at it later.

Commissioner McBeath takes issue with Commissioner Raine's statement as everything provided has been very detailed and budgets prepared adequately and he is leaning toward option #1 which falls short of what they asked for and to do the true-up process in September and at that point have an augmentation and work program. He said what occurred in the past is not relevant.

Commissioner Wallace agreed with Commissioners Mori and McBeath and has not been answered to him that we could even fund the boards as requested. He said he supports option #1 and revisiting in fall.

Chairman Lent said the message to CABMWs is to trim budgets and adjust.

Commissioner Capurro concerned with comments with OML and recording secretary and does not want CABMW members exposed to OML violations through actions and his belief that county should pay for part of that and if they don't we can't escape paying for that as it shuts down input from sportsmen and is in favor of option #1.

COMMISSIONER MCBEATH MOVED TO APPROVE THE CABMW BUDGET REQUESTS AND DO THAT AT THE BUDGET REQUEST FOR FISCAL YEAR 11 NDOW OPTION #1 ON THE SPREADSHEET WITH THE UNDERSTANDING THAT WE WILL REVISIT THIS AS AN AGENDA ITEM ON A FUTURE COMMISSION AGENDA IN DECEMBER AND IF NECESSARY MAKE ADDITIONAL REQUESTS THRU IFC AND WORK PROGRAM AND TRUE UP TO THE BUDGET. COMMISSIONER WALLACE SECONDED THE MOTION.

DAG Stockton said the spreadsheet for this item is to be numbered into the exhibit file.

Chairman Lent said the document is entitled "FY 11 County Advisory Budget Requests Recommendations" for the exhibit file.

COMMISSIONER RAINE ASKED TO AMEND THE MOTION TO STATE "REVISIT PRIOR TO THE END OF THE CALENDAR YEAR" TO GIVE STAFF FLEXIBILITY IF THEY CAN GET THE NUMBERS AT THE SEPTEMBER MEETING.

COMMISSIONER MCBEATH, THE MOTION MAKER AND THE SECOND, COMMISSIONER WALLACE ACCEPTED THE AMENDMENT.

Chairman Lent restated the motion: **TO ACCEPT FY 11 NDOW OPTION 1 WITH THE CAVEAT THAT BEFORE THE END OF THE CALENDAR YEAR BRING BACK TO COMMISSION FOR REVIEW AND AUGMENTATION IF NECESSARY.**

Commissioner Howell said Chairman Lent used the word “augmentation” but it could go up or down.

Chairman Lent apologized and said he meant the word “change.”

THE WORD “CHANGE” WAS ACCEPTED BY THE MOTION MAKER, COMMISSIONER MCBEATH AND THE SECOND, COMMISSIONER WALLACE.

COMMISSIONERS IN FAVOR OF THE MOTION: CHAIRMAN LENT, COMMISSIONERS RAINE, CAPURRO, HOWELL, MCBEATH, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN LENT VOTED.

22 Wildlife Heritage Projects – Chairman Lent - Action

DAG Stockton said at this time he would provide a reminder to the Commissioners as we are spending state money, and ethic requirements require that anyone with a third degree of consanguinity or affinity or substantially similar relationship who will benefit from these projects, needs to disclose that before voting as well as business relationships with anyone on this list and if you would benefit you need to recuse yourself from voting, at least the project where you have the conflict.

Commissioner McBeath disclosed that his brother, Bill McBeath, purchased a Heritage tag at the auction this spring at the Safari Club International convention and the dollars we are considering today is not part of those dollars. He said not sure if ethics rules apply on this but wants to make sure until there is a ruling.

Commissioner Raine reviewed the Heritage project recommendations from the committee (exhibit file) which were funded with \$447,318. The committee selected the following projects for funding: 11-01, 2010 – 2011 Big Game Capture, Transplant and Monitoring Program, \$127,446; 11-16, Kelly Creek Water and Wildlife Protection Project, \$9,269; 11-14, Scientific Data Analysis of Factors Influencing Nevada Mule Deer Population Over Time, \$30,000; 11–26, Jackson Mountain Mule Deer Protection, \$86,103; 11-20, Sage Grouse Nesting Survival Wildlife Management Area 6 and 7, \$50,000; 11–17, Lion Depredation in East Range, Tobins, Stillwaters, Clan Alpines and Fish Creek Mountain Ranges, \$18,000; 11–25 Monte Cristo #1 Rebuild with Rail Fence, \$20,000; 11–21 Survey and Maintenance of Existing Big Game Projects with Limited Access in Meadow Valley, Mormons, Arrows, Muddy and Virgin Ranges, \$1,000; 11 - 22 Survey and Maintenance of Existing Big Game Projects with Limited Access in the Las Vegas, Sheep, Delamar, Pahrnagats and Hiko Ranges, \$1,000; 11 – 23 Survey and Maintenance of Existing Big Game Projects with Limited Access in the Last Chance, Devils, Spectre and Bare Ranges, \$1,000; 11 – 24 Survey and Maintenance of Existing Big Game Projects with Limited Access in the Spotted, Pintwater, Desert and Sheep Ranges, \$1,000; 11–19 Wildlife Management Area 6 with wording changes to project location with agreement between NDOW and project proponent, \$65,000; 11–07 Regional

Mountain Lion Tracking Collars, \$12,500; and 11-03 Disease Monitoring for the Conservation of Terrestrial Big Game Species in Nevada, \$25,000.

Chairman Lent said the committee could only fund 40 percent of projects submitted and the committee discussed the projects for about four hours. He said he has a letter from Director Mayer stating support of project 11-20 for \$50,000 which is raven control in Elko County and Cecil Fredi's project 11-26 for \$106,689, but not 11-19 for \$113,000, and committee took out some money out of \$106,000 even though NDOW would support it and put some money back in disease and capture. So we took a little from everybody to try to be fair, and looked at all the projects the same way NDOW does to determine if science based.

DAG Stockton said he is reading NAC 501.300 Sub Section 2 requires that these projects be specific with a description, which you have, requires map, legal description of property, and plan for development of the site. He said he knows this is unusual as everyone wants to work together. The law is clear that these projects have to be specific, so the board does not have authority to approve a project and give the Department money without specifics. However, the Commission could approve the projects and once the specifics are lined out to bring back to the Commission to vote to approve the specifics.

Commissioner Capurro said the area talked about was 031 and some NDOW staff agreed that concern with predators and seems to him we could name 031 and then if something comes up we could come back and readjust that. He said that would be 11-26 and 11-19 the way it is and go in and change the character of it.

DAG Nguyen said a clarifying question under NAC 501.300, what exactly is the Commission approving today, if the application is incomplete. Is the Department charged with going out to work with these two individuals to complete the applications and bring back to the Commission.

DAG Stockton said question is what role the Department has in bringing this back to the Commission. He said his opinion is the proponent needs to bring it back to the Commission for the changes.

DAG Nguyen said the Department agrees that would be the best.

Commissioner Capurro said for example project 11-20 is a project agreed to by the Department and why would we not deal with this the same as other projects.

Director Mayer said except for project 11-19 is a place that we don't agree that \$65,000 of sportsmen's money should be spent. Right now you have Area 6 to deal with and would be agreeing in concept and NDOW would work with Mr. Laughlin and Mr. Laughlin would put together the application and come back and say where he is doing it.

Secretary Mayer said 11-26 would be another one and caveat that we would have money for survey to see if predators are present.

DAG Stockton said these projects need to come locked down before they come to this Commission and doing them on the fly is dicey and in the future he would ask that if you have a project make sure everybody is on board, and because the board is voting and funding projects for things you don't know will even happen and that is a problem under state government. He said for next year make sure you have your project locked down before submitting and this is our work around and probably can make it work.

Commissioner McBeath said from that he understands that we are not going to vote on approving project 11-19 at this meeting as it is insufficient. His reading of the regulation is clear that we cannot approve a project until application completed and that means it would go back to the CABMWs, back to the committee, and back to the Commission. We cannot put the cart before the horse and approve it at this Commission meeting as you cannot backfill, and has to meet the requirements set forth in regulation in detail. He read the requirements, and again, the CABMWs would have all the details, then onto the Heritage Committee for their decision then onto the Commission, and we have no authority other than what is set forth in these rules.

Chairman Lent said we can vote on the Area 6 project as we have a letter from the Director, and the project proponent can meet with Director if he wants to change it, and then bring it back to the Commission for approval of the change. He said we can vote it up or down and the Director and proponent can modify it.

Commissioner Raine said if this goes forward as presented clearly after input from DAG Stockton it would simply be as presented without caveats as obvious in all projects in all areas that if there is a change they have to come back to the Commission for approval.

Commissioner Capurro said we should deal with 11 – 19 and 11 – 26 as stated here and would be in compliance with the program and everyone is aware of intent then the Commission will have to deal with it in the future. If change to what is on this paper that will go back out to the CABMWs for comment as it would be on an agenda.

Commissioner Mori said if we do it for Area 6, if the Department is comfortable with naming Area 6 on this project and voting on it today.

Secretary Mayer said our objection is the Department is not in agreement that Area 6 is supportable from a biological perspective. Last time we made that statement on a project proposal and the Commission approved the project, Wildlife Services decided that without the Department support they could not do the project, and this puts us back in that position. He committed to find a place with Mr. Laughlin. He said your proposing for Mr. Laughlin to modify his proposal, put it on the agenda and then

support material would go out to the CABMWs, and we would have discussion on modifying the proposal. He said Area 6 is not the place to spend these dollars.

Commissioner Mori said he attended the Heritage Committee meeting and was a breath of fresh air for him when he attended the meeting considering the past year and appeared to him that he would commend NDOW and both project proponents for coming together and coming to realization that we could not do business as in previous year and come together to have the projects go forward. With that in mind everyone on same page if we pass these proposals today.

Chairman Lent said acknowledged in meeting that proponents willing to work together and left it up to the Department that if better use they would be cooperative and work it out with projects and will have to come back to work out.

Commissioner Wallace said his understanding is Department is not in favor of Area 6 and proponent is going to come back with different project and if Department does not agree are we in the same place as last year.

Director Mayer said he will have staff churn ideas around and bring ideas to Mr. Laughlin to hammer out something mutually agreeable. May be a combination of adding that money to Jackson money, and all is unknown, and don't think Mr. Laughlin should go out and in his mind figure out the project and come to the Department.

Commissioner Wallace said that is why he is not comfortable voting for this if NDOW is going to be a battle back and forth and no agreement reached between NDOW and Mr. Laughlin. The workable solution is for Department to propose projects for options for Mr. Laughlin.

Chairman Lent said Mr. Laughlin was agreeable to that and stated so at the committee meeting.

Commissioner Raine said he also needed to report that committee approved extensions to previous Heritage 2010 Projects: 10-09, 10-23, 10-26, 10-27, 10-30, as well as extension for 09 – 06.

Public Comment –

Tom Cassinelli, Humboldt CABMW, said he would comment on poor job the Commission has done on Heritage projects. He said he received packet of support material and board tried to find out what Project 11–26 is for Humboldt County from biologist who did not know and no input from sportsmen and have no clue as to what the project is and he is not saying committee did not do right but in the hurry up to get this through the sportsmen had no say in the projects, and if postponed until next meeting the CABMWs could have time to provide input, and conclusion of board at their meeting is

why send the projects to them as no time and the Commission is wasting resource by not allowing this to go to next meeting for a vote and take the time. He said this is sportsman's money and he was here from the start where sportsmen would have input as to where the money would go in the system and we taking that out when voting on this at this meeting. He asked that the vote be postponed for the next meeting and let the counties take a look at the projects and decisions may even stay the same. His point is the system today these projects need to be looked at by the counties.

Rick Smith, Washoe CABMW, said before he comments he would ask on three extensions 10-27, 10-23, and 10-26, what was the dollar value.

Commissioner Raine answered the total is around \$213,200.

Rick Smith, Washoe CABMW, said specifically on projects 10-19 and 10-26, and he attended the meeting and listened and proponents questioned in depth on projects, and projects 10-19, 10-26, and 10-20, total \$201,103 which is 40 percent of what is being voted on today. Last year the total was \$647,000 and the projects that were approved on extensions, 10-23, 10-26, and 10-27 equal \$213,000 and totals \$413,000 over two years, \$1.1 million which is 40 percent of the dollars going to two special interest groups. He has nothing against these special interest groups, but last year the two projects were approved and nothing has happened and now you are looking at voting for two more with no clear definitions. He said he would add that he was the only CABMW member who attended the Heritage Committee meeting and five weighed in and before he attended that meeting he tried to call every chair and asked them why they didn't weigh in and three boards responded that it is because the Commission does not listen to them anyway. Mr. Smith said this is not working, and for the record project 11-01 was one of the best projects they could vote for and appreciates the committee's support for that project. Of 13 recommendations from NDOW only three voted on to approve. Mr. Smith provided the breakdown of CABMW support for the projects and the committee votes and asked does this sound like the voice of the people being listened to.

Drew Jeremy, president Northern Chapter of Safari Club International, said he is representing the group who auctions Heritage tags and we have heard the consternation with the process and will not reiterate those comments, but does feel that having a process or project as vague as 11-19 poses problems. He said the biggest issue is great projects for mule deer that are listed below were left out such as 11-02, 11-04, 11-06, and 11-15. He said over the last few weeks he has met with the Secretary of the Interior and our entire congressional delegation, and his top talking point was wildlife and the federal agencies to be proactive for habitat management and enhancement. He said if he went to them with this list he would be laughed out of their office, which is why he would ask the Commission to reconsider projects 11-02, 11-04, 11-06, and 11-15.

George Corner, representing Nevada Guides and Outfitters and himself as noted as his association has not been polled on all of the items, said last year he testified before the Commission and pointed out the Association's concern with mountain lion eradication, and we are doing the same thing this year, with \$169,000 set aside, and as pointed out on mountain lion depredation there is no sound science behind any of these proposals. He said speaking for himself, specifically on 11 – 19 he testified at Elko CABMW to not support this proposal for reasons brought up as is contentious issue and specifically on 11 – 17 had real concerns with that proposal, as that is a bounty in his opinion, and Mr. Raine is shaking his head, and is not going to address that. He said a subguide working for a master guide, the master guide is present, Gary Coleman who belongs to his association and is a vice president, the subguide does not belong to his association and he has learned that the subguide was approached by a member of this Commission to submit this project proposal and also approached by "a representative" of this Commission, and he would call upon this individual on the Commission to identify himself and point out potential conflict as this puts Commission, the guide, and Guide Association in precarious position. He said one of the 19 areas to lose your guide license is to hunt or kill game for a client and he would put forth that the Commission approaching a guide to submit a proposal to kill mountain lions...(time ended for public comment).

Paul Dixon, Clark CABMW, said to Commissioner Raine for clarification how much did Predator Committee approve for control this year. Second clarification is Heritage fund is generated to impact all wildlife not just large ungulates and we are looking at spending even more than the \$400,000 the Predator Committee has approved to do more augmentations to predator control. He said he recommends if we need more predator money the predator fee should be increased and Heritage fund should be used for wildlife projects that cannot be funded with the predator money. Mr. Dixon said he agreed with statement others made, and would like board to consider appropriate usage. He said he received their package only two days before their meeting, and they voted to support a predator project under Heritage but thinks the majority of Heritage money should be spent on non-predator projects to benefit all wildlife not just the large ungulates.

Candido Mendive, Elko CABMW, said the other CABMW members have been eloquent in their remarks and will not repeat, but his question is on project 11-06 which is a \$1.1 million project, with funding asked for in the amount of \$200,000 from Heritage, with \$500,000 from Question 1, \$100,000 mining Assessment fee, \$200,000 Conservation fee, and \$100,000 Nevada Bighorns Unlimited, and it appears that if you can invest \$200,000 and get \$1.1 million you should do that.

Glen Copeland, Washoe CABMW, said the Governor was asking Commission to get mule deer back and the Department hires biologist position specifically for mule deer and not one of this particular biologist's Heritage proposals was selected for funding and asked that to be explained.

Gil Yanuck, Carson CABMW, said it seems that CABMW recommendations have been overlooked because of all projects we recommended and the ones we did not support every one of them passed. The one project they voted for to support fish at Mason Valley, the biggest producer of fish, does not get supported and wasn't a lot of money and something wrong with that.

Tom Cassinelli, Humboldt CABMW, asked that the Commission take a look at the testimony today and not pressing for time, and get sportsmen input through the CABMWs, and get that input back to the Commission and asked where is the urgency to get this passed at this meeting and move the item to the next meeting.

Bill Miller, White Pine CABMW, said he agreed with the other speakers and said when we apply for activities such as tags or licenses through the Commission we have to have our paperwork completed and done but on this list some of the proponents did not although some did the paperwork correctly. Mr. Miller said he invests and applies for PIW and wants his money on the ground for a good cause as most sportsmen probably do. He asked that the agenda item be postponed until the June meeting to have time to have thorough time to look at all the projects.

Bob Cook, Douglas CABMW, said he will not repeat what has been said as he agrees with all the comments of previous CABMW members. Mr. Cook said if hunter submits applications and is denied for improper information it is not considered. As the Commission they should not consider Heritage applications that are not complete and the Commission wants to alter or change them and instead look at complete applications. He said they made only one recommendation for one project because of lack of information, and asked the Commission to please reconsider sending all the information back to the CABMWs and asked that it be postponed until the June meeting before a decision is made for CABMW input.

Paul Dixon, Clark CABMW, said a speaker spoke from the Guide's Association and made an accusation about an impropriety, and he asked DAG Stockton if accusation made during the meeting, does that have to be resolved before vote taken by the Commission as that would that make the decisions made today null and void or put them in jeopardy. He asked if the Board can proceed when such a charge is levied.

DAG Stockton said the Commission can proceed, as someone who thinks something is improper they can go to courts, the Ethics Commission, and the board uses its discretion to do what is right and many avenues to challenge the decision. The board uses discretion.

Commissioner Capurro said Clark CABMW minutes state that Clark CABMW supported project 11– 26. He said everyone needs to understand that we had \$447,000 with over \$1 million requested for projects, so not everyone will be happy and the majority of the projects that Clark CABMW supported, so did the committee.

Paul Dixon, Clark CABMW, said his comment on that is when he talks about predators and.... (public comment time ended).

Cory Lytle, Lincoln CABMW, said they did not submit recommendations from Lincoln as he was not able to get support material and their recommendation is to revisit this based on questions being brought up.

DAG Nguyen said the Department has additional comments on two projects. On project 11 – 17 she would bring to Commission’s attention that description of the project states to kill lions in sheep areas using traps or snares, and that method of take for mountain lions is illegal under state law, and along lines of incomplete applications that there is no breakdown of project costs and from biological standpoint NDOW does not believe there will be any benefit to any deer in those ranges: Tobins, Stillwaters, and Fish Creek. Project 11-14 had written comments submitted by the Department and notably under the section for publicity on page 2 planned for the project there is a statement that oral and written reports will be provided to the Department and Commission and other interested parties, but also states that Maxwell Global will not distribute the information unless its consent is provided, and those two statements are inconsistent.

Director Mayer said the Department is strongly opposed to project 11-14 as it will not produce what they are promising and seems to the Department to be ill-advised to fund this project and he has more information to provide to the Commission later if necessary.

Chairman Lent closed public comment and read letter he received from project proponent striking that statement in publicity section that read no distribution of information can occur without the consent and permission of Maxwell Global, and that is not a condition of funding. He said the letter clearly states that State of Nevada will own the data from the study and he received that letter from the project proponent and when contract written that can be included in the contract.

Commissioner Howell asked if in the motion the project extensions can be considered at that time.

DAG Stockton said the 2009 project extensions were not on the agenda for this meeting and cannot vote on that; however the 2010 projects are on the agenda.

Commissioner Capurro it was my understanding that project 11-15 was withdrawn.

Cory Lytle, Lincoln CABMW, confirmed that project 11-15 was withdrawn as BLM as already worked on three of the five projects and for them to keep it and will it put somewhere else.

Commissioner McBeath asked if the Commission could discuss how we vote on all projects as if they are all considered in one motion based on recommendation of the Heritage Committee, he will abstain himself as he believes that will be illegal and will not be a part. He would like to vote on each project individually as there are good projects, and he asked Chairman to explain procedurally how the Commission will proceed.

Chairman Lent said whatever the motion is and you want to vote on some of your favorite projects you could amend the motion.

Commissioner Wallace said he would ask again to move the vote to June meeting as testimony from CABMWs not having information to look at and he only just saw the recommendation from the committee today himself and several projects he is not comfortable with, and would prefer seeing that we have a full Commission.

COMMISSIONER RAINE MOVED TO APPROVE THE PROJECTS AS PRESENTED BY THE COMMITTEE INCLUDING EXTENSIONS WITH THE EXCEPTION OF 09-08. COMMISSIONER HOWELL SECONDED THE MOTION.

Director Mayer asked for clarification of the projects with extensions as they were all approved in 09.

DAG Stockton said the agenda states fiscal year 2011 and including 2010 projects, projects designated as 2010, but not 2009 as no fair notice for the public.

Commissioner Mori said he would comment that while he appreciates the time the committee spent on this as he attended the meeting and having been on the committee in the past he knows it is not easy to decide on projects you don't have the funding for, but he sees no hurry in passing these after hearing comments from public that information presented today that was not presented at committee hearing and sees no reason not to postpone the vote.

Chairman Lent said the committee spent many hours looking at this during the meeting and it went out to the CABMWs and would like to see this move forward and you could amend the motion if you have a special project as everyone has a special interest.

Commissioner Mori said he would like to amend the motion then as he had different projects then the committee and respects their view, and for project 11 – 04, would like to replace project 11 – 14 which is a \$30,000 project and 11 – 04 is \$33,000 and by a vote of the Commission could be changed to \$30,000.

Chairman Lent said he would ask the motion maker to accept the amendment.

Commissioner Raine said this project 11 – 14 as the support material that came with it is a project that has a value of \$200,000 for \$30,000 and he has a total different reading on its value although he has trepidation as for a study, but two Ph.ds. who are very esteemed are the proponents and this may provide a different perspective and might not, and therefore will stick with original motion.

COMMISSIONER MORI MOVED TO AMEND FIRST MOTION AS STATED EARLIER, REPLACING PROJECT 11 -14 WITH PROJECT 11 – 04. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF AMENDMENTS: MORI AND WALLACE. COMMISSIONERS OPPOSED: RAINE, HOWELL, AND CAPURRO. COMMISSIONER MCBEATH ABSTAINED NOT BECAUSE HE DOES NOT AGREE WITH AMENDMENT BUT BECAUSE AMENDING SOMETHING HE DOES NOT AGREE WITH. MOTION TO AMEND FAILED 2 – 3, COMMISSIONER MCBEATH ABSTAINED AND CHAIRMAN LENT DID NOT VOTE.

COMMISSIONERS IN FAVOR OF ORIGINAL MOTION: RAINE, HOWELL, AND CAPURRO. COMMISSIONERS OPPOSED MORI AND WALLACE. COMMISSIONER MCBEATH ABSTAINED, AND CHAIRMAN LENT DID NOT VOTE.

23 Commission Regulation 10 – 01 #1 – Chairman Lent - Action

Commissioner Raine said the committee discussed this matter at length and believes they came up with a fair distribution with four of the premium tags given to separate vendors. He said there was one application received slightly late, from Mule Deer Foundation and voted to allocate one mule deer tag to them; Safari Club one mule deer tag; one antelope tag to Pershing County Chukar Club; one antelope tag to Nevada Waterfowl Association; one Rocky Mountain elk tag to Safari Club; one Rocky Mountain elk tag to Nevada Bighorns Unlimited; one Nelson bighorn sheep tag to Wild Sheep Foundation; one California bighorn sheep tag to Wild Sheep Foundation Midwest Chapter; and two wild turkey tags to National Wild Turkey Federation Las Vegas Strutters; one turkey tag to National Wild Turkey Federal Silver Sage Chapter; and two turkey tags to Safari Club Northern Nevada Chapter.

Public Comment –

Jeremy Drew, president Safari Club International Northern Nevada Chapter, said for the record he appreciates the committee recommendations and trusts that his organization could adequately represent these tags; however, how the funds from the Heritage Account have been allocated today and with the potential for illegitimate activity and the CABMWs not represented as well he rescinded their request for any tags. He said the tags are one mule deer, one elk, and two wild turkeys tags.

Judi Caron, representing herself, said to the Commission that she attended the Washoe CABMW meeting and she supports their recommendation that they came forth and has a question with awarding a group a tag whose application she did not see on the website and with a deadline date stated in Commission Policy 10 that all applicants for tags will submit applications by third Monday in April and also says Commission will review the vendors at this meeting and if someone could answer that. How can they obtain a tag when they did not follow Commission Policy 10.

Chairman Lent said they submitted it two weeks late and Commission advised that we could consider late applications.

Ms. Caron said the decision to accept the application was made by the committee not the full Commission and she is opposed to awarding a tag to a group who submitted their application late when there were four other groups asking for the mule deer tag and the Commission should follow Policy #10.

Glen Copeland, Washoe CABMW, said at their meeting they did not have the application for the Mule Deer Foundation and if he remembers correctly this is not the first time they have been late, and as they did not have the application their recommendation for the mule deer tag was for Nevada Bighorns Unlimited-Reno to receive the tag. On California bighorn sheep their recommendation was for Nevada Bighorns Unlimited-Reno, as the Wild Sheep Foundation-Midwest Chapter's proposal was vague and not that familiar with them.

Dan Hill, Pershing County Chukars Unlimited, said he is here to ask for consideration of Pershing County Chukars for an antelope tag.

Paul Dixon, Clark CABMW, said this agenda item was added right before their meeting so that they could not amend their agenda to take public comment. He said the agenda was so full that they could not adequately cover all the topics in their three hour meeting and are not allowed by budget constrictions to have a special or extra meeting. He said he would like the final agenda and support material two weeks before hand so that they can cover the topics.

Chairman Lent said the reason the Commission put Mule Deer Foundation is because in 2009 they got \$49,000 for the deer tag and that generates the maximum amount for the tag and they are a good vendor and still should keep them even though they were late.

Commissioner Capurro said much discussion and even though there is a deadline, it is up to the Commission to accept, and agrees that a deadline should be a deadline, and need to emphasize that for next year and understands Mule Deer Foundation had extenuating circumstances for getting the application in late.

Chairman Lent said we can reallocate tags from Safari Club and see if someone else wants them or vote on alternate vendor. Wildlife Habitat Improvement of Nevada (WHIN) wanted a deer tag and did not want a turkey tag last year as season was before their convention.

Commissioner Raine recommended taking this in two sections one on remaining committee recommendations striking SCI, and then proceed with vacancies.

Chairman Lent read for the Commissioners not present at the committee meeting the vendor tag requests.

COMMISSIONER CAPURRO MOVED TO ACCEPT COMMITTEE RECOMMENDATIONS AND THAT SINCE SAFARI CLUB INTERNATIONAL TURNED DOWN MULE DEER THAT MULE DEER GO TO NEVADA BIGHORNS UNLIMITED-RENO; ROCKY MOUNTAIN ELK IN PLACE OF SAFARI CLUB GO TO MULE DEER FOUNDATION; TWO TURKEYS FROM SAFARI CLUB AWARD ONE TO RUBY MOUNTAIN CHAPTER OF SAFARI CLUB, THE OTHER TO SILVER SAGE TURKEYS. COMMISSIONER RAINE SECONDED THE MOTION.

Chairman Lent explained for the Commission's information that he spoke to representatives from the Wild Sheep Foundation and they have donated a sheep trailer and money to Nevada and are anxious to get involved. He said a new group starting in Utah Sportsmen for Fish and Wildlife and will have a convention in Utah and will have a convention in Utah and will start requesting tags too.

COMMISSIONERS IN FAVOR OF THE MOTION: RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 6 – 0. CHAIRMAN LENT DID NOT VOTE.

24 Commission Regulations – Action

A CGR 375 - Apprentice License LCB File No. R019-10 – PO III Hullinger

PO III Hullinger said discussed CGR 375 discussed in yesterday's workshop and Washoe CABMW had one suggestion to make a change to allow an apprentice to have more than one mentor in the field.

Jeremy Drew, president SCI Northern Nevada, said they fully support the regulation.

Commissioner Capurro said a letter in support of CGR 375 from the Conservation League was sent to the Commission (exhibit file).

COMMISSIONER CAPURRO MOVED TO ADOPT CGR 375 APPRENTICE LCB FILE NO. R019-10 WITH THE ADDITION OF ALLOWING MORE THAN ONE MENTOR HUNTER TO BE INVOLVED WITH AN APPRENTICE.

PO III Hullinger said she would recommend language stating an apprentice hunter may be accompanied and directly supervised by at least one mentor.

Commissioner Raine said an apprentice hunter may only be accompanied by and directly supervised by at least one mentor, striking “only” and adding “at” after by or at least.

COMMISSIONER CAPURRO ACCEPTED THE CHANGES AS PART OF THE MOTION. COMMISSIONER RAINE SECONDED THE MOTION.

Commissioner Wallace said how do you determine who is responsible as before you had one mentor to complete the paperwork.

DAG Stockton said that question came up and is problematic and will come down to question of fact and if you’re of two mentors you are both responsible.

Commissioner Capurro said he would add that if the apprentice went out on own without mentor(s) then liability would be on apprentice.

COMMISSIONERS IN FAVOR OF THE MOTION: RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 6 – 0. CHAIRMAN LENT DID NOT VOTE.

B CGR 378 LCB File No. R006-10– Guide License Changes – Chief Game Warden Buonamici

Chief Game Warden Buonamici said CGR 378 addresses changes to guide regulation and as mentioned yesterday everywhere in the regulation where it is stated August 30 the date is August 31.

Public Comment CGR 378 –

George Corner, NGOA, said after testimony yesterday where they supported this and after testimony discussion on assault and misdemeanor crimes and pleaded down and want to leave that language in there whether to pursue revocation of the license.

Commissioner Raine said only issue he is not comfortable with is “of physical violence” and can’t see that in his mind being part of this as guilty of what you are convicted of. Theft and fraud is relevant and just has problem with misdemeanor physical violence as that can be minor and would like that stricken.

Commissioner McBeath said he would rather see the physical violence stay in the regulation and leave that to the Department to have that discretion and in the end the Commission will have to apply the law on equal basis. He qualified his statement by

stating he is not a prosecutor or civil attorney and Mr. Wilson made a good point yesterday.

COMMISSIONER HOWELL MOVED THAT WE APPROVE CGR 378 GUIDE LICENSE CHANGES LCB FILE NO. R006-10 AS WRITTEN WITH THE DATE CHANGES TO AUGUST 31. COMMISSIONER CAPURRO SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED AND MOTION CARRIED.

C CGR 379 LCB File No. R150-09 – Junior Hunt Eligibility Hunt Changes – Program Officer III Maureen Hullinger – Action

PO III Hullinger said that this regulation was discussed in yesterday's workshop and she did present additional language outside of support material and in reviser's note to include four years of application language in that. Also she mentioned that Systems Consultants provided the information on the 17-year-olds earlier this morning.

Commissioner Capurro said the purpose of the regulation change is to allow high school seniors the opportunity to hunt before they lose interest and sport of hunting will die if we don't bring in youth hunters. He said the change is offered in spirit of no additional tags.

DAG Stockton said Commissioners need to disclose if there is third degree consanguinity before voting on the regulation.

Commissioner Raine said he does have four young boys and that will not affect his vote.

Glen Copeland, Washoe CABMW, said his board was not in favor of CGR 379 and they appreciated the statistics from Systems Consultants. He said Mr. Sefton said recruitment is at the lower age and thinks the Commission needs to think about it.

Tom Cassinelli, Humboldt CABMW, said it is 190 kids to put back in the field and they struggle for tags near their home base and would like to see many come back and that may be why the seniors fall out. He said we went through this process three years ago and that was conclusion at that time. He would rather give them to younger kids as system is working and is not broken.

Paul Dixon, Clark CABMW, said his board supported the regulation and to take the quota to 3,000.

Shane Boren, White Pine CABMW, said the minutes of their board are incorrect and they were not in support of the regulation change.

Commissioner Mori said is it an option to have four years but raise the age.

PO III Hullinger said could leave it at four years and would have 103 or so 17-year-olds that would fall out of the mix as they met the four year application requirement.

Commissioner McBeath asked for a count of CABMWs in support as he knows Washoe, White Pine and Humboldt are not in favor, and knows that Clark CABMW supports the changes.

Commissioner Capurro said most CABMWs supported with no suggested changes although White Pine said they did but are changing to a no and Humboldt we did not receive until today. The rest supported it but with no changes.

Cory Lytle, Lincoln CABMW, said they supported the change but with no increase in tags.

Commissioner Raine said there was a change suggested under Section 4 because of age and add "or years of application" becomes eligible.

Kevin Strozzi, Nye CABMW, said his board did not have a recommendation as they did not have a quorum.

COMMISSIONER CAPURRO MOVED TO ADOPT CGR 379 LCB FILE NO. R150-09 JUNIOR HUNT CHANGES WITH THE ADDITION OF LANGUAGE IN SECTION 4, OF FOUR YEARS OF APPLICATION AFTER THE WORD AGE. COMMISSIONER HOWELL SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: RAINE, CAPURRO, HOWELL, MORI, AND MCBEATH. COMMISSIONERS OPPOSED CHAIRMAN LENT AND WALLACE. MOTION PASSED 5 - 2.

D CGR 385 Expired Duck Stamp Purchase – LCB File No. R011-09 – PO III Hullinger

PO III Hullinger said to include language to add the word in Section 1 subsection 1 (b 1) the word "electronic" between "provided in documentation" and the changes provided in support material.

Chairman Lent clarified that the LCB file name is "LCB File No. R011-10" instead of 09 as stated on the agenda.

COMMISSIONER RAINE MOVED TO APPROVE CGR 385, EXPIRED DUCK STAMP PURCHASE AS DISCUSSED BY PO III HULLINGER. COMMISSIONER MCBEATH SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED AND MOTION CARRIED.

- 26 Commission Regulation 09 – 01 Amendment #2 – Program Officer Maureen Hullinger – Action

PO III Hullinger clarified the changes as noted in the support material for the regulation.

COMMISSIONER WALLACE MOVED TO APPROVE AS PRESENTED. COMMISSIONER RAINE SECONDED THE MOTION. MOTION PASSED. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED.

- 27 Commission Regulation 10 – 02 Big Game Quotas 2010 – Big Game Biologist Mike Cox – Action

DAG Stockton said when hunts come up and a Commissioner has third degree of consanguinity they need to disclose that before voting. The rule is if it is going to influence you, need to disclose that.

Commissioner McBeath said he will be disclosing if he applied for that hunt.

Hunt 2151 Antelope Resident Rifle

Gary Coleman, Pershing CABMW, said their recommendation is due to hunter congestion and recommend last year's quota of 136 from 147 in Unit 041, 042.

COMMISSIONER RAINE MOVED TO APPROVE HUNT 2151 WITH EXCEPTION OF UNIT 041, 042, AND DEFER TO PERSHING CABMW RECOMMENDATION TO REDUCE TAGS FROM 147 TO 136. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED AND MOTION CARRIED.

Commissioner McBeath disclosed he applied for antelope tag.

Resident Antelope – Horns Longer than ears – Muzzleloader Hunt 2171

Big Game Biologist Mike Cox said new hunt, and recommendations used demand/success.

Shane Boren, White Pine CABMW, said their reason for recommendation is just one year of data and keep it at one from two recommended by the Department.

COMMISSIONER MORI APPROVED TO APPROVE HUNT 2171 WITH CHANGES PROPOSED BY WHITE PINE CABMW UNIT 132 – 134, COMMISSIONER MCBEATH SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. CHAIRMAN LENT VOTED OPPOSED. MOTION CARRIED 6 - 1.

Big Game Biologist Cox said remaining antelope hunts had no opposing comments.

Antelope Hunts – Horns longer than ears – Hunt 2161, 2181, 2251, 2261

No public comment for the above hunts.

COMMISSIONER CAPURRO MOVED TO ACCEPT 2161, 2181, 2251, 2261, FOR RESIDENTS AND NONRESIDENTS. COMMISSIONER RAINE SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED AND MOTION CARRIED.

Resident Elk Antlered Any Legal Weapon Depredation Hunt 4102

Cory Lytle, Lincoln CABMW, said they want to reduce the tags from 10 to five for seasons stated, this hunt is a thorn in their side, and is a trophy hunt. He said know with five tags you will have 80 percent success, and harassment will continue on private property and might be able to save one or two trophy elk.

Commissioner Raine asked question last year discussion about spike hunt.

Cory Lytle, Lincoln CAMBW, said that was part of this and are working on management tools with biologists to address management issues to maintain quality and keep a handle on the numbers. He said he knows in Unit 231 15 that male calves killed last year and may carry into bull harvest.

Commissioner Raine said he is asking because something along those lines may be the solution for this unit and others in the state.

Big Game Biologist Cox said a spike hunt would be the whole unit we and are just talking of depredation hunt on Atlanta Farms is what we are talking about and there are a lot of mature bulls and have been waiting for Utah's data as Utah had unlimited spike hunt in a unit and until we get harvest data back this summer and see success rate and how the hunt went and then staff will meet with Lincoln CABMW to work on a strategy. Mr. Cox said they have had management unit hunt with point restriction and this is first time with unlimited spike hunt.

Chairman Lent said very difficult on depredation hunt to restrict what is taken.

Mr. Cox said we are not comfortable with this hunt as not as effective as we want it to be and staff agree that bulls being harvested are doing little damage to the fields and curious as how the farm manager would be with less tags.

Cory Lytle, Lincoln CABMW, said the elk will still be harassed and pushed out during the field during the day, and early and late cow hunts. He said there are 40 hunters harassing the elk to limit field use and in their opinion that five tags will do the same as 10. He said we will save three or four bulls from Mt. Grafton from being killed that are not the resident elk living on the farm, and property owner will be compensated.

Chairman Lent asked how the landowner will react as that is where we get complaints.

Cory Lytle, Lincoln CABMW, said the landowner submits a bill to NDOW every year and works through the system and is a difference of four bulls.

Commissioner Capurro said may be this is a boundary problem and he is uneasy with cutting quota by 50 percent.

Chairman Lent said he is worried about the landowner when you cut the depredation tags.

Commissioner Mori asked for the Department's opinion.

Mr. Cox said the Atlanta Farms puts in a claim every year for \$9,999 and again we need a better strategy than what we have today.

Commissioner Raine said in spirit of compromise and considering CABMW's recommendation he is ready for a motion for eight.

Commissioner McBeath disclosed that he has submitted an application for elk pending in the draw and further that he has a brother who owns a ranch in Unit 222 whom likely will receive three incentive tags for Unit 111 – 115, 221, 222, and he will be voting.

Commissioner Raine said he has an elk application pending in the draw as well.

COMMISSIONER RAINE MOVED TO APPROVE HUNT 4102 AS PROPOSED BY THE DEPARTMENT WITH CHANGE THAT IN UNIT GROUP 222 TO 231 THE PROPOSED QUOTA BE CHANGED FROM 10 TO EIGHT. COMMISSIONER HOWELL SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, AND WALLACE. COMMISSIONER MCBEATH OPPOSED. MOTION CARRIED 6 – 1. CHAIRMAN LENT VOTED.

Resident Elk Antlered Any Legal Weapon Hunt 4151

Mr. Cox said the next hunt is resident Hunt 4151 and he noted error in Hunt 4151 table in 072, 074, the demand/success recommendation is actually 82 not 83, and then in Unit 91 an interstate herd where you can hunt both sides of the state line and there are three PIW tags in there and Utah saw that a PIW harvested a bull from the Pilot and they were concerned although it is only one bull and they asked us to reduce our quota from four to three as there may be another PIW hunter who would go to Pilot again and in spirit of keeping the peace agreed to ask for three from the Commission.

Paul Dixon, Clark CABMW, said appreciates the explanation for the reduction but many sportsmen at the Clark CABMW meeting were concerned that we don't have equity with Utah and equal opportunity as interstate hunt.

Kevin Strozzi, Nye CABMW, said his board had no quorum and speaking for self, said Area 16, 161 – 164 early tag NDOW has a proposed increase from five to 12 tags and Eureka had recommendation to lower that down. Biologist Tom Donham said increase proposed as same amount of bulls needed to be killed and would have to add tags to the late hunt. He said Area 16 is big and has so many bulls but are creeping up on the cap and have to take some, not a problem taking 12.

Cory Lytle, Lincoln CABMW, said for Units 231, 241, 242, got concerned with 79 and want the number reduced to 70 tags as congestion concerns.

Shane Boren, White Pine CABMW, said in Units 131, 132 Early, and with bulls killed last year they believe they will have influx of PIW and Heritage tag hunters and has genetically challenged bulls and with the number of tags the trophy quality will be taken back about eight years. He said Eureka CABMW had the same feeling with a recommendation from three to two.

Commissioner Mori said he is certainly not questioning knowledge of bulls people are seeing and potential for trophies and reduction; however seems like a trend that NDOW is setting their recommendations and sportsmen or hunters are setting their harvest below those recommendations. Elk is a species that are hard to manage and we do have a commitment to ranching and the landowners to harvest these animals if there available to harvest at a rate recommended by NDOW.

Mr. Cox said explained that the state has a statewide elk plan and in terms of bull ratio we have not been focused on that for years, and we would probably have 1,500 bull tags if we were to shoot every herd down to 40 bulls per 100 which is the maximum under the state plan. Staff is not recommending bull quotas for trophy quality bull hunting we are trying to manage for something in between knowing that 40 bulls per 100 is not realistic and trying to provide opportunity and kill more cows than bulls and shoot the bull ratio up high.

Chairman Lent asked Director Mayer for his thoughts.

Director Mayer said he understands the congestion issues and may need a more serious approach next year to split zones and we are leaving opportunity on the table and the female carries the genes for big bulls just like the males. He said we need to select areas to create trophies and create opportunity. He would like Mr. Cox look at what this means in five years or so if we continue this way and may be a pill in the future no one wants to swallow. He would tell the Commission that every biologist is ultra-conservative and staff is being conservative on top of that.

Commissioner Capurro said he agrees with Director's remarks, and had we issued more tags in the North Rubies and East Humboldts for bighorn sheep that might have eliminated or reduced the number of sheep involved in the current die-off.

Chairman Lent said that always puts the Commission between the Department and the CABMWs.

Director Mayer said the instructions to the biologists is for them to produce their biological recommendations and let the politics be played at the Commission level.

COMMISSIONER CAPURRO MOVED FOR HUNT 4151 TO ADOPT DEPARTMENT RECOMMENDATIONS WITH FOLLOWING EXCEPTIONS THAT 131, 132 LATE BE INCREASED TO 21; AND THAT UNIT 161 – 164 LATE BE INCREASED TO 49. (WITH CORRECTIONS NOTED TO 072, 074 LATE 82 TAGS AND 091 FOUR). COMMISSIONER RAINE SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH AND WALLACE. MOTION CARRIED 7 - 0. CHAIRMAN LENT VOTED.

Elk Hunts 4156, 4161, 4181, 4176, 4111

Mr. Cox said in 4161 error demand value in archery quota for 072, 074, it should be 18 instead of 16. In 4181 a cow hunt that the 072 Early should be 80 tags, in 074 Early should tags should be 21, and in 4176 we should have in 072 a quota of 23 instead of 24, and in 4111, 072 , 19 is quota instead of 23.

Commissioner Raine asked why the quota so high for muzzleloader and 4176 while rifle went down significantly.

Mr. Cox said we are trying to get hunters in those units and had hunter congestion against the Idaho border and we decided to jump out of demand success slightly and make more use of archery and muzzleloader season and have less congestion. He confirmed to Commissioner Raine that this is the only exception to demand/success formula.

Chairman Lent said does not like changing the formula as all the hunter groups agreed to that and in his opinion we should use it.

Commissioner Capurro said he agreed with Chairman Lent's comments and that is an increase of 400 percent and it is almost social engineering on issuance of tags with putting people in the field and forcing them to use a muzzleloader when they are more comfortable with a rifle and does not think we should play groups against each other.

Commissioner Raine said he agreed with that last statement and that demand/success does seem most reasonable and therefore is ready for a motion.

COMMISSIONER RAINE MOVED TO REVISE THE QUOTA FOR HUNT 4151 PREVIOUSLY APPROVED UNITS 061, 071 FROM 88 TO 110, 072, 074 LATE FROM 83 TO 82, 131, 132 LATE 20 TO 21, 161 -164 LATE 42 TO 49; HUNT 4156 UNIT 061, 071, CHANGE FROM 31 TO 10; HUNT 4161 UNIT 061, 071, CHANGE TO 12, 072,074 TO 18; HUNT 4181 072 EARLY TO 80, 074 EARLY TO 21; HUNT 4176 072 TO 23; HUNT 4111 UNIT 072 TO 19; AND HUNT 4251 AS RECOMMENDED BY DEPARTMENT; 4256 AS RECOMMENDED BY THE DEPARTMENT; 4261 AS RECOMMENDED BY THE DEPARTMENT. COMMISSIONER CAPURRO SECONDED THE MOTION.

Mr. Cox said if you put 110 tags in there will be a nightmare and trying to stress to biologists and game board members we need to focus on season and then you put lots of tags in there and season structure will not accommodate that and perhaps look at split seasons but to put that many hunters in there we will take a lot of heat. Demand/success would be closer to not going above 90 tags.

Commissioner Capurro said he would like to have seen split seasons and not force the issue of weapon choice and that is his objection and agreed with Chairman Lent to stay with demand/success and should have split the season.

Mr. Cox agreed that the season should have been split.

Candido Mendive, Elko CABMW, said this area is near and dear to him as his family ranched there and when you talk of putting 100 people in there from Nov. 6 to Dec. 6 with limited access points which does get snowed in and you can go in through Idaho. He said when you put that many tags in there the weather can cause you grief and setting up for failure as it is not that big of country, and agrees with the Department in doing something different, as wrong weather pattern could be ugly mess. He knows of people who have drawn tags and did not hunt due to weather and a young lady who had to find men to hunt the unit with her while using a snowmobile. He has also been told that the elk move to Idaho as well.

George Corner, Nevada Outfitters and Guides, said from personal experience he would support the Department as he has guided an unhappy elk landowner tag hunter up there and could not find elk and talked to others and most of the elk, 500 or so, that they cross as hunting pressure causes elk to do that.

Glen Copeland, Washoe CABMW, said in Commissioner Raine's motion he included nonresidents.

Chairman Lent said the hunts he read.

COMMISSIONER RAINE WITHDREW FROM HIS MOTION THE NONRESIDENT HUNTS FROM THE MOTION: 4251, 4256, AND 4261. COMMISSIONER CAPURRO AS THE SECOND AGREED TO THE WITHDRAWAL.

Chairman Lent said this should be sending a message to the Department to stick to demand/success instead of cutting tags from the high success group down and increasing low success groups and split the seasons.

Commissioner Capurro agreed with that solution.

Mr. Cox said he went back and provided what demand success would generate – 97 tags in 4151, 17 muzzleloader 4156, and 12 in 4161 archery.

Chairman Lent said we have a motion and we have exact demand/success and should put that in the motion and asked that the motion reflect demand/success as Mr. Cox has on the screen.

COMMISSIONER RAINE AMENDED HIS MOTION TO REFLECT THE NUMBERS AS STATED (AS ON THE SCREEN). COMMISSIONER CAPURRO AGREED.

Commissioner Mori said he would comment that he understands the point of being fair to different types of weapon groups, however he believes this is a unique circumstance here, and would reiterate his earlier point that elk are a difficult species to manage in relation to hunting, as we find that if we try to address situation like NDOW has in this case, and we make decisions that shackle us. The Department is responding to situations and in this case they have shown a response to hunter congestion and try to provide hunting opportunity on animals that are leaving the state and has problem going back to numbers than originally proposed.

Commissioner Capurro said what is to prevent them from next time saying in other areas we have proved moving all weapons over to archery and muzzleloader, then how can we turn down recommendation in the future that involves the same thing and is not unique.

Commissioner McBeath said with the problems described will the success rate drop due to congestion.

Mr. Cox said success could drop in one-half with people on top of other people and forcing elk across state lines. He said we are one year behind on season structure.

Chairman Lent stated when we set standards of demand/success that we all agree on we should stay with them.

Commissioner McBeath said he knows we have discussed demand/success but have never recalled that we have to stick with it in all instances and the Commission has discretion and flexibility to make changes, and when we have CABMW members and outfitters telling us we have a real problem, he is struggling with that. The lesser problem is causing congestion which causes angry hunters, and believes that the Department is trying to not cause congestion and believes the Commission needs to be more flexible and address issues such as this which is a one year deal as the problem can be resolved in next year's season setting.

Commission Cappuro said yes they have deviated from the demand/success for one, two or three but this is from eight to 31 which is a wide variation from demand/success.

Chairman Lent repeated the motion for the Commission.

COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, AND HOWELL. COMMISSIONERS OPPOSED: WALLACE, MCBEATH AND MORI. MOTION CARRIED 4 – 3. CHAIRMAN LENT VOTED.

Nonresident Elk Antlered Hunt 4251

Cory Lytle, Lincoln CABWM recommended 4251 Units 231, 241, 242 from 11 to 10, and Hunt 4256 from five to four.

Mr. Cox said in this case, and for all species where we don't have companion nonresident hunt, that since the Taulman lawsuit, staff have done everything to insure a 90/10 split. After all recommendations are done he checks to see if split met, and in elk we don't have companion hunts as missing some units. In Unit 231 he had to add a tag to get 10 percent. He said for muzzleloader and archery we try to get a 9/10 split statewide. Mr. Cox asked that we reduce 4261 quota in Units 231, 241, 242 to reduce from four to five.

COMMISSIONER RAINES MOVED TO APPROVE HUNT 4251 AS PROPOSED BY THE DEPARTMENT, HUNT 4256 CHANGE QUOTA IN UNITS 231,241,242, FROM FIVE TO FOUR. HUNT 4261 AS PROPOSED BY THE DEPARTMENT. COMMISSIONER CAPPURO SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE,

**CAPURRO, HOWELL, MORI, MCBEATH AND WALLACE. MOTION PASSED 7 – 0.
CHAIRMAN LENT VOTED.**

Resident Nelson (Desert) Bighorn Sheep – Any Ram – Any Legal Weapon 3151

Gary Coleman, Pershing CABMW, said the CABMW recommended that although there is an adequate number of sheep in that range not rams and suggested staying with five in 044 and not go with the proposed 6. He said also, in Unit 205 North from six to four and Unit 205 South from six to four.

Tom Cassinelli, Humboldt County CABMW recommended in Units 044, 182 from six to five.

Chairman Lent asked Mike Cox that in 267, we have two nonresidents and four residents, and shouldn't that be only one nonresident.

Mr. Cox said we have the 90/10 split and have units and kind of where we stuck the extra tag. He said he could put nonresident tag into the resident quota but must keep the 90/10 split. Mr. Cox said he would like to hear from the CABMW for the 2011 season for adding more nonresident units to the list.

Chairman Lent said on 253 could we increase that by one.

Mr. Cox based on surveys, population model, opportunity, and elimination of two PIWS and the Heritage, based on our numbers we felt we should stay with the recommendation of five.

Chairman Lent stated they had a testimony that there is a lot of sheep in there and we don't want to stockpile them.

Tom Cassinelli, Humboldt CABMW representing himself on this said there are plenty of rams in there but would recommended that we stay at five until seasons are split due to hunter congestion and need to look at a season split next year. Mr. Cassinelli said also revisit the issue of additional PIW hunters in there next year.

Gary Coleman, Pershing CABMW, said everyone hunts on top of each other and thinks five tags is good and he also suggested Unit 212 as a place to put another nonresident tag.

Commissioner Capurro said 50 percent of the hunters would be nonresident hunters in Unit 267, and would make more sense to put the additional nonresident tag in Unit 268 which has 17 resident tags.

COMMISSIONER HOWELL MOVED FOR RESIDENT BIGHORN SHEEP HUNT 3151 CHANGE 044 AND 182 FROM SIX TO FIVE; 205 NORTH FROM SIX TO FIVE; 205 SOUTH FROM SIX TO FIVE; AND ACCEPT THE REST OF THE NDOW RECOMMENDATIONS. MOTION SECONDED BY COMMISSIONER RAINE.

Commissioner McBeath disclosed that he has applied for a bighorn sheep tag.

COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED.

Nonresident (Nelson) Desert Bighorn Sheep Hunt 3251

Mr. Cox suggested we stay with the total of 21 tags as recommended.

COMMISSIONER RAINE MOVED TO APPROVE HUNT 3251 AS PROPOSED BY THE DEPARTMENT. COMMISSIONER HOWELL SECONDED THE MOTION.

Commissioner Capurro suggested that the motion maker change Unit 267 from two to one tag and increasing Unit 183 from one to two and maintains the 21 tag difference.

COMMISSIONER RAINE ACCEPTED THE AMENDMENT TO THE MOTION AND SECOND (HOWELL) ACCEPTED. VOTE ON AMENDED MOTION: COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED.

California Bighorn Sheep Hunts 8151, 8251

COMMISSIONER CAPURRO MOVED TO ADOPT DEPARTMENT RECOMMENDATIONS FOR HUNT 8151 AND 8251. MOTION SECONDED BY COMMISSIONER HOWELL. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED.

Rocky Mountain Bighorn Sheep Hunt 9151

Mr. Cox said we had a lot of internal discussion the past few weeks about the zero quota as an option for Units 101 and 102, that would be our correction and the applicants would be treated as unsuccessful. The hunter who is active military that deferred his tag last year could use it this year.

Steve Tartaglia said he is representing his son who is a Navy pilot, said they are willing to work with the Department no matter what the decision is. He said his son would love to use tag if there is a huntable population, and what we do not want is to lose the tag so we have to do what the Department tells us to. If the unit is closed this year or in the future which is a possibility there is no guarantee that his tag will be good until unit reopened and no guarantee that he won't be deployed. He asked if the tag would still be good.

Chairmen Lent asked staff if he has to give his tag up by July 15 or can he carry it over to the next huntable season.

PO III Hullinger said on the military diversion they have two years to defer the tag. This is Troy's first year and if he defers this year and it is closed next year he will be in a holding period. If takes tag this year and gets deployed again it will start the deferment clock over. If he accepts the tag and turns it in by the July 15, for the any reason period, he will go back into the bonus pool and get his money back.

Tom Cassinelli, Humboldt CABMW, said he did disclose that his best friend's son had this tag and we had a lot of discussion about this in our meeting. He said they had concerns since the Department hasn't even flown yet and there are two tags and die-off not at the max, and we feel it is too soon to close this unit and put a zero quota. He said could the Commission go with one tag and give him the same option as Troy. He said they are willing to give this tag the first option when the season opens up that way if harvestable rams would prevent rams dying on the mountain which is why they are working closely with the Department, but emphasized how important it is for the Department to fly the area and would like to see the flight results first and would not want to waste sportsmen's resources.

Mr. Cox said there are only two options, zero quota or leave the quota at one and the hunter can return the tag.

Mr. Cassinelli said there are shoot able rams in there with a quota of one.

Commissioner Lent said the die-off has continued; however, if the situation changes we can open the season next year.

PO III Hullinger, clarified the deferment rules and also explained, if unit has zero quota it technically is still an open season and if he accepts the tag and is deployed that stops the original deferment.

Candido Mendive, Elko CABWM, said Elko also recommends reducing the quota in Unit 101 and 102 as the sheep are continuing to die from one to zero. Yesterday we learned that cold weather and moisture is hard on bighorn sheep with this disease.

COMMISSIONER HOWELL MOVED TO APPROVE HUNT 9151 AS PROPOSED BY THE DEPARTMENT: UNIT 074 TWO; UNIT 101 ZERO; UNIT 102 ZERO; UNIT 114 TWO. COMMISSIONER RAINE SECONDED THE MOTION.

Commissioner McBeath disclosed that he has applied for Hunt 9151.

COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED.

Resident Mountain Goat 7151

Commissioner Capurro said we were led to believe that there was one goat that died with the disease that is affecting the bighorns - pneumonia.

Mr. Cox confirmed that one goat died but have not found any other carcasses and we are taking a conservative approach. He said we will reduce tags slightly as there is a little bit of uncertainty.

COMMISSIONER HOWELL MOVED TO APPROVE HUNT 7151 AS PROPOSED BY THE DEPARTMENT. COMMISSIONER RAINE SECONDED THE MOTION.

Commissioner McBeath disclosed that he has an application for Rocky Mountain goat pending.

Commissioner Raine disclosed the same.

COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED.

Nonresident Mountain Goat 7251

COMMISSIONER RAINE MOVED TO APPROVE HUNT 7251 AS PROPOSED. COMMISSIONER HOWELL SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED.

Resident Junior Mule Deer – Antlered or Antlerless – Archery, Muzzleloader or Any Legal Weapon Hunt 1107

Mr. Cox said the Department is recommending a total of 2,762 tags and he reviewed the table to show where we are on demand and tag sales. He said there has been an increase of 113 applicants from last year in first draw, whether they are more or less picky with tags remains to be seen. Some areas are undersubscribed by youth hunters such as Toiyabes and other areas.

Paul Dixon, Clark CABMW, said they would like to see more youth involved and realize that impacts adult hunting. They would like to see the quota as close to the 3,000 tags as possible.

Tom Cassinelli, Humboldt CABMW, said his board did not feel this is the time to increase tags and if we change them it changes everything. He suggested at the meeting before to select the percentage and then you would know how the quotas fall in line.

Glen Copeland, Washoe CABMW, said board voted to accept quotas and has been through the 3,000 tags for a number of years, and if you put the 300 leftover tags in Washoe County you would use them, and next year will be putting 17-year-olds in the draw, and need to look at junior hunt and tweaking it and making it a novice type hunt not to exclude the juniors but young adults who have not hunted and take a look at it.

Commissioner Howell said if we take the antlerless hunt and reduce units by 238 and add onto the youth hunt we have 3,000 or give the whole number of antlerless tags to the youth hunt.

Commissioner Capurro said he likes that but regardless if you move the does in that category does not mean you aren't going to shoot the does.

Chairman Lent said he does not see the point of raising it.

Commissioner Raine said he likes the way being discussed by Commissioner Howell and antlerless quota should be two and not a way to manage deer and would be optimal place and give them to the youth.

CHAIRMAN LENT MOVED FOR HUNT 1107 TO TAKE THE DEPARTMENT RECOMMENDATION OF 2,762. COMMISSIONER CAPURRO SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 – 0. CHAIRMAN LENT VOTED.

Resident Mule Deer – Antlered – Any Legal Weapon Hunt 1331

Candido Mendive, Elko CABMW, said that the people at their meeting wanted the numbers cut in Area 10. People were adamant that they wanted Area 10 and took half the increase and cut it down. He said speaking for himself and understands everyone wanting to have a big deer herd, and we have decent herd and does not believe you can stockpile the animals as one hard winter can be it.

Cory Lytle, Lincoln CABMW, said they would like to keep the quota the same as last year and give it one more year before increasing the tags in this unit for the early and late.

Shane Boren, White Pine CABMW, said Area 13, they have a population in 2005 estimated at 3,000 and today is estimated the same, and have only had two postseason surveys in seven years. Population estimation over last year of 7 percent with 24 percent increase in tags and want to maintain the seven percent increase and as far as 22 in agreement with what Cory Lytle's said.

Gary Coleman, Pershing CABMW, said 043, 046, and tags have been going up and deer numbers are good, and at first he was against split seasons and now after a few years saw improvement and last year they took that away and this year was a fiasco and would like the quotas to stay same and would recommend to have the split season again next year to help out.

George Corner, Nevada Guides and Outfitters Association, said the individuals that spoke up at Elko meeting were four master guides and guide in the Rubies and belong to his organization and their consensus was to halve the quotas in the Rubies with the thinking that quality of bucks has been declining. He said these are same individuals who questioned the antlerless harvest as being too high and flying this year shows the deer population is higher this year than last year. He said although he has a permit in the Rubies but it is not for big game but he personally supports NDOW recommendation, again the four guides supported halving the quota.

Commissioner Capurro asked Mr. Cox about the reduction on the Sheldon, in Unit 033, and asked the reason.

Mr. Cox said there were a few reductions across the state but that unit had the highest and is not doing well. He said the fires over the last decade, the feral horse population, and moisture did not hit the Sheldon as in other areas, and other factors as well. Surveys have been not as good with fawn recruitment and made commensurate cuts in the numbers.

Commissioner McBeath asked staff if they could respond to CABMW recommendations as to the biological impact.

Big Game Biologist Tony Wasley responded that recommendation for 131 the CABMW is exactly right that we have not had a postseason survey in six to seven years although significant spring survey but still don't know buck ratio and safe route to take until we get a survey and staff need to prioritize needs and get the postseason buck surveys done to assess the population size.

Commissioner McBeath said in Unit 22 the weather has been good with lots of precipitation.

Mr. Wasley said we hear we would like it to stay the same and biologically it would not hurt anything and as we heard earlier tremendous amount of conservatism that gets introduced into the process at each step. If we keep trying for quantity and quality we are not achieving that with the harvest strategies as currently implemented.

COMMISSIONER CAPURRO SAID HE WOULD MOVE AND PREFACED THE MOTION THAT IF YOU DECREASE THE NUMBERS IN ONE AREA TO IMPROVE THE OVERALL QUALITY OF HUNT YOU ALSO DECREASE THE AMOUNT OF HUNTER PARTICIPATION POTENTIALLY IN THAT AND IS AGAINST HAVING AN AREA TO JUST PROVIDE A TROPHY HUNT OF THAT SORT, AND RECOMMENDED ADOPTING NDOW'S NUMBERS FOR HUNT 1331. COMMISSIONER HOWELL SECONDED THE MOTION.

COMMISSIONER MCBEATH SAID THIS IS TOUGH AND IF THERE IS EVER AN AREA TO SUPPORT THE CABMWS THIS IT AS THIS IS THEIR MAIN MEETING AND HE WOULD MOVE TO AMEND THE MOTION AND WITH ALL DUE RESPECT TO THE DEPARTMENT RECOMMENDATIONS, WOULD MOVE TO ACCEPT ALL THE MODIFICATIONS TO THE DEPARTMENT RECOMMENDATIONS MADE BY THE CABMWS. COMMISSIONER MORI SECONDED THE AMENDMENT. COMMISSIONERS IN FAVOR OF THE AMENDMENT: MORI, WALLACE, MCBEATH. COMMISSIONERS OPPOSED: LENT, RAINE, CAPURRO, AND HOWELL. MOTION FOR THE AMENDMENT TO THE MOTION FAILED 3 – 4.

CHAIRMAN LENT SAID HE WOULD AMEND THE ORIGINAL MOTION TO TAKE INTO ACCOUNT ALL THE CHANGES FROM LINCOLN CABMW RECOMMENDATIONS FOR CHANGES AND THE EUREKA CABMW CHANGES; JUST THOSE TWO CABMWS. COMMISSIONER HOWELL SECONDED THE AMENDMENT. COMMISSIONERS IN FAVOR: CHAIRMAN LENT, CAPURRO AND HOWELL. OPPOSED: COMMISSIONERS RAINE, MCBEATH AND WALLACE OPPOSED. COMMISSIONER MORI DID NOT VOTE. FAILED 3 – 3.

COMMISSIONER MCBEATH MOVED TO AMEND THE MOTION TO ACCEPT NDOW RECOMMENDATIONS ACCEPTING LINCOLN AND EUREKA RECOMMENDATIONS IN FULL, AND PORTION OF WHITE PINE CABMW ON UNITS 131 -134 EARLY FROM 195 TO 168, AND LATE FROM 10 TO NINE. COMMISSIONER WALLACE SECONDED THE AMENDMENT. COMMISSIONERS IN FAVOR OF THE AMENDMENT: FIVE IN FAVOR – LENT, HOWELL, MORI, MCBEATH AND WALLACE. COMMISSIONERS CAPURRO AND RAINE OPPOSED. MOTION CARRIED 5 – 2.

VOTE ON ORIGINAL MOTION AS RESTATED BY MR. COX TO ACCEPT NDOW RECOMMENDATION EXCEPT TO INCLUDE EUREKA RECOMMENDATION UNITS 141 – 145 EARLY FROM 239 TO 215 AND LATE FROM 27 TO 24; AND LINCOLN COUNTY FOR 221 – 223 EARLY FROM 488 TO 421 AND LATE FROM 25 TO 22, AND TO ACCEPT WHITE PINE CABMW UNITS 131 – 134 EARLY FROM 195 TO 168 AND LATE FROM 10 TO NINE. COMMISSIONERS IN FAVOR: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 - 0.

Resident Mule Deer – Antlered Muzzleloader Hunt 1371 and 1341

Big Game Biologist Mike Cox showed the quotas on the screen and noted that Carson CABMW had a recommendation to increase in Unit 192 Hunt 1331 Early from four to seven other than that we accommodated proportional demand/success changes for the rifle that you approved.

COMMISSIONER RAINE MOVED TO APPROVE 1371 AND 1341 WITH CHANGES AS ON THE SCREEN AND READ BY MIKE COX. COMMISSIONER MCBEATH SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION PASSED 7 - 0.

Resident Mule Deer Any Legal Weapon Hunt 1181

Mr. Cox said Eureka CABMW had alternative recommendation to go from unit 144 to go from 16 to two.

Mr. Wasley said deer population is struggling and no longer have problem in town with deer and is a precautionary measure the Eureka CABMW is taking to limit harvest to two.

Commissioner Raine said this is not the right way to go at the moment with doe quotas this high until deer populations improve.

COMMISSIONER RAINE MOVED TO APPROVE A QUOTA OF TWO IN EACH OF THE FOUR AREAS. COMMISSIONER HOWELL SECONDED THE MOTION.

COMMISSIONER MCBEATH MOVED TO AMEND THE MOTION TO ACCEPT THE QUOTAS FOR 1181 AS PROPOSED BY DEPARTMENT IN ALL AREAS EXCEPT UNIT 144 AND REDUCE TO TWO. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: MORI, WALLACE, AND MCBEATH. COMMISSIONERS OPPOSED: CHAIRMAN LENT, RAINE, HOWELL, AND CAPURRO. VOTE 4 -3, AMENDMENT FAILED.

COMMISSIONER CAPURRO FOR HUNT 1181 MOVED TO AMEND THE MOTION TO ADOPT DEPARTMENT RECOMMENDATIONS WITH EXCEPTION OF UNIT 144, DROP TO EIGHT FROM 16. COMMISSIONER MCBEATH SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: MORI, WALLACE, MCBEATH, CAPURRO. COMMISSIONERS OPPOSED: CHAIRMAN LENT, HOWELL AND RAINE. MOTION TO AMEND PASSED 4 - 3.

VOTE FOR MAIN AMENDED MOTION: COMMISSIONERS IN FAVOR: CAPURRO, MORI, MCBEATH AND WALLACE. COMMISSIONERS OPPOSED: CHAIRMAN LENT, RAINE, AND HOWELL. MOTION PASSED 4- 3.

Resident Mule Deer – Antlerless – Any Legal Weapon Depredation Hunt 1101

COMMISSIONER CAPURRO MOVED TO ADOPT DEPARTMENT RECOMMENDATION FOR HUNT 1101. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION CARRIED 7 - 0. CHAIRMAN LENT VOTED.

Nonresident Mule Antlered Any Legal Weapon Hunts 1331, 1371, and 1341

Mr. Cox said read the nonresident quotas as shown on the screen.

CHAIRMAN LENT MOVED TO ACCEPT THE REVISED DEPARTMENT RECOMMENDATIONS FOR 1331 CHANGING 131 TO 134 EARLY TO 13, 141 – 145 EARLY TO 14, 221 – 223 EARLY TO 30; HUNT 1371 WILL STAY THE SAME; 1341 CHANGE AREA 071 TO 079, 091 EARLY TO 15; 221 -223 TO SIX. COMMISSIONER MCBEATH SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION CARRIED 7 - 0. CHAIRMAN LENT VOTED.

Landowner Compensation Tags

Mr. Cox said the maximum is 1.5 percent and all quotas are linked and he asked that the Commission provide the 1.5 percent.

COMMISSIONER WALLACE MOVED TO APPROVE 1.5 PERCENT FOR NONRESIDENT AND RESIDENT DEER AND ANTELOPE EITHER SEX LANDOWNER COMPENSATION TAGS FOR HUNTS 1115, 1215, 2115, AND 2215. COMMISSIONERS IN FAVOR: LENT, RAINE, CAPURRO, HOWELL, MORI, MCBEATH, AND WALLACE. MOTION CARRIED 7 - 0. CHAIRMAN LENT VOTED.

Chairman Lent thanked Mr. Cox and NDOW staff for the manner in which the quotas are prepared and the format allows the process to go fast.

28 Future Commission Meeting – Director Ken Mayer – Action

Director Mayer said the next Commission meeting is June 25 and 26, 2010, in Ely, Nevada.

Meeting adjourned at 5:30 p.m.

Note: The minutes are a summary of the meeting. At the Department of Wildlife headquarters in Reno is a complete record of the meeting, including recordings; and all the exhibits received/referenced during the meeting. The record is available upon request for review.

