

Draft Minutes
Nevada Board of Wildlife Commissioners' Meeting
Bristlecone Convention Center
150 6th Street
Ely, NV 89301
Final Agenda

#7

Friday, June 25, 2010 – 1 p.m.

- 1 Call to Order, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Lent
- 2 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.
- 3 Member Items/Announcements
- 4 County Advisory Boards to Manage Wildlife (CABMW) Member Items –
- 5 Public Comment Period
- 6 Approval of Minutes – Action
Commission minutes from the May 14 and 15, 2010, meeting.
- 7 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).
- 8 Appeal Hearing – Mr. Robert G. Wallin - Action
The Commission will hear an appeal from Mr. Wallin on the Department of Wildlife's denial of his 2010 Master Guide License.
- 9 Appeal Hearing – Mr. Mark Paul – Action
The Commission will hear an appeal from Mr. Paul for "preference points that were not applied for by 5 p.m. on deadline date."
- 10 Workshop - Informational
 - A Commission General Regulation Number 383, LCB File No. R005-10 – Wildlife Highway Crossing – Chief Game Warden Buonamici
The Commission may adopt a regulation relating to wildlife; prohibiting a person from hunting or taking a big game mammal or discharging a firearm within a certain distance of a wildlife highway crossing.
 - B Commission General Regulation Number 389, LCB File No. R083-10 – Chief Game Warden Buonamici
Regulation relating to wildlife; prohibiting a person from interfering with the use of a guzzler or other water development; providing an exception.

11 Reports – Informational

- A CABMW Reports on Mule Deer Overview Efforts Within Each County – CABMW Members
- B Bighorn Sheep Disease Update – Chief of Game Larry Gilbertson
- C Black Bear Management Update – Chief of Game Larry Gilbertson
- D Wolves Management Update – Chief of Game Larry Gilbertson and Chief Game Warden Rob Buonamici
- E Bassett, Cave and Comins Lake Update – Chief of Fisheries Mark Warren
- F Review of Fiscal Year 2011 Heritage Contracts Status – Secretary Mayer
- G Clark County Shooting Park Clark CABMW Fee Update – Deputy Attorney General David Newton
The Commission will discuss whether Clark CABMW will pay the fee to use the Clark County Shooting Park.
- H Litigation Report – Deputy Attorney General David Newton
- I Department Activities/Leadership Team Notes – Secretary Ken Mayer

Saturday, June 26, 2010 – 8:30 a.m.

- 12 Call to Order, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Lent
- 13 Member Items/Announcements
- 14 County Advisory Boards to Manage Wildlife (CABMW) Member Items
- 15 Public Comment Period
- 16 Commission Regulations – Action
 - A Commission General Regulation Number 383, LCB File No. R005-10 – Wildlife Highway Crossing – Chief Game Warden Buonamici
The Commission may adopt a regulation relating to wildlife; prohibiting a person from hunting or taking a big game mammal or discharging a firearm within a certain distance of a wildlife highway crossing.
 - B Commission General Regulation Number 389, LCB File No. R083-10 – Chief Game Warden Buonamici
Regulation relating to wildlife; prohibiting a person from interfering with the use of a guzzler or other water development; providing an exception.
- 17 Commission Regulation 07- 07 Amendment #6 – Upland Game and Furbearer Seasons and Bag Limits – Wildlife Staff Specialist Shawn Espinosa
The proposed amendment recommends changes to season dates, open areas, game management units, bag limits and special regulations for sage grouse and wild turkey; and bobcat season and sealing dates.
- 18 Duck Stamp Request – Chief of Habitat Dave Pulliam - Action
The Commission will review and be asked to approve 23 projects submitted

- for funding from duck stamp funds. The projects total \$141,036.
- 19 Upland Game Stamp Request – Chief of Habitat Dave Pulliam – Action
The Commission will review and be asked to approve 10 projects submitted for funding from upland game stamp funds. The projects total \$172,110 plus \$160,000 in associated salary.
- 20 Goose Creek Portion of the Wells Elk Sub-Plan – Chief of Game Larry Gilbertson – Action
The Commission will consider a request to set up a steering committee to revise the elk population objective of the Goose Creek portion of the Wells Elk Sub-Plan.
- 21 Petition – Action
The Nevada Guides and Outfitters and Guides Association has petitioned the Commission to “return to the original wording of NAC 502.4237 that allowed applicants who were unsuccessful or rejected to apply in the main draw for deer.” The Commission may accept and initiate regulatory action or deny the petition.
- 22 Wildlife Heritage Projects – Chairman Lent – Action
The Heritage Committee will provide a recommendation to the Commission to approve one Fiscal Year 2009 Heritage project which requested an extension of funding into fiscal year 2011.
- 23 Lyon County Advisory Board to Manage Wildlife Budget Request – Deputy Director Rich Haskins - Action
The Lyon CABMW submitted their budget request after the May 1, 2010, deadline and the Department is recommending the Commission fund Lyon CABMW in the amount of \$1,101 consistent with the Commission’s approval of Option #1 for all other CABMW’s budget requests at the May Commission meeting.
- 24 2011 and 2012 Commission Meeting Schedule – Secretary Ken Mayer – Action
In accordance with NRS 501.177 the Commission will be asked to approve a schedule of meetings and locations for 2011 and 2012.
- 25 Future Commission Meeting – Director Ken Mayer - Action
The next Commission meeting is scheduled for August 13 and 14, 2010, in Fallon; 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 Stockton, Deputy Attorney General
Suzanne Scourby, Recording Secretary	David Newton, Deputy Attorney General

Nevada Department of Wildlife personnel present:

Deputy Director Rich Haskins	Chief of Fisheries Mark Warren
Chief of Conservation Education Kelly Clark	Habitat Staff Biologist Elmer Bull
Chief Game Warden Rob Buonamici	Regional Fisheries Biologist Chris Crookshanks

Others in Attendance/Two Day Meeting:

Paul R. Dixon, Clark CABMW and self	Pat Laughlin, Nevada Alliance 4 Wildlife
Rick Smith, Washoe CABMW	Gil Yanuck, Carson CABMW
Thomas Brunson, White Pine CABMW	Don Molde, self
Joel Blakeslee, Nevada Trapper's Association	John W. Larkin, Trout Creek Ranch
Ken Wellington, Elko CABMW	George Corner, Nevada Guides & Outfitters
Henry Krenka, Nevada Guides and Outfitters	Mitch Buzzetti, NV High Desert Outfitters
Walt Gardner, self	Shane Boren, White Pine CABMW
Wade Robison, self	Carl Jackson, self
Dennis Wilson, Nevada Bighorns Unlimited-Reno	Rob Wallin, self
Billie Williams, Mineral CABMW	Brett Jefferson, NV Bighorns Unlimited-Reno
Cory Lytle, Lincoln CABMW	Shawn Lytle, self (outfitter)
Paul Podborny, Bureau of Land Management Ely	Kevin Strozzi, Nye CABMW
Monty C. Martin, Systems Consultants	Don Sefton, Systems Consultants
Slade Sanborn, White Pine CABMW	Joe Bennett, USDA Wildlife Services
Craig Burnside, Douglas CABMW	Laurie Carson, White Pine County
Bill Ilchuit, Baker-Trapper	

Friday, June 25, 2010 – 1 p.m.

- 1 Chairman Lent called the meeting to order at 1:08 p.m.

Commissioners present for roll call: Chairman Lent, Vice Chairman Scott Raine, Daryl Capurro, Tom Cavin, Charlie Howell, Michael McBeath, Pete Mori and Grant Wallace.

CABMW members present for roll call: Rick Smith, Washoe; Paul Dixon, Clark; Gil Yanuck, Carson; Matt Johnson, Esmeralda; Cory Lytle, Lincoln; Billie Williams, Mineral; and Kevin Strozzi, Nye.

- 2 Approval of the Agenda –

**COMMISSONER RAINE MOVED TO APPROVE THE AGENDA.
COMMISSIONER CAPURRO SECONDED THE MOTION. MOTION PASSED.**

Member Items/Announcements -

Commissioner Wallace said an Elk Damage and Incentive Committee meeting was held this morning which included a basic update on the program, account balances, ongoing and potential projects. He said the committee would like to have some items on a future Commission agenda for potential changes to the program such as two cow tags for a landowner instead of one bull tag which the landowners could use themselves and assist with depredation and eliminate

sportsmen's concern of depredation tags taking trophy bulls by taking cow elk instead.

Chairman Lent said Leadership Team notes reported updates on NDOW policies for Commission meeting and committee support to the Commission and he requested a copy. He said he was going to change the agenda's public comment section to mirror a section of Clark CABMW's, "at the Board's discretion public comments on posted agenda items will be allowed at the time the agenda item is considered by the Board;" however Deputy Attorney (DAG) General Bryan Stockton advised him that he should not do the change.

DAG Stockton said his advice was against changing the public comment section because of a problem he sees with Clark CABMW's statement, is that you need to let the public know when the public should make public comment and leaving it to the board's discretion is risky with the Open Meeting Law.

Chairman Lent said he had people approach him, and the idea is that game animals with large horns or antlers are not just trophy animals, they are a valuable conservation resource that warrants harsher penalties, and he thinks we should attach poaching penalties with the size of antlers like Boone and Crockett scores, as wildlife violations are setbacks for conservation. He said there should be a different penalty for poaching that type of animal as they have a higher value. He said not sure if the change would stop poaching but will make them think twice and should pay higher penalty, and based on Boone and Crockett scoring that might be detrimental to them. He asked if Chief Buonamici could draft legislation to increase that penalty and see what the Commission and CABMWs think.

Chief Game Warden Buonamici said in regard to Chairman Lent's idea the Department would be in favor of some type of graduated penalty system which a multitude of states already have in law, and staff have discussed this over the years. He said we would not want to emphasize the trophy aspect, as we would look at it more from perspective that so many inches and points and establish that in regulation or statute and eliminate the issue of Boone and Crockett scorers having to testify. He said it is a viable option and would recommend making the penalty commensurate with other states, as staff have found that poachers do their homework and look at states' penalties and he himself has verified that in investigations of poachers who bring that up. He said the deadline for agency Bill Draft Requests (BDRs) has passed; however an outside sponsor could bring that legislation forth. He said he could bring wording to the Commission.

CABMW Items –

Rick Smith, Washoe CABMW, said he would like clarification on comment of Chairman Lent and DAG Stockton made regarding discretion of the board to take public comment under items and DAG Stockton's issue is "at the discretion of the

Board." Mr. Smith said his second question is get rid of discretion of the board and that public comment will be taken on each agenda item clears that.

DAG Stockton said that language is Clark CABMW's and this board wanted to adopt that and his opinion is that it is already at discretion of board public and the public needs to know which it is. DAG Stockton said current agenda's public comment is not as clear as he would like and may work on that.

Paul Dixon, Clark CABMW, said he wanted to state for the record that at his last Advisory Board meeting they did not have a quorum therefore he does not have official recommendations to present at this meeting and he will be speaking today for himself. Mr. Dixon thanked NDOW staff for attending their meeting and said they had one of their the largest publicly attended meeting.

Public Comment – None

- 6 Approval of Minutes – Commission meeting minutes from the May 14 and 15, 2010

Commissioner Cavin said the minutes from the May meeting are lengthy and the Commission did not receive the minutes until this week.

COMMISSIONER CAVIN MOVED TO FOREGO APPROVAL UNTIL AUGUST. COMMISSIONER CAPURRO SECONDED THE MOTION. MOTION CARRIED 7 – 0. CHAIRMAN LENT DID NOT VOTE.

- 7 Correspondence – Chairman Lent – Informational

Commissioner McBeath reviewed correspondence that he received: Letter dated May 21 to Chairman Lent from Northern Nevada Safari Club International Chapter confirming in writing to the Commission that they have withdrawn their request for Heritage vendor tags; email from Casey Nelson disagreeing on approval of mountain lion bounty Heritage project submitted by Mike Stremler; email from "Dave U. Random" asking why custom tires on game warden truck; email from Mark Johnson thanking Commission for letters on Main Station Farm; email from Jerry Smith who attended Elko CABMW and had an issue with recommendations on reducing deer tags in Area 10; received information from Dr. Don Molde on results of predator control; Responsive Management letter on online surveys; and three Open Meeting Law violation complaints from the Office of Attorney General.

Commissioner Cavin said he has a response to Commission's letter from Board of Regents Milton Glick concerning Main Station Farm and future of CABNR and also received several emails on agenda item #21 for guide's petition.

Chairman Lent said he will enter into record letters written to Marc Johnson and Milton Glick of the University of Nevada, Reno; letter sent on Ruby pipeline to El

Paso Gas from the Commission; same email as Commissioner McBeath from Casey Nelson; emails from Larry Ables and Christy and Harry Mathews reinstating second draw; Hunter's Alert article on Alaska Fish and Game are suing the federal government on predators; and had many emails on agenda item #21 on second draw.

Commissioner McBeath said he also received the emails relative to agenda item #21.

8 Appeal Hearing – Mr. Robert G. Wallin – Action

Mr. Wallin was present at the hearing and withdrew his application.

9 Appeal Hearing – Mr. Mark Paul – Action

Chairman Lent disclosed that he spoke to Mrs. Paul whom explained the situation to him and he also obtained the recording from Systems Consultants (SCI) of her call to them and was referred to the NDOW website where she obtained her information and had a conversation with her but as a prudent person that would not affect his vote if this comes to a vote.

Commissioner Capurro said apparent differences between website of SCI and NDOW. One website does not address the close and if we go into era of technology and to all online application then 5 p.m. is not appropriate as that is a brick and mortar deadline and whatever is done it needs to be clear to those online who don't have access to rules and regulations and the online deadline should be midnight and should be prominently mentioned.

DAG Stockton said Mr. Paul is a "no show" and these are member item type comments and not appropriate for the appeal and is not appropriate for a quasi-judicial body to comment on the merits of the case and would recommend the comments being moved to another item.

Chairman Lent said he was just going to explain the situation to the Commission in case they don't understand it. The appellant, Mr. Paul, is not present and the situation is his wife went online to fill out application and she went to NDOW website and saw deadline and she thought April 15 until midnight and she thought she had until midnight, and when she went on SCI site it said 5 p.m. and did not have regulations as she is from Wyoming. She did not apply last year and he has bonus points and if he does not apply this year he will lose his bonus points. Ms. Paul said she thought had basis for appeal as NDOW website did not specify a time...

DAG Stockton said the discussion should be stopped at this point because appellant is not present here today which means they abandoned their appeal

and the board should dismiss the appeal unless other arrangements have been made but do not need to discuss the merits of the case.

COMMISSIONER MCBEATH MOVED TO DISMISS THE APPEAL OF MR. PAUL FOR FAILURE TO PURSUE HIS APPEAL AND ATTEND THIS HEARING AND TO DISMISS THE APPEAL. COMMISSIONER MORI SECONDED THE MOTION. MOTION PASSED 8 – 0. CHAIRMAN LENT VOTED.

10 Workshop Informational

A Commission General Regulation (CGR) 383 – Wildlife Highway Crossing – Chief Game Warden Rob Buonamici

Chief Game Warden Buonamici said CGR 383 is a regulation prohibiting a person from hunting or taking a big game mammal or discharging a firearm within a certain distance of a wildlife highway crossing. Nevada Department of Transportation (NDOT) is constructing a highway overpass south of Jackpot and during construction phase individuals have stopped along the highway and have taken opportunity to hunt deer from the highway as the deer congregate up against the overpass fence, and to alleviate that problem – which is both traffic safety and firearm issues, the regulation will prohibit persons from taking or hunting a big game animal within one-half mile of a wildlife highway crossing; and prohibit person from discharging a firearm from, upon or across a wildlife highway crossing.

Chairman Lent asked if regulation passes, will there be signage.

Chief Game Warden Buonamici said signs would be posted on the one-half mile length to avoid confusion.

Commissioner Cavin asked if the area should be posted as a non-stopping zone by NDOT as people will stop to take pictures or gawk and that potentially would interfere with usage.

Chief Buonamici said that has not been experienced yet, more experiences have been with hunting public; however, the potential is there and would require coordination with NDOT and Highway Patrol for a regulation if necessary.

Commissioner Raine said he had phone conversations with people regarding this and asked what if bypass located near private lands and might be issue with restrictions hunting on private lands if near private land and this regulation covers current and future overpasses would it be logical to exclude private lands so as not to exclude someone's right to hunt their private property.

Chief Buonamici said he understands Commissioner Raine's concerns and stated these have to be constructed on public land or have a right of way agreement with a landowner's permission, and then the issue would be the same whether the animals are on public or private they will stack up at overpass and is a safety issue.

Commissioner Raine said one-half mile is deep from highway and could be taking away private lands rights and put this in and take away rights and potential for litigation for restitution.

Chief Buonamici said again this would come back to public safety and would guess if landowner not willing to work with us we would not construct highway overpass and there is benefit to landowner as far as lessening trespass issues with the bypass.

Commissioner Capurro asked how visible will the deer be seen from highway.

Chief Buonamici said highway has parallel fence to prevent animals from crossing the highway and funnels the deer into overpass and will depend on roadside vegetation growth.

Commissioner Capurro said his recommendation is that NDOW contact NDOT and discuss the way this can be done to prevent traffic from backing up or pulling over.

Chief Buonamici said NDOW can facilitate making that happen.

Rick Smith, Washoe CABMW, said they support the proposal with caveat that crossing be clearly posted within one-half mile on each side.

B CGR 389 – Guzzler Issues - Chief Game Warden Buonamici

Chief Game Warden Buonamici said the purpose of CGR 389 is to address hunting in blinds and remote camera usage and the myriad of issues that have developed with water guzzlers and water developments such as tampering with the devices constructed for wildlife. He read the regulation and said word "water development" is defined as collect water for use by wildlife and natural spring is not specifically designed for wildlife.

Commissioner Raine said from previous discussions we talked about contamination of guzzlers with Clorox and might add a few words on "obstruction and contamination" to cover that and knows we talked about that before but what would penalty be.

Commissioner Howell said wording "contaminate" might belong in (b), "in any other manner "contaminate" or interfere with guzzler.

Chief Buonamici said all Title 45 laws which have no penalty specified would be a misdemeanor.

Commissioner McBeath said he is struggling with wording "other water developments." He said for example ranchers have certificated water rights and some are natural springs but others are water collected in a spring box and flow piped into excavated depression and then as it fills up water may go out into riparian area and would be worried that would be included under "water developments."

Chief Buonamici said we are after the same goal, and Section 3 is designed to correct that and will use whatever language everybody is comfortable with.

Commissioner Mori said the wording that concerns him is that water developments for livestock are watering devices that are not built to exclude wildlife. He attended the Elko CABMW meeting and they had question on Section 1 (b) and intent of "any other manner interfere."

Chief Buonamici said "any other manner" could be shooting up the guzzler and disabling it and those are other manners, such as obstructing access to guzzler.

Commissioner Capurro said he would presume language would prevent someone from building a blind in the guzzler area, and is concerned with "enhanced natural basin." He asked if that is an area where someone has decided there is flow off of the rocks and is that an enhanced natural basin, and if so what is wrong with that.

DAG Stockton said from water rights perspective all surface water rights are spoken for, and if diverting surface water right that is illegal, guzzlers only capture rain water.

Public Comment -

Rick Smith, Washoe CABMW, said they had quite a discussion on this and they had exact same question on natural basins. Also, question of the blinds and asked if you are 80 feet from the guzzler are you interfering. He said they thought "any manner alter" and maybe get rid of wording "other water development" and leave it specific to "guzzler," and another question for legal counsel is who owns the water and do we have the right to put this provision in based on who owns the water.

DAG Stockton said he is writing an Attorney General's Opinion on guzzlers and advised waiting for the opinion to be done.

Rick Smith, Washoe CABMW, said based on that, their motion was to table action on this regulation until the legal language is defined. He said Washoe CABMW's recommendation is not to approve the regulation and seek counsel to define the legal definition of water and in Section 1 (b) is to change from interfere "to alter" and strike the words "other water development."

Craig Burnside, Douglas CABMW, said his board had question with language in Section 1 (b) with "interfere." He said they questioned that if someone is hunting and intercepts a covey of birds on their way to a guzzler is that "interfere."

Paul Podborny said he is a wildlife biologist for the Bureau of Land Management (BLM) in the Ely District Office and BLM understands the need for this regulation and supports it in concept but has concerns as almost all water developments are built on federal public lands managed by BLM, U.S. Fish and Wildlife Service, and the Forest Service, and National Park Service. He asked if federal agencies were contacted regarding the regulation as it crosses enforcement authority. He said although NDOW constructs the guzzlers on federal land NDOW has to have federal authority to allow the guzzler to be there and maintained. Also NDOW is not the only agency that constructs wildlife water developments, as BLM and U.S. Forest Service construct guzzlers in partnership with NDOW and they actually own those guzzlers and the exception the way this regulation is written would put the federal agency at fault if they have to do maintenance work and they would ask Commission to state in Section 2, in addition "any officer of a land management agency." Regarding Commissioner McBeath's wording of definition of guzzler or water development the Commission may consider wording: "designed to collect precipitation, i.e. rain and snowfall" as guzzlers are not designed to take the natural flow from a spring may clarify that point. He asked the Commission that before they adopt this regulation that the regulation be sent to federal agencies to see if issues regarding enforcement on public federal lands as technically they authorize construction of guzzlers on federal lands.

Chief Game Warden Buonamici said it was an oversight on NDOW's part that the regulation was not sent to the federal agencies; however, would be a good idea to send to them and he has made notes of the rewording suggested by Mr. Podborny and others during the workshop.

Commissioner Capurro said enough changes to have the regulation redrafted and sent back to the CABMWs.

Commissioner Raine suggested read through the regulation today and tomorrow and then provide wording changes for staff to take to federal land agencies for their review.

Commissioner McBeath said wording change suggested by Mr. Podborny from "water" to "precipitation and snowfall" clarifies water rights issues and will help define ownership of the water.

11 Reports Informational

A CABMW Reports on Mule Deer Overview Efforts Within Each County – CABMW Members

Gil Yanuck, Carson CABMW, reported the tri-county Deer Herd Restoration Working Group composed of Carson, Washoe, and Douglas Counties, has agreed it would be important to have NDOW staff at their meetings to discuss concepts, ideas, and save time from coming up with recommendations that might get shot down if something not known in the recommendations. He said they hope to eventually come forth with requests for Heritage funds in Carson Range Areas 19 and 29 to address existing habitat conditions, deer populations including inter and out of state herds, and urban development. The goal is to make treatment request that can be monetized and measured for future discussions.

Cory Lytle, Lincoln CABMW, said they made a spreadsheet detailing harvest results, hunter success, and compilation of statistics for decade 2000 - 2009 and use as appendix to their Mule Deer Plan, and he will provide a copy to the Commission and is just one more step in process.

Rick Smith, Washoe CABMW, apologized to Commission because Secretary Rex Flowers had asked to put this item on their agenda as he is their representative for the committee and Judi Caron is on the tri-county committee and Mr. Flowers submitted this agenda item to the board; however, when he downloaded the Washoe CABMW agenda from NDOW internet site, it was not the amended agenda and the board decided to postpone discussion until the August meeting.

Commissioner Raine said the Mule Deer Restoration Committee met this morning and had a presentation by Mr. Lytle and the only two counties that submitted recommendations were Lyon and Lincoln and copies are available.

B Bighorn Sheep Disease Update – Chief of Game Larry Gilbertson

Chief of Game Larry Gilbertson updated the Commission on the status of the bighorn sheep die-off: In Unit 101 – 102 staff have documented 155 dead sheep, 52 rams, 85 ewes, 15 lambs, and three unknown. In the Ruby Mountains mortalities have seemed to subside, Unit 102 had total of 38 dead; East Humboldts sheep continue to die, and of 15 marked sheep 12 have died and two are alive with one dead, Unit 101 had a total of 117 deaths of which 32 were rams. In the East Humboldts staff can account for 14 live animals right now and 19 live animals in the Rubies. Mr. Gilbertson said staff is continuing to follow the

die-off and for the remainder of the summer by tracking the remaining radio collars.

Chairman Lent would like the Commission to continue with these reports at every meeting.

Paul Dixon, Clark CABMW, asked that local biologist Pat Cummings provide updates to the CABMWs at their meetings as well.

C Black Bear Management Update – Chief of Game Larry Gilbertson

Big Game Chief Gilbertson said Carl Lackey is NDOW's staff expert on bear management, and the last time this was on the Commission's agenda we talked of where we are going with black bear studies. Mr. Lackey told him that over the last 12 years he has worked with Wildlife Conservation Society's John Beckman PhD to study bears. He indicated that he is following up on wild land bears rather than urban. He said they radio collared wild land bears and of 10 radio collars bought, five failed, and currently have four bears collared now and hopes to collar six more bears with a goal of 10 bears collared. He said preliminary information is that there is movement back and forth from wild land bears from wild land to urban areas.

Commissioner Howell asked when we will be ready for a bear season.

Chief Gilbertson said the Department would be ready for a season although will be a challenge and that is why the study is being done to provide answers to the public if that path is chosen.

Commissioner Raine said three years ago this was discussed with goal of bear population estimate and asked where NDOW is at on that, and is the population deemed sufficient for a bear hunt and what is the timeline.

Chief Gilbertson said staff is working on the bear population model and best estimate is 200 – 400. He said we definitely can look into a season and that since 1997 we have documented 268 bears that have been lost or killed in accidents or NDOW had to remove, which averages 19 bears a year and question we want to be able to answer is, if we implement hunting program would it be additive or compensatory type losses and would assist with justifying the season. Mr. Gilbertson said collars on bears this winter will allow data collection to document production and to see if they are Nevada or California bears and hope to have that information by next year.

Commissioner Cavin said he talked to Director Mayer last fall on how bear complaints will be recorded by the Department and at the time he indicated standardized form was to be completed by staff who took bear call and asked if that is in place now.

Mr. Gilbertson said he understands the process is close to being implemented. Chief Game Warden Buonamici said majority of BEAR calls are being routed through 911, through our own employees or dispatch, and all of those calls are being tracked. He said where we lose integrity is with front-counter calls such as someone reporting seeing a bear wandering through a neighborhood as those calls have slipped through the cracks. A system is being put in place to identify dangerous and non-dangerous wildlife, dangerous being bears, mountain lions, and venomous snakes, to delineate for consistency, and all of that is ready with a memorandum drafted which Director Mayer is currently reviewing.

D Wolves Management Update – Chief of Game Larry Gilbertson and Chief Game Warden Buonamici

Chief Game Warden Buonamici said he is not an expert on wolves and the background on wolf management is wolves are federally protected under the Endangered Species Act (ESA) and under Nevada state law wolves were an unprotected species until two years ago when their status was changed to a game animal which was done in part as we did not know where the feds were going with wolves as far a management plan. He said we are trying to be proactive, and Nevada is not in a distinct population segment (DPS) such as Idaho or Wyoming where wolf recovery is a viable goal. Nevada has unknown number of captive and hybrid wolves in state and animals are being moved back and forth between states and we want to insure that none of the captive or hybrid wolves are released from captivity into the wild and the state has the authority to control that. He said staff are proposing for the future to amend NAC 503.140 that refers to wolves in it and looking at adding a section that states “as used in this section wolves include a wolf or any subspecies or hybrid.” That inserted into current regulation provides responsibility of the owner for the animal and if it is released the Department has the authority to take care of it.

Commissioner McBeath asked if there have been sightings of wolves in Nevada and where the closest wolf population is.

Secretary Mayer said he had credible report of wolf sighting; however, Wildlife Services could not confirm sighting.

Chief of Game Gilbertson said during his 18 years in Elko he kept track of wolf sightings as reported by the public which has been about 15; however, no staff have seen or documented a live wolf or found any remains. He said we have had five or six sightings of a moose which were documented by finding the remains and in contrast with wolves have never documented an animal yet but have had twice the number of sightings.

Chief Buonamici said wolf hunting is open statewide in Idaho and sightings documented but does not know how far along the border.

Chief Gilbertson said he had heard that in Idaho they are seeing wolves about 70 miles away from the border but there is a desert area between Idaho and Nevada.

Commissioner Raine asked proposed timeline on regulation.

Chief Buonamici said the regulation is drafted and regulation could be brought to Commission.

Chairman Lent said sportsmen not that concerned with wolves and he read statistics of impact of one wolf on elk herd and sportsmen need to be made aware as at one point wolves will show up in Nevada. If wolves come they will have an impact on Nevada's wildlife and sportsmen need to be educated as to what other states are doing as has been a disaster in Wyoming.

Secretary Mayer said a deal was cut with U.S. Fish and Wildlife Service that wolves were extinct in Nevada and were never established in Nevada, given that, if someone did kill a wolf, a plan would be put into place and until verified that a wolf did it, no harm no foul, and then a management plan would be put in place and thought that was all good but the agreement did not go through due to problems with listings and other issues so we are back at ground zero and are in same status as Oregon.

E Bassett, Cave and Comins Lake Update – Chief of Fisheries Mark Warren and Fisheries Biologist Chris Crookshanks

Fisheries Biologist Chris Crookshanks presented a power point presentation detailing the resources and status of Basset, Cave and Comins Lake (exhibit file) in White Pine County.

F Review of Fiscal Year 2011 Heritage Contracts Status – Secretary Mayer

Chairman Lent said on advice of legal counsel he will limit discussion on this item to contracts only and the process.

Secretary Mayer said the fiscal year begins July 1, and have a variety of state requirements for parts of the contract such as insurance, and staff are building contracts and the contract do have to go through Board of Examiners (BOE) for services but not necessary for equipment. The earliest we can get on BOE's agenda is August but more likely will be September. He said we need approval of BOE before you can finalize contract with proponents. Staff work with project proponents to work out timeframes for the appropriate season and bonding requirements.

Chairman Lent said these are to be 12 month contracts and if we do not get them started by November, we are not giving the project proponents the full 12 months to complete the work and may need extensions.

Commissioner Howell asked if Wildlife Services are encountering problems in the federal process and doing the work for NDOW.

Secretary Mayer said he is not aware of any at this time.

Commissioner Raine asked if successful applicants have been apprised of the requirements and will it be by September.

Secretary Mayer said cannot say definitively but believes staff is working on getting on the BOE agenda.

Public Comment -

Pat Laughlin, Nevada Alliance 4 Wildlife, said he has not been contacted by any one from NDOW's staff but has talked to staff at Wildlife Services and to get anything done need everything in place by November.

Deputy Director Haskins said the scope of work needs to be defined before contract can be written and BOE approval obtained.

Gil Yanuck, Carson CABMW, said along the lines of talking about contracts, he sure would like formalized reporting system and project status reports published on website so accessible to everyone to see what is going on. Public does not know status of projects after approval as we spend a lot of sportsmen dollars on these projects and hear very little as to what was accomplished and would be nice to fill sportsmen in.

G Clark County Shooting Park – DAG Newton

DAG Newton said he talked to attorney representing Clark County Shooting Park and discussed use of Clark CABMW's use of facility under hunter education use as defined by Memorandum of Understanding between the Department and Clark County Shooting Park. NDOW is a contracted party under the MOU and Clark CABMW is not under that and normally no county to county charge and will check with shooting park manager Don Turner to see if that is allowed but no response back yet. DAG Newton said he will forward contact information to Paul Dixon, Clark CABMW chair, as this is an issue between the county entities.

H Litigation Report – Deputy Attorney General Newton

Chairman Lent said a sportsman told him there has been a lawsuit filed by Chris Lacey on a pickup set of antlers and he asked why that was not included on the report.

DAG Newton said the case is not included on the report until both the Attorney General's Office and the Department are served.

Secretary Mayer said he had been served on that case.

DAG Stockton said the Commission as a whole was sued by Paul R. Dixon over issues related to Heritage projects and the service was on Ken Mayer on behalf of the Commission and the Attorney General's Office was to be served yesterday and has 45 days to answer.

I Department Activities/Leadership Team Notes – Secretary Ken Mayer

Secretary Mayer said we are caught up with reports and will answer questions from the Commission.

Chairman Lent said there is an item in the report about budget bills and statement that broadening conservation stamp will be sought and he asked for an explanation and will that be a bill.

Director Mayer said every state has a conservation stamp and want to tap into stamp to use funds for survey work for sage grouse and the bill will be submitted through the Executive Branch.

Meeting Adjourned 4:45 p.m.

Saturday, June 26, 2010 – 8:30 a.m.

12 Call to Order, Introduction, and Roll Call –

Chairman Lent called the meeting to order at 8:37 a.m.

Commissioners present for roll call: Chairman Lent, Vice Chairman Scott Raine, Daryl Capurro, Tom Cavin, Charlie Howell, Michael McBeath, Pete Mori and Grant Wallace.

CABMW Roll Call: Paul Dixon, Clark; Gil Yanuck, Carson; Rick Smith, Washoe; Matt Johnson, Esmeralda; Ken Wellington, Elko; Crag Burnside, Douglas; Billie Williams, Mineral; Kevin Strozzi, Nye; Shane Boren, White Pine, and Thomas Brunson, White Pine CABMW.

13 Member Items –

Commissioner Howell asked that a bear hunt possibility be placed on the agenda to get something out to the CABMWs.

Secretary Mayer said he could have staff make another presentation on what steps are necessary to implement a bear hunt and talk about regulatory action that needs to be taken.

Commissioner Cavin said after discussion on deadline of the draw there are inconsistencies in the draw and may need to change application deadline time or at least the bare minimum is that everything needs to be consistent between NDOW publications, the NDOW website and contractor's website, and not sure if needs to be an agenda item or not.

DAG Stockton said the Commission has the authority to make changes to the deadline during the season and bag.

Commissioner Capurro asked if possible in interim to make NDOW site the same since already posted as 5 p.m. on System Consultant's site.

Deputy Director Haskins said that staff will complete that step during the interim and the only place the time not present was the website.

Commissioner Raine asked if we have timeline for regulation to extend the deadline for bonus point application.

Secretary Mayer said that will be implemented before March when we sell licenses.

Chairman Lent asked DAG Stockton to research and bring back to the Commission any statutes that the Commission would have for recourse for any unsubstantiated claims against public officials for the purpose to harass without adequate basis, statutes like Rule 11 of NRPC, Ethics 281 (a), NRS 41 or Administrative Procedures Act.

14 CABMW Member Items -

Paul Dixon, Clark CABMW, said he is representing himself as he did not have a quorum at his meeting as stated yesterday.

Thomas Brunson, White Pine CABMW, said he is sorry he missed this agenda item yesterday and wanted to report on habitat enhancement efforts over the past five years in White Pine County to assist with mule deer restoration and future projects (Exhibit File under agenda item #11 A). He said the U.S. Forest Service has seven water developments that have been completed in Unit 131

and 132 and have done vegetation treatments and prescribed burns as well. He said funding could be better but Mule Deer Foundation and Rocky Mountain Elk Foundation have assisted with funding of guzzlers and other projects.

Rick Smith, Washoe CABMW, provided the Commission with a spreadsheet of Heritage projects approved by the Commission at the last meeting. He requested from Director Mayer the spreadsheet of the projects to determine if they met NRS 501.3575, NAC 501.300, and NAC 501.320. He understands that it is the opinion of Department but thought it would be good for everyone to look at and see how well the projects fared against the requirements, and he believes Heritage projects need to be evaluated before they are voted on, to insure they meet the statutes and are adequate and thinks that step is missing. He said we can't ask the Department to complete evaluation as they are one-half of the project proponents and asked who should be evaluating the projects. He said the Heritage Committee could or could the Commission appoint a group to do that. His main point is this step is overlooked in the process. An example is project #11-17, the lion depredation, which met the NRS, but only met one NAC with project description. Mr. Smith said this needs to be fixed and is a problem. The other item is he had a quote from Chairman Lent addressing the Board of Agriculture at its March meeting, where he stated that only the Commission decides Heritage project money by law, and no one has a say in where the projects go but the Commission. He said he takes offense at that and may be that quote is out of context but he takes offense as more public input from the CABMWs and the public is needed.

15 Public Comment –

Paul Dixon, representing himself, said he asked at previous meeting that the Commission form a committee on wild horses or at a minimum have wild horses as standing agenda item on the Commission agenda with an update to keep the public informed. He said there is federal language to suggest making Nevada home to some wild horse preserves which would have precedence over wildlife.

Chairman Lent said that is a good idea and the Commission can put that on its agenda for an update as can the Clark CABMW and agreed that they are trying to subdivide the state and should have an update and if on the Commission's agenda the CABMWs will have it on their agenda.

16 Commission Regulations – Action

A CGR 383 – Wildlife Highway Crossing – Chief Game Warden Buonamici

Chief Buonamici said CGR 383 pertains to wildlife overpasses and hunting within one-half mile of an overpass.

Chairman Lent said for Section 3 where it states "to facilitate the safe passage of wildlife across a highway" are we adding "public lands."

Chief Buonamici said the wording is up to the Commission but does not believe it is necessary.

Commissioner Cavin said this did not come up yesterday but wanted to check on if everyone is comfortable with one-half mile and road will be fenced for x number of miles on either side of these and deer will stack up against the fence to move to overpass and undercrossing and wondered about deer stacking up as he has seen it in California. He said the issue may be bigger and need this in place and maybe this will evolve in the future as to how this works and asked if anyone has ideas or has seen that.

Chief Buonamici said he is comfortable with one-half mile as if extended to one mile we may get to private land as discussed yesterday, and could always adjust the boundary in the future if necessary, but again, would not want to go further as private property issues could arise.

Rick Smith, Washoe CABMW, said they voted to support the regulation and wanted the overpass posted with notice of no hunting within one-half mile.

Commissioner Raine said the private property issue would be resolved with private property owners when the overpass is being designed and not sure if this is the place to put in an exemption.

Chief Game Warden Buonamici said when the overpass is built and designed private property issues are resolved at that point.

Commissioner McBeath asked Chief Buonamici to review the exemptions.

Chief Buonamici reviewed the exemption which pertains to firing over a road – federal, state or county, and the other is the manner of hunting or trapping and is addressing from a vehicle, and said the regulation does not affect existing regulations that have been enacted in regards to a firearm.

COMMISSIONER CAVIN MOVED TO APPROVE CGR 383 AS WRITTEN. COMMISSIONER WALLACE SECONDED THE MOTION. MOTION CARRIED 8 – 0 WITH CHAIRMAN LENT VOTING.

B Commission General Regulation 389 – Chief Game Warden Buonamici - Action

Chief Buonamici said the regulation was designed to prevent tampering and destruction of guzzlers and water developments for wildlife and had discussion on alternative language yesterday, and when we look at all proposed amendments set forth, that is pushing limits of substantive changes with

Legislative Counsel Bureau, and his recommendation is that we gather all the recommended changes and incorporate the changes into a newly worded regulation, and have federal land management agencies review the regulation as well, and then bring back to the Commission. The changes he noted were: Section 1. (a), after obstruct add the word "or contaminate," Section 1. (b) after "In any other manner," scratch "interfere" and change to "alter," Section 2. add "or land management agency," Section 3., change word "water" to "precipitation."

Chairman Lent said also in Section 1. (b) "or other wildlife water development" too.

Commissioner Cavin said in Section 3., the section in quotes "guzzler or other water development" we inserted "wildlife water development," next line inserted "and constructed" where it says "means any artificial or enhanced natural basin that collects or is designed to collect water for use by any wildlife."

Commissioner Raine said one change that may be bad is replacing the word interfere with "alter." The general implication is that if somebody makes it worse and shows the intent, as alter may make it better.

Chief Buonamici said language can be looked at and intent with replacing interfere was to not affect hunting blinds.

Public Comment CGR 389 –

Rick Smith, Washoe CABMW, said with precipitation there are some guzzlers he has learned are spring fed such as in the Mormon Mountains, so precipitation would not cover that, and that needs to be looked at. Mr. Smith said in regard to alter, is that intent of word "alter" for an improvement should not be ticketed.

Chairman Lent said that is why he brought up Big Bertha which is in the Mormons as he has heard that some guzzlers do collect surface water but testimony heard said otherwise.

Paul Dixon said originally when we had these discussions we talked about altering natural pathways to guzzler by cutting down brush and how is that covered here about wildlife getting to the guzzler.

Chief Buonamici said intent of this regulation was not to address those other issues brought up during the camera blind discussion those issues will be covered in different regulations that will be developed.

Chairman Lent tabled action on the regulation and directed staff to redraft the regulation with the language changes that were discussed and return to the Commission with the revised regulation.

17 Commission Regulation 07 – 07, Amendment #6 – Upland Game and Furbearer Seasons and Bag Limits – Wildlife Staff Specialist Shawn Espinosa

Game Division Biologist Shawn Espinosa reviewed the Department's recommended changes to the regulation: Sage grouse, close Unit 032; wild turkey proposing to close all fall hunts due to low numbers; spring turkey hunt in Churchill County Units 181 and 182 to go to permission slip as turkeys are on private land; and change of shooting hours in Paradise Valley to close at 4 p.m.

Commissioner Raine asked the reason for population declines of turkeys.

Game Division Biologist Espinosa said drought periods in Mason Valley have affected production and predation issues as well from skunks, badgers, mountain lions and ravens. He said turkey habitat in some areas is not all that great and populations ebb and flow as Nevada is a very dry state, the turkey population does well after a release and then levels out and he does not want to get in situation as with pheasants where it is just put and take. Success rates have declined from 40 percent to the teens.

Public Comment -

Rick Smith, Washoe CABMW, said the board supported recommendation of the Department.

COMMISSIONER CAPURRO MOVED TO APPROVE CR 07 – 07 AMENDMENT #6 RELATIVE TO UPLAND GAME SAGE GROUSE AND TURKEY AS RECOMMENDED BY THE DEPARTMENT. COMMISSIONER HOWELL SECONDED THE MOTION. MOTION CARRIED 8 – 0 WITH CHAIRMAN LENT VOTING.

Game Division Biologist Shawn Espinosa said the Department is recommending to change the close of the bobcat season to Feb. 20, a Sunday. The bobcat sealing date changes are in the support material (exhibit file) and are to comply with logistical and legal date requirements.

Public Comment –

Don Molde, said he would like to see the numbers from the last trapping season and read a letter (exhibit file) entered into the record outlining his concerns with the science used to set trapping seasons.

Commissioner McBeath said Mr. Molde litigated the bobcat issue in the 1980s and he asked what is different today or is this the same argument as in the 1980s.

Mr. Molde answered that back in the early 1980s was their request for a preliminary injunction in court against the next trapping season until the Department could show the court a better management system then setting a season. Judge gave three years, and then case went to another judge who decided to go with Department and subsequently what has changed is 25 more years of information and since then for the second time the Department and Commission have shortened the season out of some concern but no data for why they shorten the season other than expression of concern and season setting has no impact as he could demonstrate that with current harvest numbers.

Chairman Lent asked the Department if the numbers are available.

Secretary Mayer said when the numbers are available he will have staff send to Mr. Molde.

Joel Blakeslee, Nevada Trappers Association, said he and Mr. Molde have been doing this for 33 years and at the time of lawsuit Mr. Molde predicted at the time that if we continued harvesting bobcats at the existing levels they would be extinct and as we know that did not happen. He said he was present at time of lawsuit and still doing the same way as in 1985. He said the graph Mr. Molde put out is ironic as makes strong case for no season then shortening the season. Never been demonstrated that their activities impact bobcats detrimentally and not sure if they have any impact on them at all. The Board of Directors have agreed to go along with Department recommendations, and the data from the Department shows slight increase in juvenile recruitment. He said anecdotally the state is green and the summer rain that fell yesterday will probably be a boon in small animals and predators over the next few years.

Paul Dixon, said members of the Clark CABMW that belong to the Nevada Trapper's Association support the trapping and sealing dates of the regulation.

Rick Smith, Washoe CABMW, said the board supports the furbearing portion of the regulation and would bring to Commission's attention that they had in attendance members of a group called Trail Safe asking for ban on trapping in areas similar to ban on discharge of firearm in congested areas and for the item to be on Washoe CABMW agenda. He said Nevada Trappers Association has worked with them before and he has faith that the two groups will work together and bring recommendation to the Commission.

COMMISSIONER HOWELL MOVED THAT THE COMMISSION APPROVE CR 07 – 07, AMENDMENT #6 FURBEARER SEASONS AS PRESENTED BY STAFF. COMMISSIONER CAPURRO SECONDED THE MOTION. MOTION PASSED WITH CHAIRMAN LENT VOTING ON THE MOTION.

18 Duck Stamp Request – Wildlife Staff Specialist Elmer Bull – Action

Wildlife Staff Specialist Elmer Bull reviewed each project as denoted in support material (exhibit file).

Chairman Lent said the projects described all are good and complimented Elmer Bull on being so well prepared.

Public Comment -

Gil Yanuck, Carson CABMW, said his board questioned how much is in the account as they did not know how much money and they wondered if projects were not submitted due to lack of money. He said looking at projects these seem to be operating expenses such as payment for electricity to run a pump. He said like it or not accomplishment of these projects depends on people buying licenses and stamps to fund the projects and accomplish these projects and commends the Department and staff for accomplishing what they have with the funds.

Paul Dixon, representing self, said Southern Nevada has one project and staff explained why only one project for Overton to them at their meeting and he asked that the explanation be provided to the group.

Mr. Bull said there is only one project for Overton WMA because staff decided a few years ago that we would have sharecropper agreement to provide farming to provide quality waterfowl habitat and consequently no need to request duck stamp funding for the farming operation. The proposal on the table is a viable project out of leveling ponds and in subsequent years staff will identify other projects but for this year leveling project is sole project for Overton WMA. Mr. Bull said NDOW staff have yearly waterfowl meetings at Overton WMA to obtain feedback and input from sportsmen and staff are receptive to their ideas. He said the manager at Overton WMA recently announced his retirement and that can be seen as an opportunity for new ideas.

Rick Smith, Washoe CABMW, said in the future for the CABMWs it would be helpful if the boards knew the beginning balance as he is sure all the CABMWs had same questions as to what was available. All the projects are really good and had issue as Mr. Wilson who is an attorney on their board researched statute for funding, but three projects do not meet requirements for funding – brochures and publications. Mr. Smith said the board was in favor of all the projects but those even though they know they are good projects, and may need to add “education” to use of funds.

Chairman Lent said he recalled the boards having the same questions last year and he remembers saying to Chief of Habitat Dave Pulliam that we wanted the beginning balances and Mr. Pulliam assured the Commission they would be in here this year, and perhaps it slipped through the cracks this year.

Commissioner Capurro said he agreed with comments on knowing what there is to work with and he asked how much ongoing revenue into the account is.

Mr. Bull said revenues coming into the fund for 2010 are \$88,000.

Commissioner Raine asked value of volunteer time and for example in wood duck study it was valued at different rate than Heritage projects and he asked if rates could be published for Heritage project proponents. He said use of goats and cattle discussed on WMAs and have those holistic approaches been considered.

Deputy Director Haskins said the volunteer time rate is negotiated with Federal Aid and can be contentious as there are different rates for biologists and technical work.

Mr. Bull said cattle grazing utilized on four WMAs and still areas where noxious weeds or other vegetation occurs that cattle can't be used and staff use herbicides. He said wherever practical managers have used cattle grazing.

Commissioner Capurro said it makes him nervous to have current starting balance of \$527,000 and not in favor of spending everything we have but may not be good to have that much on hand.

Mr. Bull said balance would have been significantly less but funds were budgeted for Toulon project and that project has not been implemented yet due to high cultural costs being assessed by federal land managers.

Commissioner Cavin said he questioned the first project on page 1 with money going to Canadian wetlands when statute specifies specific uses in Nevada.

DAG Stockton said he looked at statute that Mr. Smith mentioned and money must be used for protection and the education component can fall under protection which is broad, and the propagation in Canada insures ducks in Nevada.

COMMISSIONER HOWELL MOVED TO APPROVE IN TOTAL THE DUCK STAMP REQUEST FOR FISCAL YEAR 2011 IN THE AMOUNT OF \$143,036. COMMISSIONER CAVIN SECONDED THE MOTION. MOTION PASSED 8 – 0 WITH CHAIRMAN LENT VOTING.

19 Upland Game Stamp Request – Wildlife Staff Specialist Elmer Bull – Action

Mr. Bull reviewed the projects and funding expenditures as submitted in support material (exhibit file). He said total amount is \$365,855 and of that \$160,000 is for staff salaries and \$172,110 is project costs.

Commissioner Capurro said the last project, the mountain quail study is tied into upland game trapping and transplant study, and both are related.

Game Division Biologist Espinosa said the two are separate as the mountain quail release will be done whether we have funding for grad student follow-up or not, the Columbian sharp-tail grouse project is needed to know successes of these projects as Idaho may not give us the birds if we don't have the monitoring and research associated with it, which is why the two projects are together.

Chairman Lent said last year when we looked at these projects we found out the transmitters only last a few months, and this is a lot of money for studies and transmitting. He said the Commission was not provided with the results from last year's projects or monitoring studies from transmitters. He said the results should be presented to the Commission as we are spending a lot. He said one-half is being spent on salaries and there is nothing tying that salary to anything. He said he is not sure if the Commission can approve blanket amounts for salaries.

Mr. Espinosa said results were posted on the website and are also in the Federal Aid reports.

DAG Stockton said the statute says the money must be used for projects for the Commission to approve salary there should be tie-in to the projects. He said from a legal perspective he would like to see the Department let the Commission know how salary money relates to the project and when the Commission makes a motion make the motion specific that salary is tied to project and necessary, and would be defensible in court.

Secretary Mayer said we have coding to identify salaries and can provide that detail.

Deputy Director Haskins said the salary is attached to the water development crews.

Commissioner Raine said last year we asked the same question and would salary be tied to individual projects and his understanding was that would be included and that did not happen, how can we approve that, as this was the year that was to be resolved.

Public Comment -

Rick Smith, Washoe CABMW, said at their meeting had same question about brochure and agrees with the Commission that the salaries should be detailed out so everyone can see where the money goes.

Commissioner Capurro said he is in favor of trap and transplant programs but has problem with cost of \$60,555 for 200 birds and is not sure how that ties in with the monitoring money in mountain quail study, and along with the \$160,000, has heartburn with provisions of that. He said we ought to have more of a return to spend that kind of money to trap and transplant birds with the money apparently to be used for monitoring and also from the quail study.

Chairman Lent said his problem is the Commission did not see results from last year as we had the same questions and to publish the information on website is great but unless information is provided to Commission who has to make the decision, and he had questions on the transmitters, and will have a difficult time supporting this.

Commissioner Raine asked that this item be tabled until the next meeting as can not say if he likes it or not as does not know where money is going and project of \$159,000 for 200 birds, is not sure about, and would like to get the information requested last year.

Commissioner McBeath said easy to take a number and divide by another number, such as dollars for a project, and is not following the logic as we are investing in resource that will take hold and provide opportunity for the future and a long period of time and does not follow that position. The Commission needs to look at long-term benefit and create sustainable wildlife resource for sportsmen. With respect to the projects and prior year he agrees with that but not sure if relevant as we are voting on these projects today and does not know if we need to link them and assumes that no problems or we would not go forward.

Mr. Bull said salary is in the projects with the number of days estimated for completion of the projects, and majority of salary is man days associated with projects and salary is for water development crews.

Commissioner Capurro said in response to Commissioner McBeath that last year's trapping and transplanting activities' success for mountain quail and other species is not known. He said if we don't know if money is being effectively spent and birds to show for it, he has hard time spending it today and would agree with vice chairman of postponing action on this to another meeting.

Commissioner Howell asked if the life span of mountain quail is the same as that for Gambel's quail which is 18 months.

Mr. Espinosa said one to two years is their average life span and all their efforts are toward reproduction as even the male can nest on a clutch of eggs. He said much of the funding is being used as federal match for grants lessening the need to use license dollars, and the deadline for the grants is June 30.

Chairman Lent said he would like to postpone action with exception of projects that need to be spun out and identify those projects and have staff bring back results from last year and tie in with salary accurately to projects to make it legal. If problem with funding, better address matching funds, and have them identify projects that have match. He said he would like to still see last year's results.

Commissioner Cavin said all the projects have match connected and so if we do not act today that will affect the budget.

Deputy Director Haskins explained that staff are being aggressive using state funds for match and just about every state dollar is being leveraged with grants as match. He said we will not lose funding if the Commission does not act today but will have to resolve the issue sooner than later, and staff are submitting grants with premise that we have match and before we can expend those dollars we have to have match.

COMMISSIONER RAINE MOVED TO TABLE UPLAND GAME STAMP REQUEST FOR FISCAL YEAR 2011 UNTIL NEXT MEETING.

Commissioner Capurro asked to possibly amend the motion to bring back more detail than set forth here as money spent last year and break down costs.

CHAIRMAN LENT SECONDED THE MOTION.

Commissioner Howell said we are going to postpone until August and at that time we should have more detail.

COMMISSIONER RAINE MOVED TO AMEND HIS MOTION AND POSTPONE UPLAND GAME STAMP REQUEST FY 2011 UNTIL NEXT COMMISSION MEETING WITH UNDERSTANDING THAT AT THE NEXT MEETING STAFF WILL COME BACK WITH FURTHER INFORMATION DIRECTLY TYING THE \$160,000 IN ASSOCIATED SALARY TO PROJECTS AS WELL AS PROVIDING SUCCESS RESULTS OF LAST YEAR'S PROJECTS TO COMMISSION. CHAIRMAN LENT SECONDED THE MOTION TO AMEND.

Commissioner McBeath said he will be supporting motion as the statute has requirement to tie money to projects so problematic piece is \$160,000 but is concerned about losing funding and hopes we have this tied down by next meeting to get projects approved.

Chairman Lent said he personally would not vote for motion if action were to jeopardize funding and he is comfortable with Deputy Director Haskin's answer that funding will not be jeopardized and we will bring this to conclusion at the next meeting.

MOTION CARRIED 8 – 0 WITH CHAIRMAN LENT VOTING.

20 Goose Creek Portion of the Wells Elk Sub-Plan – Chief of Game Larry Gilbertson
– Action

Game Chief Larry Gilbertson said sportsmen in Elko in 2007 asked the Commission to initiate a steering committee and planning process in Elko County. He said all the elk planning process took a few years to complete averaging two to four years. Revision processes were included in the plans, and took three and one-half years to revise White Pine Plan. The Commission saw revisions taking as long as initial plan and wanted to streamline and revise process which is what the handout shows. Sportsmen pushed for revision and are original participants on the plans and on the Wells decision of record it stated adjustment of elk numbers would be based on monitoring which most of the elk plans state. In 2007 sportsmen knew who wanted the revision to Wells Plan that monitoring data would be used for revisions to the plan and that they had to work with BLM. Sportsmen paid for BLM to contract for the monitoring and the report that came back did not find conflict with elk use on the range or show that BLM did not reach goals in vegetation goals, no overuse areas by elk. Person who wrote report suggested a number for elk. The number for Wells is 1,170 and Pilot Peak had 250, original report said 2,600 elk without damage. That report caused consternation that the Department would go out and do that. Others have discussed the issue without the Department represented and the Department has to follow the revision process and last step we did not have evidence of is collaboration with federal land managers which is needed and that has not been done. Staff have met with Elko district BLM and they wrote letter that they support local planning process and if Commission decided to go forward staff would try to get as many members of the original steering committee together again and that is the point we are at today.

Chairman Lent said he understands that if federal land management agencies decide if need on their land, and director will apprise Commission if need for new elk plan, and if that is the case the Commission has three months to appoint a steering committee.

Mr. Gilbertson said need would be there is interest from public who brought this forth and their public interest in revision of Goose Creek Elk Plan and we would bring this forth after collaborating with BLM who support process and has letter stating they support process if they are involved and will provide input.

Public Comment -

John Larkin, owner of Crock Creek Ranches LLC, and speaking for his neighbor as they are in tri-state area in northeastern county of the state with elk moving back and forth constantly between the three states - Utah, Nevada, and Idaho. In 2007 a fire started on his ranch and burned up ranch and all of his fencing, elk increasing yearly in that area ever since 2003. He said if you hire someone to do monitoring they are going to come up with whatever number you need. He said

NDOW staff have been to his ranch where he did not have cattle from 2007 – 2009. And when NDOW staff toured his ranch they saw many elk and turned into elk ranch. He said he is here to have livestock and elk and anything that keeps land sustainable and wants land and ranch to be better when he is gone and means so many animals in certain spot feels same for elk and cattle. Elk have taken out his new fence, elk in that many numbers can damage fence. Deer numbers have increased too. He said he knows that wildlife managers can't count the elk in that corner as the elk move into Idaho. Water is another issue as he spends considerable amount of money on solar and well pumping and have trouble watering all the elk and livestock in later part of the year. Deer not a problem as they jump fence and eat different and land can sustain some elk but cannot sustain that many. Need elk hunting season to open in Utah, Idaho and Nevada, at same time, as when one state opens that drives the elk onto the ranches. He said elk numbers can't be controlled just by hunting.

Commissioner Cavin asked if Mr. Larkin would prefer that plan to be reopened or left as is.

Mr. Larkin said he would prefer the plan be left as it is.

Chairman Lent said Mr. Larkin's testimony is very good and the suggestion on the hunting season would be good for the plan revision.

Mr. Larkin reiterated his point that there are too many elk there and would like to keep things the way it was.

Ken Wellington, Elko CABMW, said his CABMW brought this matter forward and appreciates Mr. Larkin's comments and that is exactly the reason the steering committee needs to be created to review the numbers and see if the habitat can hold more elk or less and the steering committee can make those decisions.

Commissioner Mori said he has done his homework on this issue as he had meetings in Elko with chair of Elko County Commission, the Elko CABMW, and a member of the original steering committee for the Wells elk subplan. He met with NDOW biologist, Kari Huebner, who gave him names of 11 landowners who receive elk incentive tags. He personally contacted nine of the 11, and to be fair asked each landowner the same identical questions, with the findings almost unanimous that there were in their view more elk on their property than had been in previous four years; several comments that they did not receive as many incentive tags as they should have and with incentive tags that they received the value of the tags going down as feed staying the same or increasing as numbers have gone up. He surveyed area by air with biologist and classified 1,208. He said they did not fly Utah or Idaho and for certain did not see all the elk and all are estimated numbers. The Commission has shown well documented commitment to increase mule deer and not sure of impact of elk on mule deer. Mr. Larkin said mule deer increasing but NDOW says declining and State of

Nevada has 25 percent increase with Wells Resource Area increase 32 percent, and Goose Creek has 9 percent increase since 2008 and according to the biologist over target level since 2004. In his opinion going back to the original monitoring which he believes habitat monitoring is only part of the equation as habitat monitoring has nothing to do with migration or fence damage. The habitat monitoring that suggested increase in numbers, that is what is behind going to steering committee and steering committee may not be the solution. A decision to reduce elk numbers in Goose Creek would not be advantageous to sportsmen and leaving numbers the same is going through process for nothing and increasing numbers is not in best interest of ranching and that is his representation on this board. He checked the CABMW minutes and of all the minutes he saw one recommendation from CABMWs supporting this and if wrong please correct him, and at this time he cannot support establishment of steering committee, and hopes he presented strong enough case to persuade the Commission of the same.

Chairman Lent asked if we have more elk in there than Department is surveying would it be beneficial to resurvey and if too many elk how do we resolve it. The purpose of opening it up would not be to increase the elk numbers in the area.

Commissioner Mori said he is not saying that the Department numbers are less than what is there as the biologists know and had good conditions while surveying and that these are "population estimates" but is saying that there is potential that there are more elk than classified.

Mr. Gilbertson said purpose is to discuss, and numbers could go up or down as, we cannot predict which way the planning process will end up.

Commissioner McBeath asked if Elko CABMW willing to risk outcome with steering committee.

Ken Wellington, Elko CABMW, said goal is to enhance wildlife and if it means lowering or raising numbers, they are comfortable with that. Just want everything out on the table.

Chairman Lent said would not have on agenda until need documented and he will have Commissioner Mori make the motion as the Commission's cattleman representative. He said the Department is interested in doing this and that is what the process is.

Commissioner Mori said from what he has heard it comes down to odds and that is where he disagrees with Mr. Wellington as he does not have confidence that steering committee will leave numbers same or reduce him and that affects people like Mr. Larkin who at the end of the day end up feeding the elk.

COMMISSIONER MORI MOVED TO DENY THE REQUEST TO SET UP A STEERING COMMITTEE TO REVISE THE ELK POPULATION OBJECTIVE OF THE GOOSE CREEK PORTION OF THE WELLS ELK SUBPLAN. COMMISSIONER WALLACE SECONDED THE MOTION. VOTE IN FAVOR OF MOTION: COMMISSIONERS WALLACE, MORI, RAINE, CAVIN, AND CAPURRO. COMMISSIONERS OPPOSED MCBEATH, LENT, HOWELL. MOTION CARRIED 5 – 3. CHAIRMAN LENT VOTED.

21 Nevada Guides and Outfitters Petition – Action

George Corner, Nevada Guides and Outfitters Association (NGOA), said (support material/exhibit file) when Eureka CABMW brought forth the petition to remove the opportunity for nonresident guided hunters to apply in the main draw who are unsuccessful in the guided draw, the Association was asleep and it was a done deal before they realized it was happening. After it was passed they decided to wait and see the impact was before trying to reverse. He said when legislation passed for guided hunt, the legislative intent was to set aside a percentage of tags before the main draw and also allow unsuccessful hunters to apply in the main draw, and that helped the guide business rebound and Eureka CABMW's petition removed the hunter's opportunity to apply in the main draw and undermined the original intent of the legislation. He said indisputable that after nonresident guided hunters lost opportunity to apply in the main draw that those numbers went down, and nonresident hunters increased. The loss of revenue to the state as application fees are less to Systems Consultants and application fees were part of selling of Silver State tag which NGOA supported. Eighty-one percent of revenue for application and license fees comes from nonresidents and should not take action to deter nonresidents from applying. One item brought up in opposition at CABMW meetings was representation of average nonresident hunter which he takes exception as the majority are average hunters they may be elderly, or have disabilities or have saved for a hunt with a guide.

Henry Krenka, President of NGOA, said he would add that the more opportunity a hunter has to draw a tag brings more revenue to the state from hotels to stores and to subguides who live in Nevada and the money stays in Nevada.

Mitch Buzzetti, Nevada High Desert Outfitters and member of NGOA, said that he would like to reiterate points in a letter from a client Mr. Solus (exhibit file) wrote to the Commission that most individuals are going to hunt somewhere in that year and if not in Nevada somewhere else where they can purchase a tag over the counter and by taking away their chance for the main draw if unsuccessful in the guided draw takes away another opportunity and they do spend money which provides revenue to the state. He said he employs seven to eight subguides part-time in the fall and every time he loses a opportunity to get another hunter affects the rural economy of the state.

Walt Gardner, guide, said several clients of his would apply in both hunts and would apply for other big game species and now knows that several don't apply for animals with the sole opportunity which lessens the state's revenue.

Shane Boren, White Pine CABMW, said Chad Bliss of Eureka CABMW had put together a spreadsheet but is unable to attend this meeting as he had family medical issues. He said this is not an issue of guide versus non guide, and to put simplistic he hears it is two bites of apple and would hope that person who applies in this state the average guy that does not hire a guide would not lose that opportunity because someone else chooses to hire a guide and gets two bites of the apple. He said you have better odds hiring a guide and also advantage of odds with bonus points and that is having an effect on someone who chooses to not hire a guide and that is unfair in his mind.

Rick Smith, Washoe CABMW, said the board had a good discussion and Mr. Boren brought up point that he did not consider and asked if they do get two bonus points.

Deputy Director Haskins said no they do not.

Rick Smith, Washoe CABMW, said his board voted to support the petition because of the following reasons: More benefit to Department with more revenue, benefit rural communities, and will benefit guides and outfitters, who deserve our support because they are supportive of the CABMWs, the Department, and the Commission. He said is this fair to the nonresident who does not hire a guide, no, and asked is it more important to support our state and communities or is it important that every nonresident have the same equal opportunity. Their decision was to support our state.

Gil Yanuck, Carson CABMW, said he does not believe the big issue of dollar loss to the state because we are not giving people the second bite of the apple, and does not think that is as great a number as is portrayed. He said with the more data that become available does not believe is as serious as being made out. Mr. Yanuck said the Carson CABMW did not take a position as they did not have the numbers and he obtained further information from Systems Consultants and others to determine true loss of revenue to the Department which is what they were concerned about. The biggest economic loss that he found was to the guides and subguides themselves and does not argue that, but the big issue made of the tremendous loss to the state and Department, he could not substantiate that.

Paul Dixon said although no quorum they had lively discussion. He said he has had correspondence on this as well, and most Southern Nevada residents have to travel for their hunting opportunities and they spend equivalently in local economies as nonresidents do and people feel that this gives very high odds to

the nonresidents and they feel that group already has advantage and personally does not feel we should change.

Wade Robison, White Pine resident, said he was on the White Pine CABMW for quite a few years and is familiar with this and to him boils down to fairness as he can't think of any other group that has their own set of tags other than the youth, and have given them a piece of the pie and as we all know the pie has gotten smaller over the years and we did not take something from them. It was not written in legislation that they couldn't do it and they took advantage of window of opportunity with the dates of the guided draw prior to general draw and we did not take something from them. He wanted to make the Commission aware that they took advantage of a loophole with the dates. Nevada has managed deer herds very well and for what is good for hunters and never for money and does not think anything done should be based on money, rather do what is right. He does not think it is right that an organization that lobbied the legislature and got their own draw, and he suggested having PIW first to increase revenue off successful applicants and this revenue is just a drop in the bucket, and is an issue that the guides want revenue back that they lost. He said this affects him as a resident hunter as people on guided hunts have better odds of harvesting larger animals and that leaves less trophy animals for resident hunters.

Ken Wellington, Elko CABMW, said his board strongly supports the NGOA as it helps local economies. Every nonresident has same opportunity to put in for nonresident draw tag for guided and all have same opportunity. Dollar figures used obtained from NDOW and Systems Consultants. In Elko County the hunters who come over from Washoe, Carson, and Clark assist their economy as hunting is one of three economic factors they depend on.

Carl Jackson said he is a lifelong resident hunter and he never had an opportunity for two chances at a tag and does not feel nonresidents should have two chances.

Commissioner Capurro asked of the CABMWs who provided minutes to the Department, how many were in support and how many opposed.

Commissioner Raine said this hearing is to decide on the petition and if issue worthy to initiate regulation and would like to see financials taken apart because each group disagrees with the other group on the numbers. He said worthy of coming back to Commission for discussion.

Commissioner McBeath said he was on the Clark CABMW when this issue came out of Eureka CABMW and remembers CABMWs being unanimous in supporting the Eureka CABMW petition and realizes that NGOA was absent from presenting their case though. He said the closest position he heard that he would use is Mr. Yanuck's, and is not seeing the numbers. In fact using the 2009 there were 498 guided draw apps that did not get a tag and if you apply 14 to one odds, that is

only 36 people. The question is for these kind of dollars are we going to make a decision that is fundamentally unfair in his mind. One comment that he just does not agree with the statement that all nonresident hunters have opportunity to put in for the guided draw, as it costs money and not everybody can do that, and that is obvious.

Commissioner Cavin said he has fundamental issue with fairness with draw as he has followed draw process from conception and this compromises fairness and even if it is just the perception, he has problem of drawing with better odds than residents and then be able to jump back in, and does not make sense that we could go forward with that. He said if we want to manage for money than obvious to increase nonresident tags and if we want to make money, CABMWs would have entirely different viewpoint. To be fair, this went to legislature and was legislated, and as one speaker alluded to there was a loophole and is not sure but will take his word on that, and the first time aired out in public with the CABMWs was with Eureka CABMW petition and maybe the guides were asleep but petition went through public process and has no heartburn with going through process but would rather not. He said every hunter has interest in draw and compromising our values because of money he just does not think we should be doing that here.

Chairman Lent said some correspondence was disheartening to him with a letter received from a sportsmen stating this will better his odds which is what it all about, and sportsmen don't have that chance. He said he also received letter from Governor Gibbons stating his support for the petition as he was a original legislator who supported this when passed and if that is his intent Chairman Lent would have to support the petition.

Commissioner Capurro said there is wide disparity in testimony and correspondence provided today. He would support accepting the petition to sort the inconsistencies and better to narrow distance between one side and the other before making a decision.

Commissioner Mori said points that stick out to him is when the guides waited to see impact of change to their business before coming back, and difficulty in sorting out fairness issue with nonresidents, as they can still only draw one tag and are competing against each other. He said if you go to individual draw and bites of apple, the people with more bonus points have better odds than those who don't.

Deputy Director Haskins said of the boards not present today Humboldt and Douglas opposed and Lyon CABMW is unclear with no recommendation.

COMMISSIONER HOWELL MOVED TO APPROVE PETITION FROM NOGA TO RETURN TO ORIGINAL WORDING OF NAC 502.4237 AND INITIATE REGULATORY ACTION. COMMISSIONER RAINE SECONDED THE MOTION. VOTE IN FAVOR OF MOTION: CHAIRMAN LENT, RAINE, CAPURRO, MORI, HOWELL, AND WALLACE. COMMISSIONERS OPPOSED: CAVIN AND MCBEATH. MOTION CARRIED 6 – 2. CHAIRMAN LENT VOTED.

22 Wildlife Heritage Projects – Chairman Lent – Action

Chairman Lent said we have to recommend on an extension of a project from last time because we could not act due to extension of 2011 project from Dr. David Thain of University of Nevada, Reno. Dr. Thain testified he had not completed the project and therefore would need an extension for one more year and because the item was not noticed properly on the agenda, no action could be taken. He said if the extension is not granted we will not get anything from the studies and he would like to add a restriction that this would be the last extension. The project is wildlife disease investigation in Humboldt County.

Commissioner Capurro asked if any money had been expended.

Chairman Lent said there is no report as to expenditure of funds.

Public Comment –

Dennis Wilson, Nevada Bighorns Unlimited-Reno, said they are in favor of project as this is important because it is monitoring disease outbreak in mule deer and antelope on certain pastures in Humboldt County and feel strongly that this is a problem and want to move forward with finding a solution.

Rick Smith, Washoe CABMW, said they support the project and agreed that it is a good project which was approved in 2008 and this is the third extension and hates to say this but he has to agree with Dr. Lent that this is the last time for an extension.

Paul Dixon, Clark CABMW, asked if the project proponent meets the qualifications for an extension.

DAG Stockton said to Mr. Dixon that NAC 501.340 subsection 2 states that if someone wants to extend, that unusual circumstances must exist to require an extension.

Chairman Lent said an associate of Dr. Thain's, Dr. Atcheson, who was working on the project left the university.

Commissioner Raine said we heard from Dr. Thain who is the expert in his field and has been wise in use of money and has stretched the funding to get accurate results and to his credit.

COMMISSIONER RAINE MOVED TO AUTHORIZE EXTENSION OF FUNDING IN FY 2011 FOR THIS PROJECT SEEING AS AND BASED ON UNUSUAL CIRCUMSTANCES. COMMISSIONER HOWELL SECONDED THE MOTION.

Chairman Lent said he would ask for acceptance of amendment to the motion stating one year final extension.

Commissioner Raine said this proponent's explanation was so good as to why he needed the extension and would prefer to see him not waste the money as restriction would be temptation to expend the money and declined to accept amendment.

Chairman Lent said the extension restriction would also be a temptation to finish the project.

Commissioner Raine declined to accept the amendment.

CHAIRMAN LENT MOVED TO AMEND AS WE PUT A TIME RESTRICTION ON THIS EXTENSION OF ONE YEAR FROM JULY 1 UNTIL NEXT YEAR 2011. COMMISSIONER CAPURRO SECONDED THE MOTION.

Commissioner McBeath said he would point out that we can assess if he is diligent or not.

COMMISSIONERS IN FAVOR OF THE AMENDMENT: CHAIRMAN LENT, CAPURRO, CAVIN, HOWELL, MORI AND WALLACE. OPPOSED COMMISSIONERS RAINE AND MCBEATH. MOTION CARRIED 6 – 2 WITH CHAIRMAN LENT VOTING.

COMMISSIONERS IN FAVOR OF ORIGINAL MOTION AS AMENDED: VOTE ON MOTION 8 – 0 WITH CHAIRMAN LENT VOTING.

23 Lyon CABMW Budget Request – Deputy Director Rich Haskins – Action

Deputy Director Haskins said Lyon CABMW is requesting \$1,1001 consistent with Option #1 for all other CABMW budget requests at the May Commission meeting.

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

24 2011 and 2012 Commission Meeting Schedule – Secretary Ken Mayer - Action

Secretary Mayer said the proposed dates for 2011 and 2012 are presented based on CABMW comments for planning their budgets for the future - two years out.

Chairman Lent said he would propose adding one or two meetings to the schedule as we are having problems with adding committee meetings, and if we could resolve by having Commission as committee of whole or quasa committee of whole and do committee functions at these meetings.

Secretary Mayer said the proposal would be from seven meetings to more to add committee business to schedule.

Commissioner Raine said we did receive a letter from the director stating the Department would not support all the committee meetings necessary for a final product and does not know what other options are there.

Secretary Mayer said the state is looking at \$3.5 billion deficit and have been told at a recent Cabinet meeting to expect cuts of 50 percent from the General Fund. Although the Commission can have up to nine meetings, his recommendation would be to not to add to state's fiscal burden at this time.

Chairman Lent said he would like to add April 15 and 16, 2010, as a Legislative meeting only with committee work or non-regulatory meeting.

Rick Smith, Washoe CABMW, suggested postponing action on the schedule until the August meeting to allow CABMW input and for staff to work out their schedules.

Commissioner Capurro said he would prefer to take action at this meeting because if we postpone until August otherwise then we put it off another month beyond that, and the item is on the agenda properly.

COMMISSIONER CAPURRO MOVED TO ACCEPT 2011 MEETING SCHEDULE WITH EXCEPTION THAT THE MARCH MEETING IS MARCH 11 AND 12, AN ADDITIONAL MEETING APRIL 15 AND 16, 2011, AT A PLACE CONFINED TO LEGISLATIVE AND COMMITTEE ISSUES NOT REGULATORY ISSUES, IN RENO OR CARSON CITY, AND REST OF SCHEDULE AS PRESENTED, THAT WOULD BE SENT TO THE CABMWS IF SUCCESSFUL. COMMISSIONER HOWELL SECONDED THE MOTION. VOTE ON MOTION WAS 8 – 0, CHAIRMAN LENT VOTED.

Commissioner Capurro clarified that the motion only covers 2011 and 2012 will go out again, and the reason 2012 was included was to assist the CABMWs with advance notice for funding issues and asked if Commission amenable with dealing with 2012 now with understanding that it may change.

COMMISSIONER CAPURRO MOVED TO ADOPT PROPOSED MEETING SCHEDULE FOR 2012 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER HOWELL SECONDED THE MOTION. VOTE ON MOTION 8 - 0. CHAIRMAN LENT VOTED.

25 Future Commission Meeting – Director Ken Mayer – Action

Secretary Mayer said the next meeting is August 13 and 14, 2010, in Fallon at the Churchill Commission Chambers.

Meeting Adjourned at 2:29 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.