

**Approved Minutes from the November 24, 2009 Meeting of the
Administrative Procedures, Regulations, and Policy Committee
Held via Teleconference at NDOW Offices in Las Vegas, Reno, and Elko.**

Committee Members Present: Commissioners Bruce Kobrin (Chair), Commissioner Charles Howell, and Commissioner Scott Raine.

Others Present: Commission Chair Gerry Lent, Deputy Attorney General Bryan Stockton, Cecil Fredi, Mike Laughlin (member of Wildlife Damage Management Committee), Former Commissioner Clint Bentley, and Wildlife Services Staff Joe Bennett.

NDOW Staff Present: Management Analyst III Kim Jolly (APRP & Legislative Committee Staff), Public Information Officer I Aaron Meier, Conservation Educator I/Volunteer Coordinator Kim Toulouse (Kirch Committee Staff), Wildlife Staff Specialist/Predator Management Kevin Lansford, Chief of Game Dr. Mark Atkinson, DVM, and Deputy Director Rich Haskins.

Elko Staff indicated there were no public attendants at the NDOW Elko Office.

1. **Call to Order** - Chair Bruce Kobrin called the meeting to order at 8:01 am.
2. **Approval of Minutes** – Draft minutes from APRP meetings on June 25, 2009 and July 27, 2009 were reviewed. DAG Stockton said they could be approved by new committee members. It was moved and seconded to approve the minutes. All in favor.
3. **Member Items** - Chair Kobrin called for Committee Members to present items not on the agenda. There were none.
4. **Public Comment Period** – Chair Kobrin read the notice from the agenda regarding limited public comment periods, and asked for public comment.

Cecil Fredi, member of the public, spoke regarding the desire to see a policy on predator projects on future agendas, and provided a handout in Las Vegas. There was no other public comment.

5. **Review Commission Policy 50 - Duck Stamp Procedure (2009)** - Chair Kobrin opened agenda item for discussion. There was no public comment.

Chair Kobrin suggested changes to the membership.

Commissioner Raine noted that it does not state in the policy who is appointing the volunteers, so it should be clarified.

Commissioner Howell suggested that since Commissioners aren't volunteers, that should be replaced with individuals. After discussion, the following changes were moved and seconded:

Section 1 – A judging team of ~~seven volunteers~~ five individuals, consisting of ~~two~~ three members of the Nevada Board of Wildlife Commissioners and ~~five~~ two individuals appointed by the sponsoring organization with expertise in one or more of the following:

Adding a new section 4 - “No judge will have any interest or contact with any of the entrants at any time prior to the judging.” and renumbering existing 4 to 5.

All in favor.

6. **Review Commission Policy 51 - Wayne E. Kirch Nevada Wildlife Conservation Award Policy (2003)** – Chair Kobrin opened agenda item for discussion, and asked for public comment.

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Clint Bentley made a statement regarding the great honor of the award, and the value of the existing judging panel which includes CAB members and others, and that he didn't think that any changes were needed.

NDOW Staff Kim Jolly read statement from Marlene Kirch, daughter of former commissioner Wayne E. Kirch that she could not attend but hoped that the Commission would continue the award, and that she was willing to promote it in any way she could.

Chair Kobrin suggested the changes to the policy. Comm. Raine suggested that a phrase be added to permit the recipient to accept the award at another meeting of their choosing.

Then Commission Chairman Gerry Lent commented that he gave Conservation education permission to extend the deadline to January 15 this year, but that next time it would just be Nov. 15 per the policy.

After discussion, the following changes were moved and seconded:

The last sentence of section 1- ~~Two~~ Three Board of Wildlife Commissioners, to be named by the chairman, will be represented on the Kirch Award Committee.

Delete the last two sentences of section 2 - ~~The judging panel must review nominations and return ratings sheets to Department staff by December 15 of the current year. Staff will report to the Kirch Award Committee commissioners at the earliest date possible as to the outcome of the award and to determine whether a tie-breaker is needed.~~

Section 3 - Judging Panel: The recipient will be selected by a judging panel made up of ~~two~~ three wildlife commissioners, the one Department staff assigned to the Kirch Award Committee member, and Marlene Kirch, daughter of former commissioner Wayne E. Kirch. ~~In addition, four judges representing county advisory boards to manage wildlife or outdoor groups will be selected biennially by the Habitat Bureau, Game Bureau, Diversity Bureau and Fisheries Bureau chiefs. Each judge will independently rank the nominees and provide a final ranking sheet to the Department staff. Any tie breakers will be decided by the two Wildlife Commissioners serving on the Kirch Award Committee and the Department staff assigned to the Kirch Award Committee.~~ The award will be presented to the selected candidate at the next Wildlife Commission meeting held closest to the recipient's home, or at another Commission meeting agreed to by the recipient.

And deleting section 7 - ~~All costs for printing and any other administrative costs of the Kirch Award are to be paid out of the wildlife commission budget.~~

All in favor.

7. Review Commission Policy 22 - Introduction, Transplanting, and Exportation of Wildlife Policy (2009) – Chair Kobrin opened agenda item. There was no initial public comment.

Chair Kobrin suggested adding new section 5, 6, and 7 (see attached) basically requiring NDOW to present and gain Commission approval for any changes to the big game release plan, requiring that big game release plan to include source population of animals to be released, and requiring predator control by an appropriate agency before and after translocation/transplantation, and renumbering the other items thereafter.

NDOW Staff Kevin Lansford asked whether the phrase "appropriate agency" meant Wildlife Services, and that if so that should be stated specifically to prevent confusion for implementation later, as there was with another Policy.

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Comm. Raine proposed "Wildlife Services or another appropriate agency" then discussed phrasing. Mike Laughlin, member of the public, suggested the word entity instead of agency.

NDOW Game Chief Dr. Atkinson made a comment about the new proposed section 6, that the source populations are difficult to know 2 ½ years in advance because that data is all quite time sensitive. His fear was that NDOW would end up having to just list a large number of source populations that still might be inaccurate so far in advance.

Chair Kobrin thanked Dr. Atkinson for his comments.

Comm. Howell stated that through the other proposed changes to this policy they have already addressed the Game Div. concern about the source population, because everything has to be approved by the Commission.

Comm. Raine then made a statement about private property rights. Comm. Raine stated that per the Board of Agriculture, sometimes animals may be translocated or transplanted to private property without the landowners ever being informed or asked for their opinion, and then their water is used and that they should be given a public hearing.

Comm. Howell stated that he was under the impression that landowners were being contacted.

Comm. Raine said that he knows landowners are currently being contacted, but it isn't written down that they have to. He proposed a new number at the end, (see attached).

"To protect property rights, all businesses, groups, or individuals that have a direct pecuniary interest that may be infringed upon or resources that may be utilized by the transplanted or translocated animals must be contacted by NDOW and given opportunity to give testimony in a public hearing before any action, transplant, translocation, or augmentation may take place."

Comm. Raine also proposed editing on the first page the definition of "Transplant" to replace the word "previously" with the word "currently" because it makes more sense and is more accurate.

The proposed changes were moved and seconded. All in favor.

8. **Future Committee Meeting** – At the call of the chair.
9. **Adjourned at 9:06 am.**