

**Approved at 3/21/08 with changes to page 13 and page 18**

Nevada Board of Wildlife Commissioners' Meeting

Clark County Government Center

500 S. Grand Central Parkway

Las Vegas, Nevada 89155

Attachment A – Rathbun letter

Attachment B – Bud Sonnentag Statement on Mule Deer Passing

**DRAFT MINUTES**

Friday, February 8, 2008 – 1 p.m.

Call to Order and Pledge of Allegiance – Chairman Bentley

Employee Appreciation – Deputy Director Doug Hunt

Approval of Minutes – Action - Commission meeting minutes from Nov. 2 and 3, 2007.

Approval of Agenda – Action

The Commission will review the agenda and may remove items from consideration or adjust their order of presentation.

Member Items

Public Comment Period

- 1 Correspondence – Chairman Bentley – Informational - The Commission will review and may discuss written items sent or received by the Commission since the last regular meeting.
- 2 Reports – Informational
  - A Western Association of Fish and Wildlife Agencies – Director Mayer and Commissioner McNinch
  - B Clark County Shooting Park – Commissioner Lurie
  - C Status of Gray Wolf Delisting and Options Available to Nevada – Wildlife Staff Specialist Kevin Lansford
  - D Wild Land Black Bear Population Assessment and Public Opinion – Wildlife Staff Specialist Kevin Lansford and Chief of Conservation Education Kelly Clark
  - E Great Basin Ecosystem Health Initiative – Wildlife Staff Health Specialist Mark Atkinson
  - F Highly Pathenogenic Avian Influenza - Wildlife Staff Health Specialist Mark Atkinson
  - G Trout Production Program – Chief of Fisheries Rich Haskins and Wildlife Staff Specialist Dave Sanger
  - H Status of Sage Grouse and Other Sagebrush Ecosystem Issues – Wildlife Staff Specialist Shawn Espinosa

- I Department Budget – Deputy Director Doug Hunt
- J Audit Compliance Update – Deputy Director Doug Hunt
- K Department Activities Report – Director Ken Mayer

Saturday, February 9, 2008 – 8:30 a.m.

Call to Order and Pledge of Allegiance - Chairman Bentley

Member Items

Public Comment Period

- 3 Commission Regulation 07- 01 Amendment # 1 – Mike Cox – Action - The Commission will consider revisions to 2008 big game hunting seasons for selected hunt units.
- 4 Elk Damage, Elk Incentive Committee Report and Revision to Nevada Administrative Codes 502.42259, 502.42261, 502.42263, 502.42266 and – Chairman Clint Bentley and Russ Mason – Action - The Commission will consider and may take action on proposed changes to elk damage and elk incentive language.
- 5 White Pine County Elk Management Plan, 2007 Revision – Larry Gilbertson – Informational - The Commission will hear a summary of the final White Pine County Elk Management Plan.
- 6 Appeal – Todd Eckhardt – Action - Mr. Todd Eckhardt appealed for reinstatement of his elk and desert bighorn sheep bonus points at the November Commission meeting and action was postponed to the February meeting pending research from the Commission’s legal counsel.
- 7 Big Game Waiting Periods - Commissioner Jeffress – Action  
The Commission will be asked to take action on a recommendation from the Tag Allocation and Application Hunt Committee (TAAHC) to change the Big Game waiting periods for the three sub-species of bighorn sheep, mountain goat, elk and antelope.
- 8 Return of Tag for Any Reason - Commissioner Jeffress – Action  
The Commission will be asked to take action on a recommendation from the Tag Allocation and Application Hunt Committee (TAAHC) to allow successful draw applicants to return a tag for any reason.
- 9 Review of the 2008 Junior Deer Hunt Quota Development Process – Wildlife Staff Specialist Mike Cox – Action - The Commission will be asked to reaffirm its position on the Junior Deer Hunt Quota development process.
- 10 Reports – Information
- A Application Hunt System (AHS) Updates for 2008 – Chief of Operations Bob Haughian and Don Sefton
- B Silver State Tag Update – Chief of Operations Bob Haughian
- C Great Basin Park Update – Chief of Habitat Dave Pulliam

- D Status of Water and Water Rights at Overton Wildlife Management Area –Chief of Habitat Dave Pulliam
- E Litigation Report – Deputy Attorney General David Newton
- 11 Future Commission Meeting – Director Ken Mayer - Action  
The next Commission meeting and County Advisory Board to Manage Wildlife workshop is scheduled for March 21 and 22, 2008, in Winnemucca. The Commission will review potential agenda items for Winnemucca and be asked to change the dates of the Sept. 26 and 27, 2008, meeting date in Elko to Sept. 5 in Truckee, Calif., and Sept. 6, 2008, in Reno to facilitate a joint meeting with the California Fish and Game Commission. The chairman may adjust committee assignments or create new ones.
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Nevada Board of Wildlife Commissioners present for two day meeting:

Chairman Clint Bentley	Vice Chairman Jack Robb	Pete Mori
Commissioner Jeffress	Ron Lurie	Scott Raine
Bevan Lister	David McNinch	Dan Swanson
Director Kenneth E. Mayer		Deputy Director Doug Hunt
David Newton, Deputy Attorney General		Suzanne Scourby, Recording Secretary

Nevada Department of Wildlife personnel present:

Russ Mason, Game Bureau Chief	Rich Haskins, Chief of Fisheries
Dave Pulliam, Chief of Habitat	Larry Gilbertson, Game Biologist
Bob Haughian, Chief of Operations	Julie Meadows, Program Officer I
Kathleen Teligades, Administrative Asst. III	Sandra Shavinsky, Administrative Assistant IV
Bob Haughian, Chief of Operations	Dave Sanger, Staff Fisheries Biologist

Others Present:

Glenn Bunch, Mineral CABMW	Bud Sonnentag, self
Gerald Lent, Nevada Hunters Association	Tim Myers, Nevada Bass Federation
Tracy Hammond, Clark CABMW	Gil Yanuck, Carson CABMW
Jelindo Tiberti, Fraternity of the Desert Bighorn	Don Sefton, Systems Consultants
Judi Caron, Washoe CABMW	Brian Climperman, self
Dundee Jones, fly fisherman	Jeremy Drew, Coalition for NV's Wildlife
Bryan Hamilton, Great Basin National Park	Dearl Sneed, Clark CABMW
Ken Wellington, Elko CABMW	Cindy Alexander, Clark CABMW

Bob Bobbitt, self

John Hiatt, RRAS

Jerry D. Claborn, Nevada State Assembly

Rich Field, Fraternity of the Desert Bighorn

Charles Musser, citizen of Clark County

**Friday, February 8, 2008 – 1 p.m.**

Chairman Bentley called the meeting to order at 1 p.m.

Employee Appreciation - Deputy Director Hunt presented Keith Brose with a tenure award for 20 years of service to the Nevada Department of Wildlife.

Chairman Bentley said he has two special awards to present today to Ed Pribyl and Bill Vasconi from Governor Gibbons. He said the recipients are both are members of the Fraternity of the Desert Bighorn and Nevada Bighorns Unlimited, Reno, and both have distinguished themselves in the sportsmen community by educating the public about Nevada's wildlife tirelessly. However, neither could be present today, Mr. Ed Pribyl due to prior commitments, and Mr. Bill Vasconi is in the hospital. He said Jelindo Tiberti is here on behalf of Mr. Pribyl and Mr. Jeff Westover is here on behalf of Mr. Vasconi.

Mr. Jeff Westover said on behalf of Bill Vasconi that Mr. Vasconi said he wanted the Commission to know that he appreciates what the Commission does for wildlife, and he wanted to make sure that you all know that.

Approval of Minutes from Nov. 2 and 3, 2007 –

COMMISSIONER JEFFRESS MOVED TO APPROVE THE MINUTES. COMMISSIONER LURIE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Secretary Mayer said he would like to take this opportunity to apologize for the support material being sent late for this meeting due to working on the wild land bear outline, and he and the Deputy Director, and Executive Assistant Suzanne Scourby, will also be working to fix the growing pains we are experiencing with having different items posted on the website from what was mailed in the packets.

Approval of Agenda – Chairman Bentley said he had a request to move trout production on reports up to A, and the Saturday report on Great Basin National Park to today instead of tomorrow because of the presenter's schedule.

COMMISSIONER LURIE MOVED TO APPROVE THE AGENDA AS CHANGED. MOTION SECONDED AND MOTION CARRIED UNANIMOUSLY.

Member Items –

Commissioner Raine said one item since he has been on the Commission that concerns him is the way that the Commission takes into account the input of the Advisory Boards. He said for this meeting he only saw minutes from Eureka, Washoe, and Lincoln Advisory Boards, and he said he feels responsible to

make a change in how the information is received, and is concerned that he is not sufficiently informed on the issues. Commissioner Raine asked if there is some way to address that.

Commissioner Robb said he attended the Hunter Education dinner last night in Reno, and the passion and dedication of the volunteers to the youth of the state was impressive. He said he is thoroughly impressed and would recommend to his fellow Commissioners that they attend, and hope he keeps getting invited.

Director Mayer said he appreciated that Commissioner Robb attended the hunter education dinner and he had heard that he read a letter from a parent of a Down's Syndrome child who attended a class, and that it was a very heartwarming experience.

Chairman Bentley said he would like staff to take a serious look at different marketing strategies, because we had this meeting scheduled as the same time as a sportsmen expo in Utah. He said many of our constituents who would be here for this meeting are probably in attendance at the Expo. He would like staff to look at marketing opportunities at those types of events and to make sure the Department has a presence. He said his second item is that he would like the Commission to pursue the litigation on the wild horse management again because it is time to bring it up to the forefront.

Director Mayer told the Commission that he had just received a call from Mr. Allen Biaggi and was told that Wild Horse Commission is pursuing a lawsuit against Bureau of Land Management and he told Mr. Biaggi that we are in as well and provided him with information from the Commission's past efforts.

Public Comment –

Mr. Bud Sonnentag said he has a document to read into the record a letter from Mr. Rathbun of the Woolgrower's Association, and he read a sentence from each paragraph and the document is attached to the minutes as Attachment A.

Secretary Tim Myers of Bass Federation Nation spoke about his group to promote his nonprofit Clark County sportsmen organization. He said they have chapters throughout the state and have existed in Clark County for two years, and plan on continuing a youth casting event every year. He said they want to work with the Nevada Department of Wildlife, and his group had proposed changes to South Fork Reservoir regulations in Elko County as they need some changes to the regulations in Elko County for their event and plans to work with the Department to coordinate their events as public awareness is key for their organization and nothing sells their program like having people see kids reel in fish.

Mr. Ken Mayer of Las Vegas (40 years) made statements on the Nevada deer herds, that for the last few years the local game boards don't want to harvest any of the does or fawns, and what controls the deer herd is the winters, and the Commission needs to figure out how to allocate more tags as there are more applicants than tags. Everybody says they want the big buck but if you don't keep the numbers under control you won't have any big bucks.

1 Correspondence – Chairman Bentley – Informational

Chairman Bentley said the first letter was Marshall Goldy of Gardnerville in regards to Carson Valley bear problem; a letter from Mike Laughlin regarding sheep on the Desert Game Range/response included from Chairman Bentley; a letter from a man who donated \$400 to the Department because of the good work the Department does; letter from Bud Sonnentag to Bill Vasconi regarding wild and domestic sheep; a letter from Paul Ovester about the good old days and that the good old days are now; a complaint from Doug Carson regarding a deer taken on his property by Nevada guide Mazzone and a copy of the letter from the field game warden – Chairman Bentley said he met with both of them and he will meet with both parties with Chief Game Warden Rob Buonamici to resolve the situation and if not resolved through mediation it will be brought back to the Commission; a letter from Department of Interior on the pygmy rabbit 90 day finding; a letter from Jerry Hoffman regarding a over flight by NDOW while on his hunt for sheep, with one response to him from Mr. Mason and Mr. Hoffman contacted Chairman Bentley and is still looking to see if he has rights to another hunt and possibly a determination to be brought back from the Attorney General's office and we do need to tell him what has transpired; memorandum from Nhu Nguyen on Eckhardt appeal; and email from Bud Sonnentag to Director Ken Mayer and Russ Mason questioning an article; and email from Nellis Air Force Base to Mr. Mason on hunts on the National Wildlife Refuge, and he was asked to explain.

Game Division Russ Mason said the email read that there is a requirement to be 18 years of age for hunters and also a background check will be conducted to determine if you are a security risk and if you are determined to be one, you will be denied access. He said staff prepared a letter to the Commission to ask that the age be the legal age to hunt (12) instead of 18, and that the first sentence be modified with previous intent.

Commissioner Lister said he received notification from Bureau of Land Management (BLM) that the wilderness plans in Lincoln County are open for public comment period and decision was finalized in January, and he has personal issues with road closures and access.

Commissioner Raine said he had Executive Assistant Suzanne Scourby send a letter out to the Commission, and asked about a Commission response to Sonnentag, Rathbun, and Laughlin, regarding sheep issues, and would like those items on the agenda.

Commissioner McNinch said he received an email letter on \$2 application fee for online fee, and an email on mining stakes and bird mortalities and would like that on a future agenda, and he received a copy of letter from Governor Gibbons supporting effort to deal with sage grouse efforts.

Chairman Bentley said he also received a hand delivered letter right before the meeting from Elko County Commissioners to support findings of local Advisory Board to reconsider a change to the Goose

Creek Elk allotment and they would like that issue to be an action item at the Winnemucca meeting, and he concluded the correspondence agenda item.

B Clark County Shooting Park – Commissioner Lurie

Commissioner Lurie said he had a letter to present along with a special award for legislator of the year for state Senator Lee of Clark County for his work in Clark County on support of the handgun industry and the Shot Show while protecting citizen's Second Amendment rights. The National Shooting Sports Foundation presented the senator with a plaque for appreciation for defending the right to bear arms. Commissioner Lurie introduced Mr. Charles Musser a long-term proponent of the shooting range and Executive Director Don Turner. Don Turner was the architect who also designed the Ben Avery Shooting Range.

G Trout Production Program – Fisheries Staff Biologist Dave Sanger presented a power point presentation on Lake Mead Hatchery and the water delivery system and provided an excel spreadsheet on the cost of fish per pound under different scenarios. (Copy of power point contained in exhibit file.)

Commissioner Lurie said this is a lot of material to digest during the presentation and asked that in the future material such as this be provided to the Commission earlier so that they could review it and ask questions. Commissioner Lurie said the returns don't look good. He asked that Director Mayer work on getting that information to the Commission because it is a lot of material to think about while the presentation is underway.

Director Mayer said the material was not ready in advance of today's meeting and staff will try to get information earlier.

Mr. Rich Haskins said that Mr. Sanger was showing projections and another issue that Mr. Sanger did not get into was that he had challenged staff to look into changes at Lake Mead. Mr. Haskins said the lake has changed dramatically and need a different stocking strategy and there is a suite of activities to explore. Lake Mojave has a different story with striped bass, and there are areas where we don't get good returns on stocking. We are trying to adapt the program to what the anglers want, and Mr. Sanger's exercise with 60 percent was an exercise to show different scenarios, and that Lake Mead Hatchery is stocked in the winter which is totally different than Northern Nevada.

Director Mayer said he had intended this to be an informational item and will have this on the next agenda with the facts and figures.

Commissioner Raine said one alternative he has not heard about is using private hatcheries to supply fish and what would that cost.

Mr. Haskins said we currently have a state contract with a vendor in Oregon, and they raise a type of fish that does not thrive in the wild, and with the long distances to cover in Nevada, buying fish provides little return for anglers for the money expended.

Commissioner Jeffress said to Mr. Sanger and Mr. Haskins that he really appreciates the effort undertaken to present the information, and because we have a huge investment in this, and appreciates that it is a dynamic situation with adaptive management, and kudos to Clyde Parke and Doug Anderson, but he still has same concerns that Mr. Haskins articulated today that with no hard and fast figure from Southern Nevada Water Authority (SNWA) of what the negotiated costs will be for water delivery, and he can see that we are getting there. He said not to micromanage this, but just like Commissioner Lurie he needs the spreadsheets ahead of time as well to look over.

Mr. Haskins said Director Mayer will have to ultimately make the decision on what is done at Lake Mead and we can bring this back to the next meeting.

Director Mayer said to the Commission that we will need help with the agencies when the water decision is ultimately made.

Commissioner Lister said numbers are interesting on interpretation and as he thinks of what is presented that we assume that a 60 percent reduction that we would reduce production of course, understanding bureaucracy, if we give rid of the two techs you only have one guy working.

Commissioner Robb said he worked 15 years in the utility industry, and wondered if they would be sincere in maintaining the capacity for a non-residential operation.

Commissioner McNinch said we are struggling with cost per pound for fish and we don't do that with anything else, and we are currently trying to recruit anglers and local economies, and this is a dangerous place to focus with watching cost per pound as, again, we don't do this with anything else that we manage. We want to be responsible and it is a tough thing to hang your hat on.

Mr. Haskins said the Department sells a lot of fishing licenses and fishing is a positive revenue generator for the Department.

Director Mayer added that the price per pound is not reflective of what the fishing experience offers, and staff will be sitting down and deciding, and that will not be a quick answer.

Chairman Bentley said we all need to be cognizant of costs and operate economically and need to keep in perspective what Commissioner McNinch said, and he said that he had read a report on angler use and licenses, and learned that Nevada is trailing other states and we need to increase the marketing effort in fishing and big game and help our economy.

- A Western Association of Fish and Wildlife Agencies (WAFWA) – Director Mayer said the mid-winter meeting is a shortened format from the summer conference and was held in San Diego this year. Discussions for the western state’s directors encompassed: Big game hunting revenue is flat, small game is declining, and urban fishing can help increase license sales; sage grouse subcommittee of WAFWA met; climate change legislation and funding might be available in the future; all of the WAFWA subcommittees provided reports; wolf issue; and down the road we need to look at our Commission budget to have two Commissioners attend as it is worthwhile; the business meeting concludes the conference and they discussed raising the states’ dues.

Commissioner McNinch reviewed the Commission side of the WAFWA conference: There was a big focus on climate change and the potential funding through legislation; heard from Association of Fish and Wildlife Agencies (AFWA); sage grouse was a big topic with U.S. Fish and Wildlife Service personnel in attendance and you really get a feel for the issue as usually the federal director attends; hunting in National Parks, had several regional supervisors present who explained why it is not that simple to hunt in parks; talked about Bureau of Land Management changes with new director and assistant director and knowing that, explains more of what is happening with the wild horse situations; the president signed an Executive Order stating that hunting is a priority for the federal agencies and is recognized that children are being raised differently about wildlife today and need to get our message out to survive. He said at every meeting three topics are always discussed: Hunting, the Farm Bill, and off-highway vehicles.

Director Mayer said people ask him the value of attending WAFWA and paying dues, and he said as an example, he recently had a phone call from the Idaho director on what Western Watersheds was doing, and through WAFWA he had personally met Dale Hall of USFWS and he can call him, and when the remand decision on USFWS came out the judge stated that he trusted WAFWA’s Bird Committee, and USFWS is going to rely on a product information package from WAFWA as the judge does not trust the feds or the states individually. He said there is great value in participating in WAFWA and AFWA.

- B Clark County Shooting Park – Commissioner Lurie reported on developments at Clark County Shooting Park and said at completion the park will encompass 2,900 acres, and the project broke ground a few weeks ago and the neighbors to the park are realizing what is going on out there. He said they have been working on this since 1990. Commissioner Lurie said the next time the Commission meets in Las Vegas he would like to take the Commission out to the site and the park is scheduled to open in 2009.

Chairman Bentley recognized and thanked Assemblyman Claborn for attending today’s meeting.

- C Status of Gray Wolf – Game Division Chief Russ Mason said this is a continuation of an agenda item from the last meeting. He said the first issue is to permit wolves, and staff have talked about what we will do about a wolf plan. Personally he prefers Idaho’s wolf regulation that requires any type of wolf canine to be tattooed, and as to whether they should be big game or

furbearers, he would suggest that we put them in as a game species, and that will help us develop a wolf plan that is acceptable to USFWS.

Director Mayer said he talked at WAFWA with the listing person, and asked him what to do, and was advised that one thing is to do nothing, which means that the first time someone kills a wolf cross, and it turns into a wolf than the whole ESA process get involved; the other suggestion is to work with local USFWS and develop a wolf plan that states wolves are extinct in Nevada and if a wolf is taken we start a management plan based on what we believe to be the best management practice for a wolf is. As part of the management plan would be the determination of their status as big game or a furbearer. Staff will move in that direction and he talked to Bob Williams of USFWS and Mr. Williams was supportive of that plan.

Chairman Bentley asked what the timeline for the plan would be.

Director Mayer said he would estimate initially one full year before getting all the approvals and regulations in place.

Game Division Chief Russ Mason asked if he should proceed with NAC drafting and Chairman Bentley said he would suggest that.

Commissioner Lister asked what we would do with captive wolves already in the state.

Mr. Mason said we would proceed with Idaho regulations for wolflike canines.

Commissioner Raine said he would like this brought back as two separate items.

- 2 D Wild Land Black Bear Population Assessment and Public Opinion – Game Division Chief Russ Mason read a preface from Colorado, and noted that Game Biologist Lansford has provided a several page outline describing some of the studies, and reviewed the report as contained in support material.

Commissioner Jeffress said over the last 15 to 20 years University of Nevada, Reno students did grad work on wild land bears.

Mr. Mason said there is a fair amount of data collected but to date the data has not been analyzed.

Commissioner Lister said in support material it was denoted that processing of the data was fairly costly and asked if we have funding or won't that throw this on the back of sportsmen.

Mr. Mason agreed that DNA testing and research is expensive and said no we don't have any other funding.

Director Mayer said we are going to ask for General Fund money from the legislature to pay for nuisance bears.

Chairman Bentley said that funding would still be one to two years out and it is exactly 10 years since Jerry Lowery petitioned for a bear hunt and nothing has really been done since.

Director Mayer said it would be prudent before going on regarding bears in nonurban setting that we wait because if we don't have our facts together we could be put back 10 steps back.

Commissioner Lister suggested each resident pay \$5 on their garbage bill to cover the bear program, and asked if the Department had investigated a way to get funding assistance from the counties.

Mr. Mason said we are trying to work with the counties through working groups and animal control, and anti feeding animal ordinances.

Director Mayer said he went to Washoe County and asked for support on ordinances and enforcement, and asked for \$50,000, and hoped to coalesce that effort into ordinances, and he said he was tarred and feathered on the money request, but hopes that progress continues.

Commissioner McNinch said he was at the Washoe County meeting and Director Mayer was told by the Washoe County Commission that this is a state problem and the state needs to pay for it.

Nevada State Assemblyman Jerry Claborn of District 19, Clark County, said to the Commission that they have to remember the Governor will not advance the Legislature any fee or tax for anything, and the prior governor to him, was the same story. He said we need to talk to the governor and have him loosen the purse strings. He said the Commission has good ideas but to keep that in mind.

Director Mayer said he has talked to Governor Gibbons about a direct appropriation from the General Fund and he was favorable but need to talk to Assemblyman Claborn and others to lay the groundwork.

Commissioner Raine said in support material it was stated that as wild land bear populations increase, they move into urban areas, and he said starting with a 100 tags would raise concern, and then we would not have to wait, and could use data that comes back from hunts.

Mr. Mason said he would estimate two years.

Director Mayer said staff could provide the human wildlife contact policy to the Commission.

Public Comment –

Mr. Bud Sonnentag asked what does the Department believe the population to be and what are the number of incidents, and he suggested why go through the hoops to make bears a game animal, when you have such a minimal amount, and just spend the money to control the miniscule amount in Nevada.

Mr. Mason said the issue is that we are managing wild bears with money that should be spent on something else.

Director Mayer said he would agree with Mr. Sonnentag's point and that is what we are doing and the Department could choose whether or not to proceed with a bear hunt.

Chief of Conservation Education Kelly Clark said she provided the Commission with a media package on the bear coverage from 2007 including a summary from what other states have done and she reviewed the report as provided in support material. She said the human dimensions data shows that people are not supportive of bears being hunted, and the exception is hunters who support hunting bears. Bottom line of all the studies and best practice for urban bears is to require ordinances for no feeding of bears and aggressive aversion training on bears, and garbage ordinances. She said the general public is moving away from utilitarian concept of using land and animals for food and they want to protect wildlife.

Public Comment – None

- C Great Basin National Park – Mr. Bryan T. Hamilton from National Park Service presented a power point presentation highlighting features of the Great Basin National Park in White Pine County and he said the White Mountains are the park's highest elevation and not much sagebrush. In regard to wildlife he said the park has elk and bighorn sheep but not more than 10 sheep in the Snake Range. He said there is no hunting in the park but parks could be source stock of wildlife and he said the National Park's charge is to manage ecosystems rather than just individual species.

- E Great Basin Ecosystem Health Initiative – Wildlife Staff Health Specialist Mark Atkinson

Wildlife Staff Health Specialist and NDOW veterinarian Mark Atkinson reviewed the Memorandum of Agreement (MOA) between the Nevada Department of Wildlife, the Nevada Department of Agriculture and the University of Nevada, Reno, and the agreement is for the "Management of Interactions between Big Game and Domestic Livestock." He said the major points of the agreement are that we recognize that domestic livestock and wild bighorn sheep benefit the state, also recognize that contact between the two can result in disease transmission. He said there is a preponderance of scientific literature and evidence that shows that a risk of transmission exists. He provided the Commission a list of 200 references and said that the science is irrefutable in regard to domestic sheep and pneumonia. The Department of Agriculture recognizes that as well, and it is all about the risk and managing the risk. We recognize that transmission does not result in a disease being transmitted every time, but there is a risk that it can. Currently, the most practical strategy to minimize disease transmission is to minimize contact between domestic animals and wild sheep because there are a multitude of factors that play into this. He said the parties agree that all the stakeholders involved in this issue need to be on the same page and a collaborative approach is necessary to understand all the risk factors and their interactions. Mr. Atkinson said the final point is that science based

information can and should be used to improve wildlife and livestock disease management for the mutual benefit of producers and resource users. That is the context for the agreement. With respect to the Great Basin Ecosystem Health Initiative, he said healthy landscape equals healthy wildlife and he knows that there have been drastic changes to the Great Basin ecosystem such as fire and drought that have had an impact on the viability of our wildlife populations. He said the purpose of the program is to use the best of the health sciences to help solve conservation issues in this region and that it is important not to view wildlife on its own but rather as one component of a complex relationship that also includes livestock health and human health.

Chairman Bentley welcomed Mark Atkinson to the Department of Wildlife, and he will be a great asset to the Department and the Commission.

Commissioner Mori said he commended Mr. Atkinson for a very good effort and agrees with the basic concept however he is fearful about #C in the agreement and is worried that when this finally shakes out, is what will happen is we will remove domestic livestock because that will be the remedy, and he has a problem with that. He said he would like his comment to be general from an aspect of any wild species with a domestic animal. Commissioner Mori said that the point he would like to make is that is that there are a lot of diseases out there and that is why he does not like that because it leaves the blame on one or the other animal and would rather just have a solution and does not think #C is going in the right direction. He asked the definition of immediate contact as well.

Mr. Atkinson said that separation (or prevention of contact) is the basic principle of "biosecurity." It is important to prevent potential problem animals coming into contact with one another. In no way are we saying that there has to be removal of either species. Our concern with bighorn sheep and domestic sheep is that if there is known contact, we are obligated to lethally remove the bighorn sheep.

Mr. Mason said that MOA mirrors the language that exists in current Memorandum of Understanding with woolgrowers and livestock industry and to clearly separate this agreement and make this a Nevada specific agreement. Mr. Mason said immediate contact is nose to nose contact and reasonable expectation of a disease transmission event to occur especially from woolgrower's point of view. The discussion has to be moved to what we can do to manage the risk and need to understand the triggers and the agreement is to move the argument away from whether or not there is a risk because we already know that, but learn what we can do to make the risk the lowest manageable possible risk.

Commissioner Robb said he appreciates Commissioner Mori's concern with #C but he is the ranching representative and he is the sportsmen, and both sides have to be responsible because both sides have to in order for to prosper.

Commissioner Raine said he wonders about the risk, and where is the tolerable risk, and little bit that he knows about sheep, and he said to Mr. Atkinson would he be correct in saying that of

what he had read that in the wild there is no direct examples of where it can be proven that this particular strain of pneumonia was indeed transferred in this wild area from a domestic to a bighorn. Is there any traceable evidence or specific examples of that?

Mr. Atkinson said there is no published study that can directly prove that there has been disease transmission from a domestic sheep to a wild sheep in a wild setting. He said the reason he submitted the literature review to the Commission is that there have been multiple examples in the scientific literature that when you put wild sheep in with domestic whether it be in the wild or in a pen, that it can occur, and knowing that risk you have to decide where the line lies.

Commissioner Lister said this is written very broadly and probably rightly so but if adopted and signed, is there places where this will tie our hands and we understand that, but are we going to get stuck and get sued where it says you have to keep elk and cows separate, and sheep away from bighorns, is there some risk in adopting this. Commissioner Lister asked if it would be advisable to add that caveat of risk to the agreement.

Mr. Mason said we wrote the agreement intentionally that way to deal with disease transmission with regard to other species such as deer and provide opportunity to consider other disease transmission and we are aware that wildlife reservoirs in some states will always have a problem. He said the specific fear comes down to risk and probabilities. Mr. Mason said all parties involved have looked at the MOA and the parties are in agreement but language could be added.

Commissioner Jeffress said he looks at this as building blocks and #D and #F are the crux of the agreement and this is the way to go as a cooperative agreement as a collaborative effort.

- F Highly Pathogenic Avian Influenza – Wildlife Health Staff Specialist Mark Atkinson said briefly that avian influenza is a naturally occurring viral disease that occurs and cycles within certain waterfowl populations across the world, and avian influenza is of concern due to a subtype that has spread across Asia into Europe and has resulted in the death of millions of poultry, a number of wild birds, and humans. We are concerned that wild birds could transmit the strain of virus over long distances say from Asia and could they bring it to our country which would result in devastating impact on the U.S. poultry industry and wild bird populations. Mr. Atkinson said the risk from migrating birds is small and the more likely way it would come to this country is through someone illegally importing live poultry or parts. He said the survey run in Nevada is federally funded, and he said staff tested 1,200 samples from waterfowl in conjunction with the National Plan and the Pacific Flyway, focusing on pintails, tundra swan, and others as most likely species to turn up positive. The secondary species tested were mallards, widgeons, greenwing teal and shovelers, and to date all have tested negative for highly pathogenic avian influenza.
- H Status of Sage Grouse and Other Sagebrush Ecosystems Issues – Wildlife Staff Specialist Shawn Espinosa

Mr. Espinosa said sage grouse are once again at the forefront of species listing due to the decision by the U.S. District Court in Idaho remanding the decision back to the USFWS. What that means for us as an agency? The Western States Sage and Columbian Sharp-tailed grouse Technical Committee met recently with the USFWS and key people from the BLM, USFS, and Natural Resource Conservation Service to help determine what data was needed and the format that the USFWS wanted it in to assist them with the decision process. One task underway is to develop statewide Interdisciplinary (ID) teams in each state. These teams will mine out whatever new pertinent data is available and gather information on existing conservation actions. A data call has been out for two weeks to provide lek count data and wing collection data to Technical Committee authors working on a rangewide population status update. This information will be published in a work being conducted by the USGS to augment the existing Greater Sage Grouse Rangewide Conservation Assessment. This document will have 27 chapters written on the bird and its habitat and portions of it could be used by the USFWS. The Service is also developing an access database whereby each state will enter project information. The Service will use this information as part of their five factor analysis. Projects that have yet to be implemented will be reviewed and will go through the PECE analysis. We have been asked to provide an analysis of the effects of fire on sage grouse and also look at the effects of energy development on sage grouse. Much has changed since the initial decision. Just in Elko County alone over three fire seasons from 2005 to 2007, 92 active leks have burned. We are seeing many of these leks zero out in two to three years. The finding will be delivered by Dec. 4, 2008, and he apologized for making his presentation short and in the interest of time will forego the power point presentation he prepared.

Director Mayer said the Service is also talking about breaking the habitat into management zones, and population trends will be analyzed in each zone.

Commissioner Jeffress said this issue is the hugest landscape resource threat that we have ever seen and NDOW is the lead within the state, and with the state of the agency's budget, the message needs to go out to the commodity driven industries that the agency needs financial assistance to meet these deadlines, and that for them paying up now is far wiser than waiting until the end with a possible bad decision as the outcome. Commissioner Jeffress asked Mr. Espinosa how much do you think, the Fish and Wildlife Service, and subsequent review by Judge Winmill, are they going to place on the conservation plans being developed and where are they percentage wise in being done. Commissioner Jeffress said we talk about a lot of issues affecting wildlife as a Commission and sage grouse could trump it all. For financing he would look to NGO's and industry because if we lose this we will lose big.

Mr. Espinosa said it is tough to speculate but would say 60 to 70 percent completion in the west and everybody is struggling. We put the burden and emphasis on local working groups without funding them, and everyone looked at what they could do, and that is why the USFWS wants the access database done to see if there is a reasonable probability that the conservation actions could assist in recovery.

Director Mayer said the western states have until Feb. 22 to tell us what they need financially to get this done with FTE and money, and he is negotiating as the lead for WAFWA on what we would ask for from the Service. Director Mayer said two other things became readily apparent, if USFWS gets to the point to not list or to list and is teetering there, two things could change that, if the governor came out and said we support green energy, but wind turbines will be placed in non-critical sage grouse habitat that will go a long way toward the non-list side, but if nothing is said, the silence will tilt them the other way. The WAFWA directors asked him to go to Washington, D.C. to talk to Lynne Scarlett. BLM has a model in Humboldt County on how to react to wildfires and need to act on that, BLM needs to specifically make sagebrush and sage grouse a priority above others; and streamline NEPA the same way, and treat the acres. He will put talking points together for when he goes to D.C. and there are still naysayers within the USFWS on whether this is that important or not and they will get their comeuppance. We may be asking for Commission help to further these notions.

Commissioner McNinch said petitions out there for pygmy rabbits and other sagebrush obligates and this is an ecosystem that takes 30 plus years to recover and we are significantly behind the curve. Petitions in Oregon and Idaho to close down sage grouse hunting, and PECE policy is the set criteria for a recovery plan and when we were doing recovery plans that is where we got hung up. He said this is a real serious issue and may affect other sagebrush obligates as well.

Meeting adjourned at 6:05 p.m.

**Saturday, Feb. 9, 2008 – 8:30 a.m.**

Chairman Bentley called the meeting to order at 8:37 a.m. and noted that public comment is limited to three minutes.

Member Items -

Commissioner Robb noted that Director Mayer has been on board for one year now and joined the Department from California and we appreciate the hard work he has done.

Commissioner Raine said he would reiterate his previous concerns about the Department voiced at previous meeting, and is worried that NDOW is failing the state by not doing enough for mule deer, and he would like to discuss at a future meeting specific mule deer policies and that we could do more for the one species people are most likely to hunt every year.

Public Comment -

Mr. Bud Sonnentag read into the record comments on mule deer passing away and bighorn sheep suffering the same fate as the Nevada mule deer. He provided his comments in writing for the record – Attachment B.

Mr. Dundee Jones said he is from Henderson, Nev., and discussed the pike fish in Comins Lake in White Pine County, and is very disappointed in the fishing there because of pike.

Director Mayer said pike are a prohibited species in Nevada although there are a group of people in White Pine who enjoy pike fishing, we are no longer stocking the lake with trout.

- I Department Budget – Deputy Director Doug Hunt said the Department hired Dave Prather and they have a fiscal analysis team (FAT) that meets every two weeks, and only have one fiscal position open. He said we anticipate being able to break even this month due to reductions in cash flow expenditures and will make it through the doldrums until cash flow starts in March and will end April with \$1.3 million and the agency did not need to borrow from the general fund.

Commissioner Lurie suggested to the Department that marketing efforts to sell licenses start in anticipation of March sales.

Deputy Director Hunt said the agency's marketing team has several ideas which will be implemented for this license year such as preregistration of boats, license gift cards, and marketing of the new family fishing license and hope to bring cash flow to the agency in December and January.

Director Mayer said staff have a grant from the Recreational Boating and Fishing Foundation for lapsed license holders and will use marketing to target those folks to get them to purchase licenses and the same with hunters, easier to get them back than folks who have not hunted or fished.

Commissioner Raine said marketing is a good idea but will be ineffective because unless we reverse the trend with declining mule deer herds we will lose funding and lots of hunters are not applying because the odds of drawing are low, and the other species are minor in comparison.

Director Mayer said the Department is not discounting mule deer but would disagree with Commissioner Raine on the biology and causes, but are not throwing our hands up, and staff understand that mule deer drives our budget in a big way.

- J Audit Compliance – Deputy Director Hunt said the support material packet included the letter from auditors, and the Department was required to respond by Feb. 1, 2008. He reviewed the questions, and answers for the Commission and answered questions. He said we are 99.9 percent in compliance with the questions posed, and anticipate completion this year of the audit.

- K Department Activities Report – Director Mayer said the Department Activities report was sent in support material.

Mr. Dundee Jones said it is important to preserve fishery at Comins Lake because of license sales and provides a boost to the economy in Ely.

- 3 Commission Regulation 07 – 01 Amendment #1 – Mike Cox – Action

The Commission will consider revisions to 2008 big game hunting seasons for selected hunts.

Big Game Biologist Mike Cox said the seasons are set biennially, and are offering up minor adjustments to the seasons that were set last year and an explanation was included in support material.

Pronghorn Antelope Archery Hunt 2161/2261

The first amendment is to shift antelope archery to start on August 1 through August 20, as there is not much time for applicants to put in for leftover archery tags and we can't bump it forward too much farther.

Public Comment -

Ms. Judi Caron, Washoe CABMW, said the board supported the archery change, but wants to state that they did not feel the rationale sheet explained that the rifle would open on the same day and their biggest concern is they feel they did not get this in time to get this to sportsmen to get buy in and these changes are minor.

*Section rewritten per Judi Caron, and accepted for change via a unanimous motion at the March 21 and 22, 2008, meeting:*

Ms. Judi Caron, Washoe CABMW, said the board supported the archery change,

\*\*\*\*but wants to state that she personally (they) did not feel the rationale sheet explained that the rifle would open on the same day and (their) her biggest concern was that she felt that we (is they feel they) did not get this in time to get this to sportsmen to get buy in and feels these changes are major not minor. *Please note that my personal feelings expressed were in reference to Commission*

Mr. Tracy Hammond, Clark CABMW, said he would apologize to the Commission that their minutes were not done timely and there was no opposition to any of the changes at their meeting.

Mr. Gil Yanuck, Carson CABMW, said they also did not have their minutes prepared and he said they supported all of the changes delineated in the support material.

**COMMISSIONER LURIE MOVED TO APPROVE STAFF RECOMMENDATION AMENDMENT FOR HUNT 2161/2261. COMMISSIONER SWANSON SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.**

Resident Desert Bighorn Sheep Hunt 3151

Mr. Cox said they are asking to add 164 as a unit group to 131 because of dispersal of sheep to the adjacent unit 164.

**COMMISSIONER RAINE MOVED TO APPROVE HUNT 3151 WITH PROPOSED CHANGE. COMMISSIONER LURIE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.**

Resident California Bighorn Sheep Hunt 8151

Mr. Cox said there was an unfortunate die-off of sheep during September through October in the Hays Canyon Range Units 011, and 013, and staff are recommending the prudent action of closing that unit until further assessment is conducted.

Commissioner Lister asked if die-off was prior or during the hunt.

Mr. Cox said the die-off was during the hunt and all three hunters were successful in harvesting a ram but they reported seeing rams in poor condition there are probably things happening with that herd.

**COMMISSIONER ROBB MOVED TO CLOSE UNITS 011, 013 FOR HUNT 8151 FOR THE COMING SEASON. COMMISSIONER LURIE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.**

Resident Junior Mule Deer Hunt 1107

Mr. Cox said at the Game and Law Enforcement Department's meeting in December to review how the seasons went with feedback from the field discussed, there was consensus that there was a lack of weekends available to junior hunters due to not being able to miss school. He said one big weekend is the Nevada Day weekend, and is a difficult decision to accommodate youth hunter and give them the opportunity and don't want them to have an impact on other hunters who have been waiting a long time.

Commissioner Robb said he would like to see a scorecard on where the CABMW's are on this change as some boards are not present. He said he was contacted by White Pine CABMW and they were against the changes to the youth hunt because of the late season, Eureka CABMW contacted him and they were for it and to let kids hunt as long as they want.

Mr. Hammond, Clark CABMW, said they were totally in favor of the change for the kids.

Mr. Ken Wellington, Elko CABMW, said his board was against this, as it appears to be a convenience issue.

Ms. Caron, Washoe CABMW, said the board was confused on certain units – 192, 194, 196, as those units were denoted in bold typeface in the support material and they were not sure if the Department was requesting to keep it the same and to give the youth the opportunity for early/late.

Mr. Cox said it is for the early seasons and are taking it away.

Ms. Caron said the Washoe CABMW voted in favor of changing the seasons for youth in a 3 – 1 vote. She said they support keeping the hunting interest alive and opportunity that we need to retain the youth for the future. Ms. Caron said she personally opposed the date change because of the nonsplit areas in 1331 which are not being matched with the adult seasons or the fact that you may have a 17-year-old hunter along with a youth hunter. She said she did not support it because last year we were supportive of giving this two years on the split seasons and to see what happened. She said she does not see the change as minor rather that it is a big change and there was not the opportunity to involve sportsmen in this change and is concerned that they were not informed.

Mr. Yanuck, Carson CABMW, said they discussed the two years and decided to let it run, and sees nothing wrong with changing it mid-stream, if it provides more opportunity or more success.

Mr. Glenn Bunch, Mineral CABMW, said they were not affected and if they had been like Washoe CABMW is, they would be against it.

Mr. Dundee Jones said the Commission has bent over backwards and sees nothing wrong with them waiting and there is nothing wrong with them going out with parents and not shooting.

Commissioner Lister commented that Lincoln CABMW discussed and were opposed, and does not see the need for extended season, as we made an agreement previously with sportsmen and extending into the late season will breach the public trust.

Commissioner Raine asked if the increased success rate will be factored in.

Mr. Cox said his best guesstimate is that it would be a five to 10 percent increase. He said good points were made by Ms. Caron and the Commission, and acknowledged that is a difficult choice.

Ms. Caron said she agreed with Mr. Cox, and appreciates what Commissioner Lister said about trust. She asked Director Mayer to look into explaining the changes sooner.

Commissioner Robb said he would recommend Units 194, 196 early seasons for youth and from his personal experience does not believe youth take advantage of the stratified hunt because of not being proficient with archery or muzzleloader weapons, and that we made a commitment to sportsmen as Commissioner Lister and Ms. Caron said. He said we did not adopt the split season to take away from the youth and is not in favor of Nov. 5 but to end the season on the three day weekend and believes that to be fair.

Commissioner Raine said he is not in favor of sliding dates and prefers a distinct calendar date.

Commissioner Swanson said the probability of increasing the take is fair and no better group to give the increase to than the youth.

Game Division Chief Mason said youth tags are always undersubscribed and does not see the change being negative.

COMMISSIONER ROBB MOVED THAT IN THE UNITS WITHOUT SPLIT SEASON THAT THE CLOSE DATE COINCIDES WITH THE ADULT HUNT. IN UNITS 192, 194, 196, IT WILL BE THE EARLY SEASON AND COINCIDE WITH THE CLOSE OF THE GENERAL RIFLE ADULT HUNT, FOR ALL OTHER UNITS THE SEASON WILL RUN FROM OCT. 5 THROUGH THE END OF THE NEVADA DAY WEEKEND. COMMISSIONER LURIE SECONDED THE MOTION.

Mr. Cox said for clarification you are not allowing junior hunters in Units 192, 194, 196, to hunt beyond Oct. 20 with a rifle.

Commissioner Robb said correct.

Commissioner Raine said he would like it a certain date.

Commissioner Robb said if he made a motion to set a date, it would be Nov. 5, and since everybody is split his motion was an attempt to create a compromise so that both sides could benefit.

VOTE ON MOTION – COMMISSIONERS IN FAVOR BENTLEY, ROBB, JEFFRESS, LURIE, MCNINCH, AND SWANSON. OPPOSED COMMISSIONERS LISTER, MORI, AND RAINE, MOTION CARRIED 5 -3.

#### Restricted Nonresident Hunt 1235

Mr. Cox said he had a couple of units slip past last year when we adjusted split and single season. In Unit 081 we had no reason to cut it off early because of interstate deer herd movement, and always try to extend that season later, and got caught in changes last year and extend it to Nov. 5. He said for Unit 231 hunt, the normal recommendation was for a split, but ended up with single season and want to fix it now.

Mr. Wellington said they supported the change to Unit 081 and spoke to the area biologist and migration of the deer is not until the end of the late season.

COMMISSIONER LISTER MOVED TO APPROVE RECOMMENDED ADJUSTMENTS TO 1235. COMMISSIONER LURIE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

#### Resident and Nonresident Mule Deer Hunt 1331

COMMISSIONER ROBB MOVED TO ACCEPT RECOMMENDED CHANGES. COMMISSIONER RAINE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

#### Resident and Nonresident Hunt 1371/1341

COMMISSIONER JEFFRESS MOVED TO ACCEPT HUNT 1371 AND 1341 AS RECOMMENDED. COMMISSIONER LURIE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Commissioner Robb said one change did not make the season change list as he had brought up earlier at a meeting was on the Sheldon and that complaints were brought to him numerous times and we did not look at those during this process. He would like to make sure that during the next hunting season that NDOW staff keep apprised of this situation so that we are not just relying on hunter information.

Mr. Cox said likely to see reduction of tags in Unit 033 and that will alleviate the short term congestion and campsite limitations. Mr. Cox said to focus rifle hunt pre rut and we are the only states that hunt pre rut and all others but Oregon hunt post rut and staff have been kicking around that idea of a post rut hunt. He said he is aware of another change in Area 10 for elk and brings it up as support of the biologist in Area 10 and to see if there is any interest to manage that elk herd down to zero.

DAG Newton said due to that hunt not being noticed or on the agenda, no action can be taken by the Commission on that request.

Chairman Bentley said if necessary we can always have an emergency depredation hunt there if we have a serious problem.

Mr. Ken Wellington, Elko CABMW, said the rancher discussed this with him, and a depredation hunt may be the best way to go.

4 Elk Damage, Elk Incentive Committee Report – Chairman Bentley said this is not an action item today due to improper notification on the website, the committee had to have an information gathering meeting instead, which was very productive, and the next committee meeting to take action by the committee will be in Winnemucca.

5 White Pine County Elk Management Plan 2007 Revision – Larry Gilbertson – Informational

Eastern Region Game Biologist Gilbertson said after four years the White Pine County Elk Management Plan 2007 revisions are complete, and the plan was posted on the NDOW website and hard copies of the plan were provided to the Commission. One outcome of the plan was the suggestion to multi-fund a monitoring position by all the agencies so that an employee could do the monitoring when complaints or issues arise. He said they worked through many road blocks and other issues. Mr. Gilbertson said in the future the process should be streamlined as the Commission has revised the rules through their committee and a request has come through for the Wells Plan and hopefully that will go faster.

Commissioner Raine asked what the significant changes were in the revision.

Mr. Gilbertson said adding 132 to the management units, and the one table shows population objectives from the first plan and the population of elk in 2006, and the monitoring position. He said there was no change to population objectives.

Commissioner Swanson asked if White Pine CABMW and member Bill Miller are supportive of the plan revisions.

Mr. Gilbertson said the White Pine CABMW is in agreement and that Bill Miller was a participant in revising the plan.

Commissioner Mori asked Mr. Gilbertson to briefly summarize obstacles to revising the plan and how to do it better in the future as plans come up.

Mr. Gilbertson said the group had problems with Bureau of Land Management monitoring due to lack of personnel, when plans were first written such as the Wells one relative to the Goose Creek allotment, and under the state plan agreed to adopt all the plans in place at the time and some were documents written by the federal agencies; plans can be revised at any time by bringing the issue forward, major changes again reiterating that they were adding 132 so that it is under a management plan, and never been a position on the monitoring. No changes to population objectives.

6 Appeal – Mr. Todd Eckhardt’s appeal was postponed to the March meeting in Winnemucca.

7 Big Game Waiting Periods – Commissioner Jeffress – The Commission will be asked to take action on a recommendation from the Tag Allocation and Application Hunt Committee (TAAHC) to change the Big Game waiting periods for the three sub-species of bighorn sheep, mountain goat, elk and antelope - Action

Commissioner Jeffress said this item has been discussed as far back as August and September and has been sent to the CABMWs. The committee submitted their recommendations which were contained in support material and is entitled – “Motions from November 2 and December 17, 2007, TAAHC Meetings” contained in exhibit file. Waiting periods - Commissioner Jeffress noted that the recommendations for Calif. Bighorn Sheep, Rocky Mountain Sheep, and Rocky Mountain goat, are for once in a lifetime and are limited to ram, for Rocky Mountain elk to bulls only. He said for desert bighorn sheep and Rocky Mountain elk the recommendation is for 10 years regardless of harvest. The recommendation for pronghorn antelope is a five year wait if harvested, and no waiting period if no harvest regardless of weapon class.

Chairman Bentley said when change from current time to no harvest would those folks have to wait.

Commissioner Jeffress said they would be grandfathered in and the changes would start from this year forward.

Mr. Wellington, Elko CABMW, thanked the TAAHC Committee for all their work and Elko CABMW was at each TAAHC Committee except the December meeting, and they discussed those issues with Commissioner Jeffress, and the Elko CABMW took public comment voted that no changes are needed except for pronghorn antelope. They want to keep the wait times the same as no biological reasons and might have problems with agricultural representatives and there might come a time when more elk than tags. He said again that they attended all the meetings and no one wanted the changes from any person that attended or was talked to.

Mr. Hammond, Clark CABMW, said for California bighorn sheep leave the same, Rocky Mountain goat leave at lifetime, their vote was for desert bighorn sheep for two tags in a lifetime, Rocky Mountain elk leave the same, and pronghorn antelope close the loop hole and reapply with no harvest.

Ms. Caron, Washoe CABMW, said she would like to thank the Commission and the TAAHC Committee for taking time with them on these issues and said the Washoe CABMW discussed the issue at two past meetings and their vote resulted in recommendations for California, Rocky Mountain sheep and goat, that once in a lifetime if your successful, and 10 years if unsuccessful, and leave the opportunity. She said for Desert bighorn sheep and Rocky Mountain elk went with 10 years regardless of harvest, and supported the recommendation for pronghorn and she thanked the committee for bringing it back to the boards so many times because their votes did change.

Mr. Yanuck, Carson CABMW, said many contributed and he thanked everyone for their work as it represents the feeling of the counties. Their recommendation followed the TAAHC's recommendation.

Mr. Glenn Bunch, Mineral CABMW, said they discussed these issues at length and early on for Rocky Mountain elk everyone was in favor of once in a lifetime as they got into that but they drew tags and now they want an opportunity to come back and hunt. He said they concurred with committee's recommendations.

Mr. Bob Bobbitt, Clark County resident, said he objects to the fact that if you get sick then you don't have a chance to reapply for your entire lifetime, and that is not appropriate, especially if you just start your hunt and are not able to take options to turn it back in.

Director Mayer said this question came up previously at the Legislative Committee whether or not the Heritage tag holders would be under the same criteria. He said there were strong feelings on the Legislative Committee about this issue and the ripple effect as the Committee did not want to hurt the Department's revenue from those tags.

Chairman Bentley said Heritage tag holders are not subject to the once in a lifetime restriction.

Mr. Sefton said it is programmed that way, and former Commissioner Ford is a good example, as he bought the elk tag one year, and was able to continue to apply in the regular hunt. There is no impact on eligibility.

Mr. Hammond, Clark CABMW, questioned if anyone had looked at this from a monetary standpoint or a cost analysis of the loss of money as to how the change would affect the Department.

Commissioner Jeffress said the proposal for the Silver State Tag is going to come out and would help those people.

Ms. Caron, Washoe CABMW, said they discussed at their meetings that the Legislature had the once in a lifetime issue before them in the last session, and that at their meetings they thought it would be a strength to the lifetime tags because now they have taken the measure of the public on these issues, and that will help in the next legislature.

Commissioner Robb said he heard from Eureka and White Pine Counties and they are both opposed to once in a lifetime tags. He asked Commissioner Jeffress if he had heard from Humboldt CABMW.

Commissioner Jeffress said he got a call that they were opposed and if unsuccessful you went back to the five year wait.

Chairman Bentley said he had sportsmen and groups call him to address sheep and elk and were all of the opinion that if it is not broke why change the rules and we may be creating heartache and work by changing it.

Commissioner Raine said procedurally he would like to handle these sections separately, and if something does go to once in a lifetime, what would the language be to prohibit people from coming before the Commission with that retroactivity.

Commissioner Swanson said he would agree with Commissioner Raine's to act separately and noted there was consensus on antelope and would like to take care of antelope.

Commissioner Jeffress said we would have to rely on NDOW staff when the application process is underway and did not go that far with Systems Consultants.

COMMISSIONER SWANSON MOVED TO ACCEPT THE TAAHC RECOMMENDATION ON ANTELOPE.  
COMMISSIONER RAINE SECONDED THE MOTION.

Deputy Director Hunt said for clarification that he does not believe the Department can enact these changes today, and asked DAG Newton for clarification.

DAG Newton said the changes are in NAC and the public workshop and adoption process will still have to be followed, this process is beneficial as a kick start for who is going to draft the regulation changes as to knowing which sections to change. DAG Newton said for clarification

this is not a formal decision by the body to adopt these changes it is simply to recommend language be drafted for workshop and public hearings.

Deputy Director Hunt said as for timing the license year will have started and regulations and applications books are being printed for distribution in mid-March.

Chairman Bentley said we are in a process similar to petition, and everybody wanted to get these done for this year, but are running into same problems as Silver State tag and that will fit better as were in the second year of the seasons.

VOTE ON MOTION FOR ANTELOPE – MOTION CARRIED UNANIMOUSLY.

Commissioner Jeffress said on the remaining two the committee's intent was to get these ideas out, generate a response, and take public input, and hopefully the work will be of value to the Legislative Committee and the Department in the future.

COMMISSIONER ROBB MOVED THAT EVERYTHING REMAINING BUT ANTELOPE BE A STRAIGHT 10 YEAR WAIT REGARDLESS OF HARVEST OR NOT. COMMISSIONER SWANSON SECONDED THE MOTION.

Director Mayer said in regard to elk that he talked to Mike Cox and with lowering success rates would be concerned that you would have enough applicants for archery and muzzleloader hunts.

Commissioner Robb said he would love to be in that situation and if that happens, adjustments could be made.

Mr. Wellington, Elko CABMW, said the five additional years could affect Department revenues, and is concerned about that.

Mr. Sefton had an email from last year with figures for once in a lifetime, not the 10 years, and \$26,000 was the worst case scenario, and the NDOW portion is being banked against future costs of processing applications.

Mr. Hammond, Clark CABMW, said that \$26,000 will compound every year, and as far as elk with the population expanding, they were more inclined to go with five years. He said people will wait five years for their animal as opposed to 10.

Commissioner Raine said for elk the five/10 year split seems reasonable because there are increasing numbers of elk tags as opposed to the sheep hunts which have very few tags, and also the motivational factor stated by Mr. Hammond of Clark CABMW in pulling the trigger.

Commissioner McNinch said we have to be careful with restricting opportunity and Nevada just survived a recent lawsuit and if we start restricting opportunity for nonresidents what we got can be taken away again.

Commissioner Lister said the original motion as it stands was similar to Eureka CABMW's recommendation, and in that light he would withdraw Rocky Mountain elk from the motion.

COMMISSIONER LISTER MOVED TO AMEND THE MOTION AND WITHDRAW THE ROCKY MOUNTAIN ELK FROM THE 10 YEARS AND KEEP THE BIGHORN SHEEP AND ROCKY MOUNTAIN GOAT AS 10 YEAR WAITING PERIOD REGARDLESS OF HARVEST. COMMISSIONER ROBB AGREED TO THE AMENDMENT: VOTE ON AMENDMENT WAS UNANIMOUS.

Commissioner Lister said procedurally we need to now vote on the original motion which is 10 years for bighorn sheep and goat regardless of harvest.

Mr. Jeremy Drew, representing himself, said from sitting on committee, and having looked at this every which way, and what makes him nervous with the motion is that a person who already harvested a California bighorn sheep or a goat, or a Californian, and lightning strikes and they draw again, it might be a public relations nightmare and likes once in a lifetime if successful and a 10 year wait if you are unsuccessful.

VOTE ON MOTION: COMMISSIONERS IN FAVOR: COMMISSIONERS ROBB, JEFFRESS, LISTER, MORI, AND SWANSON. COMMISSIONERS MCNINCH, LURIE, AND RAINE OPPOSED, MOTION CARRIED 5 – 3.

- 8 Return of Tag for Any Reason – The Commission will be asked to take action on a recommendation from the Tag Allocation and Application Hunt Committee (TAAHC) to allow successful draw applicants to return a tag for any reason – Action

Commissioner Jeffress said tag returns for death, military, and medical, will continue and not change under the recommendations. The TAAHC recommendation is on page 2 of handout of support material contained in exhibit file.

Public Comment -

Mr. Hammond, Clark CABMW, said they want tags reallocated to increase opportunity but they need to take the hit on the money and be willing to pay the fee because there will be costs in reallocating the tags.

One unidentified speaker said people should be able to return the tag one-fifth or one-quarter into the season because his mom died on the second day of his elk hunt.

Ms. Caron, Washoe CABMW, said the board had many calls on this issue and discussed it twice, and they felt if you are choosing to return the tag you do not get your money back as your investing in wildlife for the future. The voice is still strong out there that to burn an elk tag is inconceivable to them and had a split vote on elk tags.

Chairman Bentley concluded public comment and said he feels that we are making a mistake in including deer in the return for any reason and opening up a can of worms and falling into anti-

hunter ploys doing that as they apply for tags and get bonus points and we are not accomplishing any opportunity and it will be logjam for Mr. Sefton. If we are looking at opportunity put elk and antelope similar to sheep for reallocation.

Commissioner Robb said they discussed all the issues and the committee's full intent is to have deer reallocated and get people in the field and the purpose is not the opportunity to get a bonus point back. He said he brought this up as a member item at the November meeting and TAAHC had a special meeting in December and the way this is on the agenda today, it is apparent that this would not be instituted this year, and it fell through the cracks from staff and the committee's failure to agendize it right to make it work for this year. Commissioner Robb said we should just start talking about changing rules to reallocate elk and deer because this won't happen this year.

Commissioner Raine said return of tags is tremendously hunter friendly, and he would like to allocate tags over the level of returns because it will become statistically predictable after a season or two, and in goat and rocky mountain bighorn, those are too small to be predictable. He said he does not support refund of money and agreed with CABMW's who recommended that.

Commissioner Robb said we have to change the process of reallocating tags because statute requires that the law be changed because Department is required by NAC to refund their money.

Commissioner Jeffress said the goal of the committee was to keep this revenue neutral, and will have to look at the processes for elk and deer and the expenses associated, and it may turn out where you don't get a refund or they are charged a restocking fee, and just want it to be revenue neutral on the Department.

Commissioner Swanson said we are getting caught up in reallocation and we already have six to seven percent of folks who don't hunt which Mr. Cox takes into account already, but we want to be sportsmen friendly, and worry about the other stuff later and vote on the antelope.

COMMISSIONER LISTER AGREED WITH COMMISSIONER SWANSON, AND MOVED THAT THIS IS THE START OF THE PROCESS TO START THE REGULATION CHANGE, AND HE MOVED THAT WE ACCEPT THE PROPOSAL FOR RETURN OF TAG FOR ANY REASON FOR BIGHORN SHEEP WITH THE STIPULATIONS AND MOUNTAIN GOAT AND BULL ELK, AND THAT THOSE TAGS BE RECEIVED NO LATER THAN JULY 15, AND BE REALLOCATED PER EXISTING PROCESS WITH REFUND. FOR DEER AND ANTELOPE THOSE TAGS CAN BE RETURNED ONE DAY BEFORE THE SEASON AND INCLUDE ANTLERLESS ELK AND WOULD RETAIN THEIR BONUS POINTS BUT NOT BE REALLOCATED OR RECEIVE THEIR REFUND. COMMISSIONER LURIE SECONDED THE MOTION.

Commissioner Robb said since we are not doing this for this year, let's include deer, and the other animals, so that we can reallocate everything because we have let everyone down and wants to get those tags in people's hands.

Chairman Bentley said he personally does not agree with including deer.

Commissioner Jeffress said he is speaking for Mr. Sefton who theoretically could handle a few tags, but does not know how they would handle deer and elk as well, and would have to gear up to see how contractually this would be handled and would have to stick with original idea.

Public Comment on Motion -

Mr. Bob Bobbitt said he would like return of tag by April 15 and forfeit part of application.

Commissioner Robb said the goal is to get people in the field and not have wasting of tags, and have an alternate list right now, and if we had an easier way to reallocate because the deer hunt is the bulk of the new opportunity and push toward return of deer tags.

Mr. Sefton said he would respond first to Commissioner Jeffress and the current process is a time consuming process to reallocate tags with the four phone calls and other requirements and he said he expressed concern from day one of reallocating tags under the current rules and either do it the way Commissioner Swanson suggested of not doing the reallocation or change the rules which is politically charged due to previous audit findings. He said the fact that people may not hunt is already built into the model used by Mr. Cox to set quotas. He would suggest collecting information on how to change the rules to find the solution. He said if the motion is approved to include elk and they get 100 tags back they will not be able to allocate them and will be here next year explaining how they did not get allocated.

Commissioner Robb said Mr. Sefton has already said they have problems with reallocating tags under the current system and hopes to make that easier with this process.

Commissioner Raine said he would like this handled with a motion with return of tags up to two days before the season, and then take on the question of how to reallocate tags. Take it in two bites.

Mr. Hammond, Clark CABMW, said we've already figured out it is too late to do this year; and we need to figure out the cost of how to reallocate tags from the get go so we don't have to do this again.

Mr. Brian Simperman suggested having a third draw with the leftover tag and have everyone call NDOW and see if any tags left as lots of retirees out there who would love to pick-up a tag.

Mr. Sefton said he would like to remind everyone of the fire depredation hunt where the demand was underestimated and had 8,000 people call in the first 10 minutes and he said his staff could not handle 10 people calling.

DAG Newton told the Commission that procedurally the Commission has until June 30 to start proposed permanent regulation as we will be starting a new legislative year July 1.

VOTE ON MOTION FAILED: VOTE WAS 3 – 5 IN FAVOR.

COMMISSIONER SWANSON MOVED TO SUPPORT TAAHC COMMITTEE RECOMMENDATION WITH NO REALLOCATION YOU JUST GIVE THE TAG BACK AND FOR DEER, ELK, AND ANTELOPE YOU FORFEIT YOUR FEE; HOWEVER NO REFUND AND YOU GET YOUR BONUS POINT BACK ON ALL SPECIES. COMMISSIONER MORI SECONDED THE MOTION.

Commissioner Robb said for the record we have to note in the minutes that it would not be done this year and it will not occur this year as presented to the public and CABMS's, and this will not be in place this year.

COMMISSIONER SWANSON AMENDED THE MOTION THAT NO REFUND OF ANY MONEY YOU GET YOUR BONUS POINT FOR ALL SPECIES. THE SECOND ACCEPTED THE AMENDMENT.

Director Mayer said how this decision is going was not crystal clear to the Department and what he is getting here is that these motions are regulatory proposals to be put forth and that is why Commissioner Robb brought it up specifically in December. Director Mayer said there are two issues at play here, the refund and reallocation.

Commissioner Robb said staff knew where we were headed and was always crystal clear, and we are still at the same place where we were three meetings ago, and feels that he was sandbagged because we pushed it and pushed and had special meetings.

Commissioner Jeffress said it was recognized that it could not be put in the book and printed materials so a mailer that could be sent to tag-holders had been proposed.

Commissioner Raine said the motion on the floor is functional and can happen and is as good as it can get.

Mr. Sefton said as a third party not involved in drafting the regulation that he could see the Department's point in not bringing forth a regulation at this time as they had no direction yet, on what could they have brought forth. He said now that the Commission has made a decision staff can go back and craft a regulation.

Chairman Bentley said Commissioner Robb and others have spent lots of time on this and they feel passionately about getting more hunters in the field. He said the motion is to accept TAAHC committee's recommendation with the exception of there is no return of any tag or application fees.

VOTE ON MOTION: COMMISSIONERS IN FAVOR ROBB, JEFFRESS, LISTER, LURIE, MCNINCH, MORI, RAINE, AND SWANSON. CHAIRMAN BENTLEY OPPOSED - MOTION CARRIED 8 - 1.

9 Review of the 2008 Junior Deer Hunt Quota Development Process – Wildlife Staff Specialist Mike Cox - Action

Mr. Cox presented a power point presentation to show different scenarios to the Commission on the junior hunt draw process with Excel spreadsheets on allocating junior tags, and showed

the number of tags sold last year through all the draws, and he looked at last year's total (2,705) and will try to use a percent to get close to that. He said basically treating juniors as another weapons class, taking into account current deer population status. The previous process should not be considered the best way or that we have a problem, this would provide more parity, and some counties were taking a disproportionate amount of tags in one area and each unit will prove the percentage to the kids.

Several Commissioners told Mr. Cox that it is hard for them to ask questions without support material in advance of the meeting and would be difficult for the Advisory Boards to comment as well.

Chairman Bentley said staff is looking at direction from using the flat 3,000 tags like we have been, to instead using a percentage of proposed tags, and would suggest adding sideboards that if junior tags are less than 2,700 the percentage had to increase and go the other way as well.

Mr. Cox apologized for not providing the scenarios ahead of time for everyone and this could be used at the quota setting meeting with sideboards set today such as deciding on the percent to go the juniors and could provide the links to the Advisory Boards so that the CABMWs could see how many tags are generated for their units and how the tags fall out for rifle, archery, etc.

Ms. Caron, Washoe CABMW, suggested to Mr. Cox that she would like the data with the early/late season and brought to the workshop meeting because it is the first year of the split seasons, and then they could possibly resolve it before the quota setting meeting.

Commissioner Raine said this should solve more problems than it creates.

Commissioner Lurie asked if we will have this by our next meeting and will it go out to the boards before the next meeting.

Chairman Bentley said we need to establish sideboards such as a minimum and maximum and he asked Mr. Cox what he is asking of the Commission.

Mr. Cox said he is looking for agreement to this approach to make sure the arrays are built properly and this is the foundation that the Commission can accept, then he can get it ready with new data, and then when the time comes he can plug in the population numbers and populations objectives or go back to the way we do.

Chairman Bentley said he had been trying to simplify this project for years with Mr. Cox, and all he is trying to establish whether or not if we need sideboards so someone cannot run astray, and has tried and tried to keep simple, and it keeps getting made complicated and it does not need to be.

Mr. Cox said the Commission is in the driver seat and can decide percents.

COMMISSIONER MCNINCH SAID IN SUPPORT OF MR. COX THAT HE MOVED TO ADOPT THIS METHOD TO ALLOCATE TAGS TO THE YOUTH AND WE CAN DECIDE A PERCENTAGE AT A LATER MEETING AND REINFORCE WHAT MR. COX IS DOING. COMMISSIONER RAINE SECONDED THE MOTION. COMMISSIONER LURIE ASKED THAT AS PART OF THE MOTION THAT THE MATERIAL BE SENT AHEAD OF TIME TO THE BOARDS AND COMMISSIONS SO THEY CAN SPEAK INTELLIGENTLY ON IT WHEN THE PRESENTATION IS MADE AT THE NEXT MEETING.

Public Comment -

Ms. Caron, Washoe CABMW, said the board supports development of a process for junior hunts and doing it right the first time.

VOTE ON MOTION: MOTION CARRIED UNANIMOUSLY.

Mr. Cox asked if the Commission wants to have sideboards.

COMMISSIONER LURIE MOVED BASED ON CHAIRMAN'S COMMENTS TO STAY WITHIN 2,800 TO 3,200. COMMISSIONER SWANSON SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

10 Reports – Informational

- A Application Hunt System (AHS) Updates for 2008 – Chief of Operations Bob Haughian said this power point presentation is an update to the application hunt system changes. New this year is a postcard to online applicants rather than a packet with the book and shows how to access online tools for hunters to see bonus points and eligibility; reviewed junior hunt changes whereby juniors can no longer apply five times and carryover of bonus points to adult hunt; mountain lion tags will be marketed online for purchase through the draw process conditionally if they draw a tag, or unconditionally, their choice, and opportunity for a second mountain lion tag as well; adding opportunity through online to purchase privilege of stamps; and their license purchase will be inventoried right away and available to them for other use.
- B Silver State Tag Update – Chief of Operations Bob Haughian said a brief update on status is that staff is working with Eureka CABMW in drafting language for the Commission General Regulation and review is being done today by staff in Reno with same status on nothing definitive on if the change requires legislative action.
- D Status of Water and Water Rights at Overton Wildlife Management Area - Chief of Habitat Dave Pulliam quickly reviewed the water rights situation at Overton, and said there are different ways that water is measured out of Lake Mead. Water rights that we hold are 51.25 preferred shares equates to 428 acre feet per year which is a soft number that fluctuates greatly. The relationship with Alex Peer is that he is willing to sell 80 acre feet and he could take advantage of the Southern Nevada Water Authority and stipulate that it goes to the Department of Wildlife. He said they are making progress on rebuilding the diversion dam and are asking for additional pipelines and ditches and concluded his report.

E Litigation – DAG Newton said the report was included in support material and has nothing to add to date.

11 Future Commission Meeting – Director Mayer – Action

Director Mayer said California Fish and Game is very interested in a joint meeting with Nevada on Sept. 5 and 6, 2008, to discuss: Tahoe bears, ESA, interstate deer herds, private lands program, bighorn sheep, and a number of other pertinent issues.

Commissioner McNinch said it is a good idea to meet and they are interested, and they are seeing things 20 years ahead of getting items before us.

COMMISSIONER MCNINCH MOVED TO CHANGE THE MEETING DATE FROM ELKO TO SEPT. 5 WITH CALIFORNIA FISH AND GAME AND SEPT. 6 IN RENO. COMMISSIONER JEFFRESS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Director Mayer said topics for the next meeting will include review of the “2008 Junior Deer Hunt Quota Development Process” at the CABMW workshop per Judi Caron’s request, and noted that on March 21, 2008, the Elk Damage and Incentive Committee will meet along with the Wildlife Damage Management Committee.

Meeting Adjourned at 2:50 p.m.

Note: The minutes are a synopsis 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.