

Draft Minutes
Nevada Board of Wildlife Commissioners' Meeting

Nevada Department of Wildlife
1100 Valley Road
Reno, NV 89512
AMENDED Agenda 3-23-09

Friday, March 27, 2009 – 10 a.m.

Call to Order, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Lent

Employee Appreciation – Deputy Director Rich Haskins

Presentation of the Wayne E. Kirch 2008 Award – Director Ken Mayer

Approval of Agenda – Action

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

Member Items/Announcements

County Advisory Boards to Manage Wildlife (CABMW) Member Items

Public Comment Period

- 1 Approval of Minutes – Action
Commission meeting minutes from the Feb. 6 and 7, 2009, meetings.
- 2 Correspondence – Chairman Lent – Informational
The Commission will review and may discuss written items sent or received by the Commission since the last regular meeting and provide copies for the exhibit file.
- 3 Petition – Mr. John V. Zenz – Action
The Commission will consider a petition from Mr. John V. Zenz requesting “To increase desert bighorn sheep season (Nov. – Dec.) – more weekend and holidays available for hunters.” The Commission may accept and initiate regulatory action or deny the petition.
- 4 Petition – Mr. John V. Zenz – Action
The Commission will consider a petition from Mr. John V. Zenz requesting to “Reduce PIW Desert sheep quota to one.” The Commission may accept and initiate regulatory action or deny the petition.
- 5 Appeal – Mr. Guy W. Rozar – Action – Postponed to May at Request of Appellant
The Commission will hear a request from Mr. Rozar to receive a bull elk tag/and or his bonus points reinstated.
- 6 Commission Policy #50, Duck Stamp Procedures, Second Reading – Public Information Officer 1 Aaron Meier – Action
The Department’s is requesting that the Commission revise Policy #50 to change the number of Nevada Duck Stamps printed from 50,000 to 35,000.
- 7 Upland Game Stamp Project – Chief of Habitat Dave Pulliam
- Action
The Department is requesting to modify approved Upland Game Stamp projects and will request approval to fund a telemetry study of released Mountain Quail.

- 8 Humboldt CABMW Budget Augmentation – ASO III Dave Prather – Action
Humboldt CABMW is requesting to augment their 2009 budget in the amount of \$1,120.
- Workshop on Regulations
- 9 Commission General Regulation 367-T-014-09 Temporary - Big Game Biologist Kevin Lansford
- Informational
The Commission will adopt language to change NAC to allow eligibility of any resident of Nevada
or nonresident to obtain three mountain lion tags in any license year.
- 10 Reports – Informational
- A U.S. Forest Service Northeastern Nevada Travel Management Plan – U.S. Forest Supervisor
Humboldt-Toiyabe National Forest Ed Monnig (Ed Monnig, (775) 355-5310, emonning@fs.fed.us)
- B Wildlife Diversity Division Program Overview and Update – Chief of Wildlife Diversity Laura
Richards
- C Department Actions Related to “Early and Unauthorized Release of 2008 Big Game Draw
Results” – Chief of Operations Bob Haughian
- D 2009 Legislative Update – Director Ken Mayer
- E Clark County Shooting Park – Vice Chairman Ron Lurie
- F Administrative Procedures, Regulations and Policy Committee – Commissioner Raine
- G Wildlife Damage Management Committee – Commissioner Raine
- H Heritage Committee – Commissioner Cavin
- I Legislative Committee – Chairman Lent
- J Wanton Waste Regulation – Chief Game Warden Rob Buonamici
- K Litigation Report – Deputy Attorney General - Deputy Attorney General Bryan Stockton and
Deputy Attorney General Nhu Nguyen
- L Department Activities/Leadership Team Notes – Secretary Ken Mayer
- M Department Budget, to Include Questions from the Commission Regarding the Department
Budget Presentation to the Nevada State Legislature – Administrative Services Officer III Dave
Prather
- N Update on Renewable Energy Projects and Nevada Department of Wildlife Involvement - Chief of
Habitat Dave Pulliam
- O Nevada Department of Wildlife Water Monitoring Relative to Southern Nevada Water Authority
Projects – Chief of Habitat Dave Pulliam
- P Bassett and Comins Lakes Fisheries' Status – Deputy Director Rich Haskins

Saturday, March 28, 2009 – 8:30 a.m.

Call to Order, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife
(CABMW) – Chairman Lent

Member Items/Announcements

Commissioners may present emergent items. No action may be taken by the Commission. Any item
requiring Commission action will be scheduled on a future Commission agenda.

County Advisory Boards to Manage Wildlife (CABMW) Member Items –

CABMW members may present emergent items. No action may be taken by the Commission. Any
item requiring Commission action will be scheduled on a future Commission agenda.

Public Comment Period

- 12 Future Commission Meeting – Director Ken Mayer - Action
The next Commission meeting is scheduled for May 15 and 16, 2009, in Reno; and the
Commission will review potential agenda items for that meeting. The chairman may designate
and adjust committee assignments and create new committees.

- 13 Regulations – Action
Commission General Regulation 367-T-014-09 Temporary - Big Game Biologist Kevin Lansford - Action
The Commission will adopt language to change NAC to allow eligibility of any resident of Nevada or nonresident to obtain three mountain lion tags in any license year.

County Advisory Board to Manage Wildlife Workshop – Informational
The Boards and Commission will meet in a facilitated session for brief presentations and discussions.

*Note – The Commission will not take formal action on any workshop items. However, the purpose of the workshop is that a common understanding of Board and Commission processes is achieved. The public is encouraged to attend and observe.

Welcome and Opening Comments – Chairman Lent and Secretary Mayer

Mule Deer Management Plan and Herd Prescriptions – Big Game Biologist Tony Wasley

Mountain Lion Ecology and Results from a Long-Term Study – Dr. Becky Pierce Department of California Fish and Game

History of Mountain Lion Management in Nevada – Big Game Biologist Kevin Lansford

County Advisory Board to Manage Wildlife Members' Roles and Responsibilities Overview – Chairman Gerald A. Lent and NDOW Staff

State Budget 101 Training – Administrative Services Officer III Dave Prather

Nevada Revised Statutes/Nevada Administrative Code and Commission Regulation/Commission General Regulation and “What is the Difference?” – Chief Game Warden Rob Buonamici

Nevada Board of Wildlife Commissioners present for two day meeting:

Chairman Gerald Lent	Vice Chairman Ron Lurie	Commissioner Tom Cavin
Commissioner Mike McBeath	Commissioner Dave McNinch	Commissioner Pete Mori
Commissioner Scott Raine	Commissioner Dan Swanson	Commissioner Grant Wallace

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

Nevada Department of Wildlife personnel present:

Deputy Director Rich Haskins	Administrative Services Officer III Dave Prather
Game Division Chief Mark Atkinson	Big Game Biologist Kevin Lansford
Chief Game Warden Rob Buonamici	Program Officer III Maureen Hullinger
Staff Conservation Educator Aaron Meier	Chief of Operations Bob Haughian
Wildlife Diversity Chief Laura Richards	Habitat Chief Dave Pulliam
Management Analyst III Kim Jolly	

Others in Attendance/Two Day Meeting:

Corey Dalton, self	Marshall Goldy, Nevada Big Game Restoration Group
Tim Humes, self	John Zenz, self
Chad Bliss, Eureka CABMW	Jim Ornellas, Nevada Big Game Restoration Group
James Matheus, Lander CABMW*	Jim Jenne, Lyon CABMW
Gil Yanuck, Carson CABMW	Tom Cassinelli, Humboldt CABMW
Bob Cook, Douglas CABMW	Mike Turnipseed, Douglas CABMW
Rex Flowers, Washoe CABMW	Daryl Harwell, Washoe CABMW
Rick Smith, Washoe CABMW	Eric Scheetz, Douglas CABMW

Philip Gray, Lander CABMW
Brandon Fordin, Elko CABMW
William Miller, White Pine CABMW
Don Molder, self
Daryl Capurro, self

George Corner, NV Outfitters and Guide Association
Glenn Bunch, Mineral CABMW
Walter Mandeville, Lyon CABMW
Don Sefton, Systems Consultants

*County Advisory Board to Manage Wildlife

Friday, March 27, 2009 – 10 a.m.

Chairman Lent called the meeting to order at 10:12 a.m. and welcomed everyone to the meeting.

Recording Secretary Suzanne Scourby asked for the roll call of Commissioners who are present: Chairman Gerald Lent, Vice Chairman Ron Lurie, Tom Cavin, Michael McBeath, David McNinch, Pete Mori, Scott Raine, Daniel Swanson, and Grant Wallace.

Roll Call of County Advisory Boards to Manage Wildlife (CABMWs) -
Brandon Fordin, Elko; Gil Yanuck, Carson; Glenn Bunch, Mineral; Eric Scheetz, Douglas; Daryl Harwell, Washoe; Chad Bliss, Eureka; Bill Miller, White Pine; James Matheus, Lander; Walt Mandeville, Lyon; and Daryl Sneed, Clark.

Employee Appreciation – Deputy Director Rich Haskins presented Alma McDaniel with a plaque for 35 years of service and Jim French with a plaque for 30 years.

Director Mayer presented Deputy Director Rich Haskins with his 30 year plaque and thanked the three employees for their dedication to the state and the agency.

Presentation of the Wayne E. Kirch Award – Director Ken Mayer

Director Mayer said the Wayne E. Kirch Award is the most prestigious award presented by the Commission, and this year the award is being awarded to Mr. Mel Belding of Reno. Mr. Belding is a life-long resident of Nevada who has dedicated tremendous amounts of time and energy to Nevada's most precious natural resource: Wildlife. Mr. Belding is an avid sportsman, and in 2008 devoted hundreds of hours working on water developments throughout Nevada. He surveyed sites, drew up material lists, requisitioned and ordered material and supplies and organized the food and other refreshments for dozens of other volunteers working on these projects throughout the state. Mr. Belding also dedicated time to work on sage grouse lek surveys, bighorn sheep surveys and repaired numerous water developments on his own. Mr. Belding's extreme dedication and ceaseless work has led to many other volunteers becoming involved with the management and conservation of Nevada's wildlife resources. Mr. Belding is a shining example of what a private citizen can accomplish when teamed with the professionals of the Nevada Department of Wildlife. Director Mayer said it is a pleasure to present the Kirch Award to Mr. Belding and he thanked him for his hard work and dedication to Nevada's wildlife resources.

Mr. Belding accepted the award and thanked the Commission for the award, and the Department for having a program to make it possible. He thanked Nevada Bighorns Unlimited for the money and the volunteers otherwise the projects could not be done.

Approval of Agenda – Action

Commissioner McNinch said for the record and that the minutes of this meeting reflect that somewhere along the way a conscious decision was made to remove the legislative action item from the Commission's agenda, from an action item to informational only, and considering the many bills introduced to the legislature this year that impact expenditures of sportsman's dollar and of interest to each and every CABMW member, member of the public, Commissioner, and sportsmen, he would infer that as an attempt to circumvent the will of the majority to consider and deliberate on these items to support or oppose. Unfortunately, today under approval of the agenda we can only consider removal of an item, or adjustment of order of items presentation.

COMMISSIONER RAINE MOVED TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER MCBEATH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Member Items/Announcements –

Commissioner Lurie said it was brought to his attention that geese were not going to be sent down to Overton Wildlife Management Area, and he asked when the capture would be done and the geese brought down.

Commissioner Raine said some items on past agendas that were during previous Commissions, and wondering whatever happened to them. He said one was the bear hunt and the other was discussion to initiate regulation over private ownership of wolves. He asked if those regulations have died on the vine and what was the Commission's desire.

Chairman Lent said we can take them into consideration on another agenda.

CABMW Member Items –

Brandon Fordin, Elko CABMW, said they had one thing that came out of their meeting for this meeting, is the same concern of Commissioner McNinch, that Assemblyman Claborn is bypassing the CABMWs and Commission with legislation and would like the Commission to take a stance on that as well.

Gil Yanuck, Carson CABMW, said he has two things: Number of members and public concerned that trout in the classroom funding appeared cut in Carson City compared to previous years, and had no tanks with fish in classrooms and very disappointing to people who volunteer and not that interesting to students in classroom. Mr. Yanuck's second item was that at 5:30 p.m., 30 minutes before their CABMW meeting started, they received email removing legislative

discussion from the Commission agenda and that was of concern. He said they had a turnout that they had never seen of the public to discuss assembly bills, and those in attendance were disappointed when told that it had been agendaized, but whatever we came up with would not go too far.

Chad Bliss, Eureka CABMW, read a statement in the record: He said he is here to ask for support of Assembly Bill 183 which was submitted by Eureka CABMW initially through a petition. They have been working on this for several years, and received unanimous consensus of Commission in 2007 and Wildlife Advisory Boards to continue on. This bill is a cooperative effort by many groups supported by majority of Nevada sports men and women, and very rarely does CABMW have opportunity to support legislation, and all members that serve on Assembly Natural Resources Committee, in addition to Senator Dean Rhoads, are sponsors of this legislation with the exception of Assemblyman Claborn. Mr. Bliss explained the rules for the tag and told the Commission that letters of support from all these groups have been put in a packet for the Commission and he will also give it to the Department if they want it. Mr. Bliss asked the Commission for Assembly Bill 183 to be put on the next Commission meeting agenda as an action item.

Bill Miller, White Pine CABMW, said he would also state their board's disappointment of the last minute change to the agenda, and stated that White Pine CABMW supports Assembly Bill 183, as a win-win situation for the state, the habitat and the wildlife.

Tom Cassinelli, Humboldt CABMW, said they agree with the last three speaker's statements. He said Assembly Bill 183 would be a chance for regular hunters to get an expensive tag and another way to give "Joe Blow" the public a chance at those tags and they have been behind that since the inception of the Heritage tags.

Public Comment Period –

Don Molde said he has a donation for the furbearer program, specifically bobcats, for the Department and a letter explaining.

Commissioner McNinch said he knows that donation is in the thousands of dollars to challenge the Department, and he appreciates the effort.

1 Approval of Minutes – Feb. 6 and 7, 2009, meeting minutes.

Chairman Lent said page 15 and 16 of the minutes, please note he was absent during the votes.

COMMISSIONER LURIE MOVED TO APPROVE WITH THE CHANGES TO THE MOTIONS AS DENOTED BY CHAIRMAN LENT. COMMISSIONER CAVIN SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

2 Correspondence – Chairman Lent – Informational

Commissioner Lurie reviewed his correspondence: Letter from Attorney General's Office on Findings of Fact, Conclusion of Law, all the correspondence on agenda and minutes from CABMWs, letter from muzzleloader people, and quite a few letters concerning mountain lions, and he will give his items to the recording secretary.

Commissioner McNinch said extensive correspondence provided on the mountain lion issue to the Commission this morning and sifting through the correspondence there was one letter in favor of lion control, and even one piece of mail from Oxford, England, but most of the correspondence was from all over the country opposed to the perception of an aggressive mountain lion plan.

Chairman Lent said he received tremendous amount of letters on legislation and no one said to leave bills the bills the way they were. Letter from Cory Lytle on how they will draw the tags, letter from Tina Nappe on the Greenhead Club legislation and that the bill does not have any fees for birdwatchers or non-consumptive users; letter on amendments to 246 and many phone calls wanting to change all these bills. He said many phone calls, and sat in on Washoe CABMW's meeting and on apprentice license bill he had many calls that hunter safety be part of the bill and question if there is a violation who would be cited, everyone had own ideas on that bill.

3 Petition – John V. Zenz – action

Mr. Zenz said this petition is his own idea and desert bighorn sheep is a quality tag, and thought behind extending the season is that it would allow kids and working stiff's to get out more, and holidays. He said it would make it better for average working person and congestion in certain areas is another concern. California is a two month season, and this would make it a better season. He said he does not think it would affect harvest and just would give people more time. The other two sheep seasons are two months long. Douglas CABMW sent him an email supporting the petition.

Commissioner Lurie said he would like to hear from CABMWs.

Commissioner McBeath said he understands Mr. Zenz is a guide, and he asked Mr. Zenz how many hunts he guides during the four week season because this could possibly double the ability of a guide to have more clients and there is an economic benefit to guides, and would that be an honest way to portray the petition.

Mr. Zenz said yes to the first question, and as to the second question that he only guides one hunter, and it is correct that the change would benefit guides.

Commissioner McBeath said at the Clark CABMW which he attended, Biologist Pat Cummings said they have management activities that occur before and after the present season, and that if you extended the season the biologists perceive there will be conflict

between hunters hunting, and NDOW surveying herds, and they have had these conflicts in the past and NDOW will take the heat for surveying.

Mr. Lenz said desert bighorn surveys are pre-season.

Chairman Lent asked for an explanation from the Department and if the change would affect the biology.

Game Division Chief Mark Atkinson said Commissioner McBeath is right that we do surveys, and lots of translocation of sheep, and we have to be concerned with pregnancy stage of ewes and look at that in combination with outside temperatures at time of capture and when we need to do the survey, and realize only certain portion of season to do these activities, and just the presence of helicopter in the vicinity has resulted in calls to Governor's Office from the hunter in the field.

Chairman Lent said earlier season does not help and choices for the Commission are to accept or deny the petition. He called for public comment.

Public Comment on Petition –

Gil Yanuck, Carson CABMW, said they discussed the petition at length and the board voted unanimously to deny the petition.

Bill Miller, White Pine CABMW, said board discussed at length and had the same concerns of Commissioner McBeath and Mr. Atkinson. One other item is that 90 percent hunter success in the first five or seven days for the sportsmen so increasing the season would not increase success of sportsmen.

Daryl Harwell, Washoe CABMW, said his board also declined the petition for the reasons stated by other CABMW members.

Brandon Fordin, Elko CABMW, said his board felt season long enough and they also declined the petition.

Glenn Bunch, Mineral CABMW, said he received phone calls from guides out of Mineral County and they want the season left alone.

Dearl Sneed, Clark CABMW, said Commissioner McBeath relayed the concerns of Clark CABMW accurately.

COMMISSIONER SWANSON MOVED TO DENY THE PETITION TO EXTEND THE SEASONS ON DESERT BIGHORN SHEEP. COMMISSIONER MCBEATH SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

4 Petition - Mr. John V. Zenz – Action

Mr. Zenz said he is a sheep nut and the harvest in the regular season and does not understand why we have three Partnership in Wildlife (PIW) deserts in the Heritage draw and thinks that is way too many tags in one unit, and if one tag, the quality of the rams would benefit the hunter because you have the governor's in there.

Commissioner Raine said at last meeting the Commission set PIW tag quotas and if deemed reasonable that would be the time and place for this, next February 2010, and also at the last meeting those concerns of too many tags for PIW were discussed. He said by then we would know what the Legislature has done.

Commissioner McBeath said he talked to biologists in Southern Nevada and concern that there are too many tags in some units, and the Bares is the unit that was hit. He said the Bares defy logic because the biologists do not know where these rams are coming from and they believe sheep are coming off other ranges and does think that if other areas, that it would be logical if biologists set quota and don't take additional tags into account, then we have a problem.

Commissioner Cavin said he actually had this issue tentatively on the Heritage Committee agenda to discuss and took it off when the petition was received, and they did want to hear it with the biologists coming in and talk to them about this, and the problem with the petition is it only has one solution and would like to air it out and this petition is pretty narrow, which is his concern on the petition.

Chairman Lent said he agrees that we are potentially overharvesting some area and getting statistics that the Bares are having a high percentage taken out, and thinks next year we will look at this problem to see if we are overharvesting and affecting the biology and maybe Mr. Zenz and others could bring solutions and make recommendations and we can always change that, and as Commissioner Raine said there are a couple of bills in legislature that could completely change this if we don't have policy to protect sheep in certain areas. Chairman Lent said he is not sure how big of a problem it has become but knows it is a problem.

Mr. Zenz said he was not sure of the timing either, just wanted to make the Commission aware of it.

Commissioner Lurie said could we refer this item to the Heritage Committee and air out ideas such as closing the unit when one hunter harvests an animal and would like to address it all.

Deputy Attorney General (DAG) Stockton said the Commission could adopt the petition and start regulatory process where these ideas could be discussed while the regulation is crafted by the Department.

Chairman Lent asked if Mr. Zenz would be willing to withdraw his petition to allow the Commission time to study and work with the CABMWs and have something be done by next year. The Commission is really aware of it and he can direct the Heritage Committee to work on this and bring something to the CABMWs and get more data.

Mr. Zenz agreed to withdraw the petition and thanked the Commission for their time.

Mr. Atkinson said he is impressed with proposals from biologists at the last meeting and confident from biologist standpoint that their recommendations were based on sound biological information for the season setting proposals and will be happy to go back and pull information from that meeting and at a following meeting he could present the biological information on the units. He said he is confident in numbers presented.

Chairman Lent said in last four seasons, Nevada has given 20 special tags for desert, of those 85 percent of animals from two areas, 55 percent from just one area. He said we have to look at biology because when you set quota do they take into account the PIW hunters going in and need to take a look at overharvesting some units. He said the deserts are considered trophy sheep hunting areas and that is what sheep hunters want and those are the kind of things we need to look at so they aren't shot out of trophies.

5 Appeal – Mr. Guy Rozar – Action

Appeal postponed to the May meeting at appellant's request.

6 Commission Policy #50 – Mr. Aaron Meier - Action

Mr. Meier said this is second reading to request to reduce number of stamps printed from 50,000 to 35,000.

Daryl Harwell, Washoe CABMW, said he would like to go with Nevada Waterfowl Association who are sponsors of the duck stamp contest and is in favor of reducing number of duck stamps, and would like recommendation that sportsmen bring in electronic proof of stamp so that public could come in and obtain the stamp after the season if they want it as a collector.

Chairman Lent said it would have to be after the season so that Law Enforcement could enforce it.

Director Mayer said two ways, deal with the reduction today, and the second one is to go back and look at the policy and regulation and see if it can be done.

Dag Stockton said you can amend policy at second reading but this is a different topic and would recommend dealing separately with that issue.

Commissioner Raine said 35,000 may be too much still with electronic privilege available.

COMMISSIONER RAINE MOVED TO APPROVE CHANGES TO POLICY 50 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER LURIE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

10 Reports – Informational

A U.S. Forest Service Northeastern Nevada Travel Management Plan – U.S. Forest Supervisor Humboldt Toiyabe National Forest Ed Monnig

U.S. Forest Service, Mr. Ed Monnig presented an overview on travel management plans for the U.S. Forest Service (exhibit file) in response to off-highway vehicle use on forest service lands. Mr. Monnig said the cultural shift is motorized vehicles confined to designated trails and roads with the devil in the details. They are going through the Humboldt-Toiyabe Forest section by section. The comment period is open and after designation they will issue a map. In Elko County, three districts, which have been combined into one analysis. Plans are outdated and have many issues, and he said overall it has been a straightforward process, and are not dealing with snow mobiles. He listed exemptions to rules, and said user created roads will be added, which are estimated at over 100 miles, and in process of looking at inventory out there, will change some roads to motorized trails. Significant number of roads, 40 to 50, only accessible when you cross private lands and working with landowners and that access is being challenged and they are trying to determine how to get legal access and would hope that we could open those roads to the public at large, and if not open to everybody, they won't be open to anybody. Mr. Monnig said he understands that through NDOW's landowner programs we are working on those options. The plan would also close roads that are unsafe, a prime example is Jerritt Canyon Mine road because of many open pit mines in there, and environmentally hazardous areas. Right now significant discussion on time table and opportunity for public to get engaged and scoping underway for the public since late 2007 and may extend through the summer, and whether or not we need additional opportunity for the public and issue notice of proposed action open with roads and proposals and would be open to public comment for at least 60 days and is an ongoing activity that they want public comment on; however, they do not want to extend the public comment period for too long as people lose interest and lose track.

Commissioner Lurie asked how they get the information out to the public, as for example, the Bureau of Land Management (BLM) puts their notice in the Federal Register, which most public do not have access to. He said he wants to protect the average person from being cited and to provide opportunity for comment.

Mr. Monnig said 10 meetings held with people going over the maps, and in Elko County they have had significant press and participation on the maps and proposed changes. Motor vehicle use maps will be available for National Forest Land use and will be free to the public so that they can see where use is allowed.

Commissioner Cavin said in process of deciding what roads stay open, Nevadan's have different conception of defining what a road is, and will access to springs be closed off.

Mr. Monnig said he can't answer that with a one size fits all answer because some areas have redundant roads to a spring or interesting feature, and do we need both of the roads.

Commissioner Mori asked if there is flexibility if once maps made and roads designated, and you find out down the road that you made a mistake, and it needs to be changed can you.

Mr. Monnig said absolute flexibility with the plan and the plan will be subject to modification and hope to access more private land through obtaining access.

Commissioner McBeath said he asked if the mining law of 1872 has been that taken into account with road rights and vested easements.

Mr. Monnig said the plan states that roads that predated the transfer out of the public domain and applies to National Forest and bulk of Nevada in 1805 period and county roads that predates under RS 2477 the county can claim ownership, and there is a judicial process to make sure that road is theirs and in principle a recognition that there are roads out there that are county roads and they do have to go through a process that the road is truly legitimately theirs. Travel management plan will not get into legitimacy of roads, as that is a separate process.

Commissioner Raine said if person traveling down a road should they be penalized for driving down a road that is not posted, and will the roads be posted. He asked that the maximum number of roads remain open especially for elderly people who need access to land or it will be useless to those without physical ability to get around.

Mr. Monnig said their objective is to post open roads with numbers and identify all the roads. This will be a cultural shift and will happen over time.

Commissioner McNinch said he received call from Elko County resident expressing concern and impact of sportsmen coming from Las Vegas, and appreciates that review going on by U.S. Forest Service because of habitat fragmentation. The question is any of Environmental Impact Statement (EIS) or review going on to happen with increase and impact.

Mr. Monnig said he should have mentioned that plans are going through National Environmental Policy Assessment (NEPA) and EIS and they will be published. He said off-highway vehicles should not have permission to go everywhere across the landscape, there have to be limitations, and that seems to be recognized that reasonable accommodations for all users.

Chairman Lent said under EIS is a quick and dirty way, and EIS important. Chairman Lent said his comment is that they are very poor maps and not adequate and roads not posted, and would like to request a meeting in Las Vegas with same presentation as many persons in Las Vegas interested and would provide opportunity for their opinion. He asked if Mr. Monnig will take these comments from the Commission for the process.

Mr. Monnig said yes, and he has staff here taking notes. He said EIS and Environmental Assessments take extensive public involvement.

Public Comment -

Glenn Bunch, Mineral CABMW, said as maps become available, they have a series of maps and you have to look at maps as they start on main roads and have limitations on wheelbase. Those are the things to scrutinize on a map, such as how do I get my pickup on one road, then a track, then another road, and those are the questions for the U.S. Forest Service. He said the road is closed unless sign is on it and is open. After three years they will evaluate roads and if road left open and not deemed valuable at that time they will close it, and this is ongoing thing and everyone needs to be involved because road closures will affect hunting. Mr. Bunch said U.S. Forest Service tasked with job but counties need to be on top because there are any issues. He said an example is in his county there was road from Lee Vining, Calif., to Hawthorne and they closed road that pioneers used to travel from Lee Vining, and they are in process with district office to get it open again. Inyo and Mineral Counties are working on mapping because they show roads that Mother Nature took away a long time ago.

Mr. Monnig agreed and they also want maps to be accurate and need to be alerted to those errors.

Brandon Fordin, Elko CABMW, said for two months he and a group of several sportsmen have been working with U.S. Forest Service and have received maps with all the overlays that they need or ask for, and have worked with them cooperatively on determining roads that need to be opened or closed. Mr. Fordin said the benefit of learning that RS 2477 roads and learned that roads that have been adjudicated they have to provide access to hunters. He said the Ruby Mountains are the biggest landlocked area in the state and if you look at maps you have access. The sportsmen's biggest concern is shutting down a section, and allowing access to permittees to access some areas, but not the rest – such as a hunter with a permit to hunt, cut wood, and if open to one, the road should be open to all.

Mr. Monnig said consideration could be provided through exemptions to the rule and will have further discussion.

Daryl Harwell, Washoe CABMW, said after hearing statements he is confused because Washoe CABMW did not know about meeting with City of Reno. Mr. Harwell said road in Washoe County closed, and they need to let local CABMWs know.

Mr. Monnig said public meeting was actually last week in Sparks and had multiple meetings and is sorry that he did not receive word on that.

Jim Matheus, Lander CABMW, said BLM district in Lander County is one of the largest in the state, and they have put Bureau of Land Management (BLM) on their CABMW agenda every month and will start working on habitat issues as well. He suggested that this be on agenda so that they know what is going on and in Lander County trying to defeat a trail and locals found out after the fact that EIS done, and already in place with interference with mule deer herds. Mr. Matheus said he would recommend CABMWs put spots on agenda for BLM and USFS so that you know what is happening and fighting the battle on the retreat is not the ideal way to do that.

George Corner, Nevada Outfitters and Guides, said his association is concerned because U.S. Forest Service plan and public playing catch up. Roads closed will be to access the Ruby Mountains which are surrounded by private lands and USFS said if everybody does not have access you will have to let everyone through or none. He foresees that roads will be closed because private landowners will not grant private easement across their land, and some of the USFS maps that come out are simply lines on paper and people not familiar with it can't figure them out, although he thinks they are getting better. Mr. Corner said U.S. Forest Service needs to get word out as Washoe person pointed out that they did not know. He said Department and Commission will need to take that into account when they issue tags so that the hunter knows to check access before you go afield. Environmental assessment does not take into account social and economic impact and would be further ahead if they noticed the people and Elko County has three ranger districts.

Mr. Monnig said they are discussing those issues in real time and he concluded his presentation

7 Upland Game Stamp Project – Chief of Habitat Dave Pulliam

The Department is requesting to modify approved Upland Game Stamp projects and will request approval to fund a telemetry study of released mountain quail.

Wildlife Diversity Chief Pulliam said the Commission had approved project to obtain ruffed grouse from Oregon and they were not able to get ruffed grouse due to climatic changes, and that money is not being expended in the amount of \$3,000. This project for radio collaring of mountain quail is an amendment to the plan to support radio telemetry work for the mountain quail to get better information on survival as mountain quail are introduced.

Commissioner Raine asked for history on mountain quail in Nevada, and if we have wild mountain quail.

Chief Pulliam said mountain quail noted as native in portions of Nevada and have had trapping in the past, and these mountain quail are going into the Stillwater Range. Monitoring indicates success but have never done telemetry study, have had observation, and this was identified by Game Division as an opportunity to get information on the species to evaluate future introductions.

Mel Belding denoted where you find mountain quail in Nevada.

Chairman Lent said battery life is six months of the telemetry equipment, and thinks research is good with management applications and if tied to transplant program that is good, but if we don't do anything with it, it is of no use. He asked if this will be tied to transplant plan.

Chief Pulliam said Game Division has a mountain quail transplant plan, and we recognize data base limited and this is an opportunity to get real data on future transplants and increase our successes. He said this information will make us better at site specific analysis for future introductions.

Public Comment – None

CHAIRMAN SWANSON MOVED TO APPROVE. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

- 8 Humboldt CABMW Budget Augmentation – ASO III Dave Prather – Action
Humboldt CABMW is requesting to augment their 2009 budget in the amount of \$1,120.

ASO III Dave Prather said staff reviewed their expenditures and projections and agrees this is the proper amount.

Chairman Lent asked how their attendance has been.

Mr. Cassinelli said they have been to every meeting this year.

COMMISSIONER SWANSON MOVED TO APPROVE. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Workshop on Regulations

9 Commission General Regulation 367 (Temporary) – Big Game Biologist Kevin Lansford - Informational

Mr. Lansford said he is presenting the temporary regulation to change NAC to allow eligibility of residents and nonresidents to obtain third mountain lion tag in any license year.

Commissioner McBeath said at last meeting voted to approve the three tags and we were all rather shocked on Monday morning after the meeting with news splattered all over the newspapers that the Commission is in business of wholesale slaughter of mountain lions, and may be exaggerating some, but this was the only item at last meeting that we voted on that had impact on mountain lions, and other items for benefit of mountain lions, and we acknowledged that this would have little impact as not that many people would not take advantage of it. But the press covered this world wide as a body out to get mountain lions and it proves the danger we are facing on this issue overall. Commissioner McBeath said last time and will say it again that we will have bulls eye on our chest if we are not careful in how we manage mountain lions. He sees little benefit in third tag and would have to go on record as changing his position and approve this regulation.

Commissioner McNinch said he voted last time, as recognition that it had little biological effect or impact in the big scheme. He said we did two things done for betterment and improvement of mountain lion management but this caused tremendous amount of backlash. He said there was study in New Mexico on lions and how bighorn sheep were brought back and article out there that last year and New Mexico totally revamped how they do mountain lion management from that study. One extreme in short period of time, and would suspect as many as we have heard from, he suspects that there are many more waiting for us to take extra or next step, and is in same position as Commissioner McBeath. Commissioner McNinch said he will not be able to support it tomorrow.

Commissioner Cavin said he heard criticism and most was for the other issues and looks at what we did with the whole issue such as reducing harvest objectives by 43, and said we have never reached the harvest objective with lions, and we are less than 50 percent of harvest objective now and it would provide opportunity for a few hunters. He said it makes small incremental change to harvest objective but if we can't justify an additional tag with little change in biology we won't be able to manage. Commissioner Cavin said if we can't do something as neutral as this proposal that he thinks we should give it some thought, we are here to manage some things, and may as well never do anything with lions. We are well within the biology and need to do the right thing.

Commissioner Lurie said when he listened last time, the third tag was mostly for ranchers who killed two cats on their property and wanted one more and supported that, and since last meeting he went out lion hunting and never has seen one or killed one. He said Chad Bliss connected him with houndsmen and saw fist lion, and in talking to lion hunters they said there is not a big problem but that there are specific areas in the state with lion but bigger problem with coyotes. For lion hunting you have to go with someone with dogs and he had a license for one but had never seen one until hunting with dogs. Commissioner Lurie said he does not know if we will reach goals or objectives with one more tag.

Commissioner Raine said actually met someone who shot a lion with muzzleloader at 6 feet with a tag, and is rare, but it can happen. He agreed with Commissioner Cavin that we would be below harvest objectives, and this was a compromise and if this is not biologically justifiable and if this is not justifiable, nothing is and we will have to run scared over everything.

Commissioner Mori said this is an issue that is more about, what we would actually be doing, and is more of what is perceived that what we are doing. Perception may out run what we were actually doing if we gave out the extra tag.

Public Comment –

Brandon Fordin, Elko CABMW, said his board voted it down, because of heartache with how many nonresident guides come in to Nevada and this would benefit them. He said few would harvest three and number so insubstantial it would not matter. Mr. Fordin said listening to talk of not reaching harvest objective, you are not looking at scheme of things, and objectives are not to be met. Mr. Fordin said for example in archery elk objectives are not met and we don't increase those tags to 10,000 as those numbers are not met either, the numbers are not what the Department feels should be killed.

Gil Yanuck, Carson CABMW, said dichotomy on one hand we agree with Commissioner McBeath on what press said and what was tried to be accomplished where worlds apart. He said the Carson CABMW listens to their biologist and long as he has been at these meetings never got close to quota, and say third tag does not mean anything because numbers will be so small. Unfortunately, press did get a hold of it and they beat up the director, the Commission, and the CABMWs for annihilating mountain lions, and as much as we don't think it is significant, they voted to leave it at two.

Mel Belding, said he agreed with Commissioner Mori that it is perception and he had several hunters call and ask what NDOW is doing, and he pointed out that the direction was provided by the Commission to the Department and perception with bills going through this legislative that everything is about predators and is not something we should have and asked for the regulation be voted down.

George Corner, Nevada Outfitters and Guide Association, said one question he was asked numerous times after the last meeting on the three tag proposal is why he supported it when it was brought up then, and said at the last meeting once we get passed not to support Claborn's bill and we were so happy, and everyone went for the three tags and get beat up and we got beat up right along with you, and Commissioner Cavin said this is neutral, but far from it, if we passed three tags is far from neutral and if passed with Claborn's legislation through the backdoor, we are done.

Bill Miller, White Pine CABMW, said Commissioner Mori hit it on the head when they discussed concept of two tags, and that two tag came from request of houndsmen who said once they harvested lion they could no longer legally exercise their dogs. He said the two tags were agreed on so they could run their dogs, and houndsmen are biggest eyes of biologists in the field and has talked to many houndsmen and they are going out every weekend with the recent snow fall and they have told them that mountain lions are scarce in eastern Nevada. Mr. Miller said two tags is not serving its purpose with probably 20 or less sportsmen harvesting two lions and adding another tag does not do that. Mr. Miller said his county denied the regulation. The concept of two was opportunity and not harvest, and three tags will not kill anymore lions.

Chad Bliss, Eureka, said their board voted against it for the same reason the Commissioners said, and thinks one of the biggest problems is word of objective and may be use quotas, instead as Brandon Fordin said because the point is not to kill that many lions. He said they were opposed to three tags as it would do more harm than good.

Director Mayer said he is absolutely right, as objective is biological quota and there is difference in terminology between quota and harvest objective.

Commissioner Cavin asked Mr. Lansford to define harvest objective and quota.

Mr. Lansford said it is max number to remove lions from population without irreparable damage to the population within a two year period, and if we met objective, numbers would come down. Mr. Lansford said retired NDOW big game biologist San Stiver said he gave him the history of quotas to harvest objective because people thought a quota was something you wanted to reach and we changed it to a name that was not better. Harvest objective is the maximum number of species that could be removed from a population without harm.

Director Mayer said in modeling for deer it would be called available buck harvest, and it is semantics and that could be changed to say mountain lion available harvest, to separate the two.

B Wildlife Diversity Division Program Overview and Update – Chief of Wildlife Diversity
Laura Richards

Chief of Wildlife Diversity Laura Richards provided an overview of the Wildlife Diversity Division Program with a power point presentation and a video developed by Theodore Roosevelt conservation group (exhibit file). She said that the Department has received \$9 million in federal funds matched with state funds for funding, and to receive the funds the federal government required a Wildlife Action Plan be developed. Nevada's Wildlife Action Plan is to be considered one of the best in the country.

Commissioner McBeath said the biggest issue we will face is the energy issues coming down the road, and asked if funding is being provided specifically for that.

Ms. Richards said the Habitat Division takes the lead with that but Diversity Division provided information relating to nongame species, and that is a challenge.

Director Mayer said he met with representatives from the wind industry to see about funding for studies relative to alternative energy but due to political climate they are empowered to go ahead but green is not always necessarily green. He said the mining industry stepped up with funding but have not seen that with the alternative energy industry yet.

Commissioner McNinch said as a Commissioner he saw the Diversity Division come online with a steady presence and they have done a fantastic job moving the program in a positive direction.

Director Mayer said with the recent budget cutbacks that the biggest cuts to this agency were in the Wildlife Diversity Division and they are doing a good job moving forward.

Chairman Lent asked how they will make up the deficit.

Director Mayer said they are not quite sure yet, but will shift workload to habitat and game species issue because what you do for mule deer benefits nongame species, and just don't know how the final budget will be formatted and climate change dollars will come to nongame animals.

Commissioner McNinch said important for everyone to realize with federal political change there is \$75 million for State Wildlife program and \$6 million may come to Nevada next year and with Climate Change legislation you are talking significant amounts such as \$60 million to a state like Nevada, and any questions about value of State Wildlife Grant program and the Nevada Wildlife Action Plan, they need to do the math.

C Department Actions Related to "Early and Unauthorized Release of 2008 Big Game Draw Tags"- Chief of Operations Bob Haughian

Chief of Operations Bob Haughian reviewed the report submitted in support material.

Commissioner Cavin asked from time Commission sets quota is the estimate 10 days.

Mr. Haughian said the goal is 10 working days to allow for variables that take place and this is a reasonable time frame.

Mr. Don Sefton said he had been asked several times about draw date and his company does not set the draw date until after the Commission meeting where quota is set, and then they send invitations to public and others. Mr. Sefton said notification of the date will be sent but no date yet.

Commissioner Lurie said one cost estimate was for \$14,000.

Mr. Sefton said several costs in there, and with the 48 hour release it has two cost components with \$14,000 for one time and will allow them to re-sequence that steps have to occur, and for display on the web that is a shift from printing the tags right away. Separate cost on per application basis with increase in telephone calls and is a cost they expected, and other costs for other items such as logging attempts for data.

Chairman Lent asked if costs lowered for the draw and said we talked about doing a regulation and the regulation will be on the agenda for the May meeting. He said this was a good report and good response to the problem.

Mr. Sefton said in sixth year of contract, and came down on the price the last two times we have renegotiated prices per application. That reflects costs that have gone down even though postage has gone up, etc.

Mr. Haughian said the regulation has been drafted and is awaiting approval by Director Mayer.

10 D 2009 Legislative Report – Director Ken Mayer

Director Mayer said Legislative Liaison Kim Jolly will provide the report.

Management Analyst III Kim Jolly reported on wildlife associated legislation: Assembly Bill (AB) 77 increases civil penalty for waste and was discussed in several meetings with amendments; AB 177 legalizes fish pedicures and there is concern from the agency because two types of fish used in pedigrees in Asia are invasive species, and don't want them in Nevada and the Board of Cosmetology also is opposed; AB 183 is the Silver State Tag proposal to increase revenue to Heritage account and is awaiting a hearing; AB

194 regulation on guides and supported by Nevada Guides Association and NDOW will move on to Assembly; AB 241, mandates that no less than 40 percent of revenue will go to Predator Committee and reduces discretion of Commission; AB 246 the apprentice hunting which is try before you buy opportunity for would be hunters; AB 362 state \$3 predator fee will only be used for mule deer although it is generated by all species and has potential to reduce NDOW's ability to use science for wildlife management; AB 437 Dream tag, drawing based on state's with similar program and provide hunting opportunity and revenue for wildfire restoration, although lottery is prohibited have been told that will be worked out with the nonprofit receiving the funds; AB 516 Commission approval from certain fees and matching funds before deposit in Wildlife Account, chiefs looking at impacts still and will put millions of grants in jeopardy and no other boards or Commission's in the state with fiscal authority; Senate Bill (SB) 108 on removal of mining post claim and passed out of Senate Natural Resources; SB 146 bill sponsored by Senate Finance for funding a coordinator position for wildfire rehabilitation; SB 280 is a bill that addresses transfer of Carson Lake Pasture to the Department in two to three years and continue existing fee for hunters charged by the private hunt club; SB 394 off-highway vehicle registration bill, in this version game wardens are one entity to assist with enforcement with current registration and this morning's testimony was overwhelming in favor and support from all agencies present, and wording change with 20 percent of funds "shall" be appropriated for law enforcement entities. Ms. Jolly each Division is reviewing legislation that pertains to them and said every time a bill is amended there may be a new fiscal note required.

Commissioner McNinch asked about the status of the Department's boating bill – AB 73, and how it is faring.

Ms. Jolly said this is a clean-up bill on clarification of age of driver towing a skier, and is on the assembly clerk's desk, and have heard there is concern with the age and may actually increase the age.

Public Comment –

Chad Bliss, Eureka CABMW, said he wanted to comment on Mr. Lytle's letter to Chairman Lent and that he had clarified for him that it was not additional 15 tags as they are already part of the Heritage Tag. Mr. Lytle apologized for writing letter before getting facts and wanted something else in second part – money from tag to be spent in that unit. Mr. Bliss said the only person he could not reach on the board was Commissioner Wallace to discuss the Silver State tag issue.

Commissioner Wallace said he was out of town, and did receive the messages and will get with Mr. Bliss during this meeting to discuss.

Gil Yanuck, Carson CABMW, said they had a number of people attend their meeting and with the number of hunters hunting in prime areas they had concern from safety issue for archery and muzzleloader hunters not expecting to have a rifle hunter in the same area and potential for hunters picking the same prime areas at the same time. He said there should be consideration given to these regular tag holders and problems caused by special tag holders who can go wherever they want during different seasons.

Mr. Daryl Capurro, said he is a member of the Legislative Committee of the Commission, and brought issue up on AB 183 at the Legislative Committee and took no action, mainly because issues regarding language itself and not the intent. Some indication that these tags were on top of Heritage Tags and that is not the situation. His concern is that if you go that route you may be actually reducing chances of someone getting a tag, as it depends on how many of the 15 tags are allocated to Silver State Tag, as you know under PIW it is \$10 that you leave in and would have been more comfortable with 15 tags of which we use nine now and how many will go to Silver State Tag. The concept appears okay to him. Mr. Capurro said the guide bill passed and amended and on to Assembly Natural Resources. On the apprentice bill, there is nothing in bill stating one mentor restricted to one apprentice, and the very least should be one on one, because mentor could be young. Something to be said for apprentice having to take hunter safety and concept is okay. Mr. Capurro said many bills beside these relating to predators, and the Governor's budget through Department of Agriculture is cutting five Wildlife Service positions and losing those positions could be a blow to NDOW to manage predators and need to keep in mind that some of these efforts being made are to make up for losses to Wildlife Services.

Mel Belding, Washoe County resident, said seems to be many bills for NDOW to be concerned with and monitor and asked if the Commission is going to have a chance to vote to recommend or deny any of these bills, it was on for action and now it is not. He asked if the Commission will get a chance to let the legislature know their position on these bills.

Chairman Lent said the Commission can always have a special Commission meeting, and that when bills are not finalized it is hard to vote on them.

Mr. Belding said he does not know why the Commission would not take a position on how presented to them now as it is important for the Commission to take that opportunity and thought that was why we have the Commission.

Chairman Lent said he will bring it back to the Commission.

Brandon Fordin, Elko CABMW, reiterated what he said earlier about Assemblyman Claborn not going thru the CABMWs and Commission when he introduced his two bills and believes he did not because they would go shot down. He said the Commission

needs to take a position on Assemblyman Claborn being a lone wolf and going out alone on his own, and he is certainly no friend to sportsmen or wildlife.

George Corner, Nevada Outfitters and Guides, said they made their position clear on predation and taking the management of wildlife out of the hands of CABMWs, the Commission, and the Department. Mr. Corner thanked the Department for work on AB 77 and AB 194, and wished the opportunity to see the Commission's vote on wildlife related legislation. Mr. Corner said the Nevada Guides and Outfitters position on AB 241, AB 363, and AB 516 is opposed as stated previously, and the Association supports AB 77, AB 183, AB 246, and 437, and they understand problems with some with amendments are forthcoming but that is the way the process is.

Mr. Johnson said he is bewildered that Commission not taking position on bills scheduled for hearing next week. He said is he had testified for 20 years on wildlife bills and why this is not an action item, is one of the most blatant attempts by the Commission to circumvent the will of the public and sportsmen of this state. He asked if any CABMW supports the two bills that are going to be heard on Wednesday, and asked that the record reflect that no CABMW board spoke in support of that legislation. Mr. Johnson said AB 516 was heard in the last Commission meeting by the policy subcommittee as part II and there was no one in support of that concept and it was painfully obvious that concept should go away and guess what we see one month later is it showing up as a bill one month later, circumventing the will of the state. These bills could have been easily heard by the Commission today with a position being taken and there is no excuse for this shirking of duty (*applause from audience*).

Commissioner Lurie said he would like to make a comment too as he was upset that we have not had ability to take action on these bills and he has served on the Commission with five legislative sessions and we reviewed bills and voted along with the CABMWs whether they were completed or not. He said he would like to ask the DAG if they can go to legislators and speak on behalf of themselves. He is the general public rep and is hearing from sportsmen that they are concerned with Assemblyman Claborn's action and had been told by CABMW members that Assemblyman Claborn will hold wildlife bills hostage. He said we bypassed the CABMWs on these bills and would suggest that everyone talk individually to your legislators and hopes that Chairman will have a telephonic meeting before the next meeting and any bills you don't feel comfortable with they need to know. Commissioner Lurie said you can go online and vote as a private citizen, and he urged everyone to do that as some have merit but some need to be killed before they leave committee.

DAG Stockton said that is correct.

Commissioner McNinch asked for clarification of role of Legislative Committee and its role with representation and positions on bills.

Chairman Lent said he will report on that when we get to that agenda item.

Commissioner McBeath asked Lent if he will be able to make comments on the Legislative Committee agenda item.

Chairman Lent said yes.

E Clark County Shooting Park – Commissioner Ron Lurie

Commissioner Lurie said Conservation Educator John McKay will provide the Commission with a power point presentation (exhibit file) to see what is going on with the Clark County Shooting Park. The issue with residents near the park is ongoing as well as some water issues, and the agreement between NDOW and Clark County is almost completed.

Mr. McKay said he toured the site on March 6 and was impressed by the progress and the soft opening will allow shooting in June with grand opening in August.

Commissioner Lurie said they will make sure the Commission and CABMWs are invited for the grand opening.

F Administrative Procedures, Regulations, and Policy Committee – Commissioner Raine

Commissioner Raine reported that they met yesterday at 1 p.m., approved minutes, revised and tabled charter pending a few items, reviewed and discussed enforcement of Commission policies and violations, staff came up with suggestion and reviewed the agenda, discussion of new policies and did not finish their agenda, but had discussion of development of a policy on healthy lands and may have drafts at next committee meeting to look over. Minor language changes – Policy 22 to send to Commission with correction of words, and will bring to Commission meeting for approval. Similar change to Policy 21 with vote to send to Commission, Policy 2 came up at previous meeting that states that policy of Commission to support publications and never had list of what they were, and staff provided that to add to policy, and will have another committee meeting and to finish the agenda items. Commission Policies #2, #21, and #22, will be on the next Commission agenda for a first reading.

G Wildlife Damage Management Committee – Commissioner Raine

Commissioner Raine said first glimpse of proposed projects for coming year. Mr. Lansford reviewed Project 21 which is a study on the effects in conjunction with another project and will be presented at the Heritage Committee. He said none will have final form until the June Committee meeting, and the committee will need something on the August commission agenda for this committee.

H Heritage Committee – Commissioner Cavin

Commissioner Cavin said the committee met yesterday, and the minutes were approved as in the packet, tag sales for the year are ongoing and a few tags left not sold at auction but will be in the next few weeks, and numbers are down with \$250,000 in to date. There are 32 projects submitted to staff, and 17 projects are from within the Department and 15 are from outside the Department, and staff reviews and prioritizes the in-house projects, and projects from the outside are reviewed for relevance to make sure they meet the criteria. The projects will be discussed and selected at the May meeting and roughly have \$1.4 million in requests and only have \$601,030 available. We did discuss among the committee how to get a baseline starting point to rate the projects and coming up with rules and regulations of 30 days of auction tag before they name the recipient. The concern is that in 30 days the tag could be sold on Ebay and the group talked about that, but will wait for more information from staff.

Mel Belding, Washoe County, said to Chairman Cavin with AB 241 in mind, how do you feel about approving these projects when they want 40 percent of the fund to go to once cause.

Commissioner Cavin said we would have to completely change the structure for accepting applications because we would have different parameters for distributing the funds and we would have to do what we have to do and would limit flexibility.

Mel Belding asked if he is in favor of the bill.

Commissioner Cavin said right now we have flexibility to pick among the best projects.

Eric Scheetz, Douglas CABMW, asked about the Heritage's Committee charter and read the agenda item that states it would be approved by the Commission.

Commissioner Cavin said DAG Stockton advised that their committee charter does not need to be approved by the Commission.

I Legislative Committee – Chairman Lent

Chairman Lent said they met and did not vote because the bills could change and everything changes too rapidly. He said there are no bills out there that people don't want to change or revise. Chairman Lent said lot of things never discussed and for example in AB 183 there is an unfunded mandate cost of \$82,000 and that was never explained to committee where the money would come from to do the programming which was a concern also. Chairman Lent said DAG Stockton advised prudent to not vote

on a bill that is not finalized, and if a bill is finalized we could take action on it, until you read the bills and understand the spin. He said we took two and one-half hours on the two bills and some ideas had merit such as the apprentice bill although some things not in the bill. We could have a committee or a Commission meeting when we have finalized bills so we know what we are voting on. Chairman Lent said he received comment on SB 280 and Greenhead with Tina Nappe's amendments. Every bill had all sorts of letters on how we should change it and the committee is not going to lobby to hear amendments when you do not know what the final form of the bill is. He said there is a lot of public comment on how to change them, and those are things to consider at the next Legislative Committee meeting.

Commissioner Lurie said he heard Chairman Lent say that we can't vote on a bill until it is finalized.

Commissioner Swanson said he would also like clarification.

DAG Stockton said he said it would not be prudent to vote on a bill that is not finalized, the bottom line is you do not have to take a vote on legislation, and you don't have to consider it as the Legislature is an independent body. Yes, you should have influence, but the Legislature does what it wants to do, and that is what he said. He did not intimate that you can't vote or give input and that is not what Chairman Lent said.

Commissioner Swanson said if we had a concern that sportsmen would be losing something he has grave concern with that as a detriment of wildlife of the state and that we don't advise the legislature.

DAG Stockton said that puts him in a tough spot and does not know if dereliction of duty would apply, and if that were the case he would recommend that it be a specific agenda item at a Commission meeting.

Commissioner Swanson asked than we should bypass the Legislative Committee in those instances that it would be detrimental to the full state such as occurred at the last meeting.

DAG Stockton said if he was on the committee and had strong feelings he would ask that it be on the full Commission agenda.

Chairman Lent said anyone can testify on a bill and everybody can do that and that is what he said to.

Commissioner Swanson said he is curious what the Legislative Committee does, and he would like clarification on what the Legislative Committee does because the Heritage Committee approves projects as does the Wildlife Damage Management, and we might

as well put Assemblyman Claborn in charge of this committee, so we would know what is going on.

Chairman Lent said the committee has a charter and he is getting out of order on this.

Commissioner McNinch said he will ask in a different manner, with regards to the Commission's representation at the Legislature, what is the role of the Legislative Committee.

DAG Stockton said he has spoke to some Commissioners about this earlier, but unless vote of the whole Commission no one should be representing the Commission; however, you can testify on your own behalf.

Commissioner McNinch said Robert Rules of Order makes that real clear that you do not represent the Commission and wanted to make sure we are all on the page.

Commissioner Lurie said his feeling is the committee meets and brings back recommendation to Commission and they vote on it, and has more credibility when you have the committee hear it, then have it heard at the Commission, and then the Commission's position is provided. Commissioner Lurie said we are fragmented and he is frustrated and we are not getting anything done and the fragmentation is not good. He said we need to go behind the scenes and kill these bills.

Chairman Lent said the three bills were not out when we had the committee meeting.

Commissioner McBeath said he needs to set straight how he feels as a Commissioner, and is dumbfounded where we are not weighing in on pending legislation. Our principal purpose on this Commission as a body, is to perform a policy function to determine the policy of the Department of Wildlife as what the policy of the state agency is with respect to wildlife issues, but the purpose of the Legislature is to pass laws, and the Legislature expects to hear from us and want us to vet these issues, they want us to get technical aspects from the Department, and we are capable of weighing in as a whole on these issues. The Department expects guidance from the Commission and expects the Commission to act that every aspect of the legislation is considered with all points of views and get comments from us with respect to legislation. The CABMWs expect to be involved and for the Commission to act. He said in everything he has done professionally he has not been one to hoard or do things alone, and used analogy of the boat going down and the more people involved the better. Commissioner McBeath said no person sitting on the Commission has all the answers and that is the purpose of the Commission to weigh in. The public expects the Commission to weigh in, even if no on a CABMW, there are sportsmen groups, interested parties, and they expect the Commission to say something. Some more important and some are procedural than others, for this Commission to not act is an abandonment of one of our most important principles and purposes. For this Commission to not act, show we don't care, or if we don't act it is

tacit approval of the legislation. This is something that occurs every two years and yes there are always last minute changes, but for us to be in position with potential votes and nobody has heard from this Commission and borders on dereliction of our duties. We have to act to get word to the Legislature of our position on at least the most critical items or all of them. Commissioner McBeath said he will be shocked if we do not do something and we have to do something. (*Applause*)

Chairman Lent said we could do a telephonic meeting, but if it changes we have to give direction and in the final form and is amended according to legal we would have to go back and vote again, and what do we do when that happens a lot.

Commissioner McBeath said he knows how that works, as he works with federal tax rules and legislation in his profession, but all along with the process we should be participating. If we use the excuse that something is not final. The problem is that if we have not weighed in as bill is presented, the Legislature and committees will never know what we were thinking. Yes, there can be changes, and Legislators are smart they will ask the Department. If we need a special meeting then we need to do that as there are some important bills and as an individual Commissioner he has not had the opportunity to weigh in because he is not on the Legislative Committee and we are all equal in that respect and are due our input and he is not the only one.

Commissioner Lurie said we know what the intent of all the bills are and we don't have to wait until the bills final version is available to take action. Commissioner Lurie said it is better to go to the Legislature with one voice. He said being splintered is not good and not being able to act as a Commission is not good, we were appointed to the job and we agreed to that, and we are derelict in duties if we do not go as one voice. Commissioner Lurie said he was on the city council for 17 years and knows how the process works, if we don't do something and they pass it, then shame on us.

Chairman Lent said we will take all the bills out and take a look at them.

Commissioner Lurie said we need to discuss each bill and take a position on each one in the meeting and he asked what happened when Director Mayer met with Assemblyman Claborn as per the motion from the last meeting.

Director Mayer said the first part of his meeting with Assemblyman Claborn did not go well but they agreed that there is common ground and he told Director Mayer that he needed to talk to Chairman Lent before he accepted the language as alternative language to his bill. When Chairman Lent got back all the biological and scientific language was gone such as survey and inventory and the Commission's Predator Committee was in equal operational status to the Department, and he wrote Assemblyman Claborn an email and told him that he made every effort to work with him but would respectfully have to decline to support his modified language.

Chairman Lent said he did meet with Claborn when he got back and modifications were given to him, and as directed by the Commission motion by Commissioners McNinch and Swanson, he did not discuss lions with Claborn as that is out of his jurisdiction due to the motion, and brought the message back to Director Mayer and does not know where it is.

Director Mayer said for this session that part did not come forth in a bill.

Commissioner Raine said even early in this process it was interesting to see that the Department did not bring bills to Commission for approval or for anything other than informational before presented to the Legislature, and at the beginning of the process for openness we could have voted on those before the Legislature even began. He said he was disheartened, and it started that way bad, and that was the beginning and everything else that has been discussed.

Chairman Lent said he found out about apprentice bill after the fact and the committee did not know about it or the negotiations going on.

Director Mayer said the Department has not support or opposed any legislation to date.

Chairman Lent said staff was at the apprentice bill hearing testifying.

Director Mayer said staff have worked with author to insure that wording is correct and Commission had authority and the Department DAG would like to comment.

DAG Nguyen said the Department as an agency has an independent will that it can negotiate and work with entities that have legislation that will affect the Department.

Commissioner McNinch said point taken, and other point of clarification is Commissioner Raine is concerned that Department did not bring their legislation forward to the Commission and he asked who is responsible for the committee agenda, and who ultimately approves and is responsible for the committee or Commission agenda.

Chairman Lent said the chairman is.

Commissioner McNinch said that is his point and that he personally has requested items on the agenda and the one he was interested in got changed. He said the chair has responsibility for Commission agendas and is irresponsible to let the Department be a scapegoat on our agenda issues.

Commissioner Mori said he is hearing that there are strong feelings behind the comments made and his time is limited and we owe it to the sportsmen of the state to

have another special meeting to make it right, we need to do that, and at least we made a decision.

Commissioner Cavin said one thing not pointed out in the Legislative Committee report that we had some of this discussion at the meeting and discussed with staff having another full Commission meeting or telephonic meeting to discuss these issues. Commissioner Cavin said that we were going to get input from the Commission on the bills that were of interest to the Commission, and that was where we left it and did not anticipate all this discussion today.

Chairman Lent said that was the alternative brought up at the meeting.

Commissioner Lurie asked if Chairman Lent will set the date for the telephonic meeting.

Commissioner McBeath asked if motion should be made so a date could be set or will you as chairman set the date for the telephonic meeting in advance of the April 10 so the Commission can weigh in and come up with collective recommendation to the Legislature.

Chairman Lent said he will work with the director and see and make sure everyone on board.

Commissioner Swanson asked if material will be provided to CABMWs for special meeting.

Chairman Lent said the process is the same for special meeting as a regular meeting.

Director Mayer corrected his earlier statement that the Department had not taken a position on legislation at the Legislature and stated that apprentice bill was supported by NDOW.

Chairman Lent said he thought that the Department had.

Mr. Belding said Commissioner McBeath said some good things, and thinks if he heard right from the Commission's attorney, was the counsel's advice that Commission should not vote on bills until finalized. He said the most important thing this body can do is get on ground floor with these bills, and if I had an attorney who advised me to wait until final wording was drafted, he would get rid of that attorney. Mr. Belding said he has testified on many bills does not enjoy it but wildlife is his life and this Commission represents him and if the Commission does not get in on the ground floor you are not doing your job and strength is in numbers, and we have proven that numbers work, and have proven that in Natural Resources. He would like to go to that Natural Resources Committee knowing how Commission feels about AB 241 and AB 516, and would correct Chairman Lent, that both of those bills were out, when your committee met.

Daryl Capurro, Legislative Committee member, said three of the bills mentioned were not out: Dream tag, OHV, and AB 516, hard to discuss without having in front of you. Mr. Capurro said the only time you can look at language is when it becomes a bill, and he never felt that Legislative Committee had any other duty than advise the Commission and no legislative involvement from committee level has to come from Commission.

Gil Yanuck said speaking as a private citizen he has been in Nevada 10 years, his fifth session, and during the previous session always saw the Commission's Legislative Committee meet, and tell the Commission what the CABMWs input was. Mr. Yanuck said he saw three or four Commissioners always going into Natural Resources Committee or Finance Committee representing the voice of the public and has to agree strongly with Commissioner McBeath, that the Commission has fiduciary responsibility, and were appointed by governor to represent the public, and you are not listening, and the Commission hears outcry against a particular bill and you decide not to pay attention, and when somebody says why is the Commission not representing or taking positions to the members of the various committees, we don't understand it, and you are turning it around and giving up. Mr. Yanuck said you have to deal with the changes in legislation and we know the intent, and we know that happens but you still have to listen to the CABMWs who listen to the public, and please do your job, and represent the sportsmen of the state.

Brandon Fordin, Elko CABMW, said this goes back to what we have been discussing all day long. He believes this is a collaborated effort by Assemblyman Claborn and others to keep things off the schedule so we don't get public opinion on it, and believes we need to have a stance any way, and as private citizens we should inform every newspaper that Assemblyman Claborn is not doing what people want and is circumventing the process and he has a duty to the citizens too. Mr. Fordin said he wants things on the agenda not hidden or circled around.

Bill Miller, White Pine CABMW, said earlier today we heard that it will cost \$14,000 at \$7,500 per year for 48 hour notice and never heard anyone mention money or dollar return. He said he has been to many Heritage meetings, and always heard the "biggest bang for buck," and Chairman Lent has heard that as well and you stated that AB 183 is going to cost us \$82,000, and as an investor he would take \$82,000 to stockbroker and know that it is going to turn into \$1.4 million, which is a good investment. Mr. Miller said he does not believe it would cost that much and he would like an itemized statement to see if it is that much. Mr. Miller said tomorrow is the item for future meeting agendas, and need to act quickly, come Monday, the Commission should work with the Director and notice a meeting as soon as possible to have a meeting early next week, and Commission should know feelings of boards.

Mr. Sefton said fiscal notes provided by his company as requested by the Department and for AB 183 initially there were two quotes and the \$82,000 has nothing to do with AB 183. The cost is \$12,000 and \$18,000 depending on what way they went with eligibility. The numbers being thrown around are incorrect, and the \$82,000 was associated with the apprentice bill.

Larry Johnson, Coalition for Nevada's Wildlife, said one correction on the Legislative subcommittee meeting, two of the three of Assemblyman Claborn bills were available, and if you look at the minutes from that meeting, he questioned why they were not. AB 241 and AB 362 had been out in plenty of time for public notice on the agenda, what we are witnessing, is a blatant attempt to circumvent the system, most of the Commissioners here are being excluded from the process in a well orchestrated maneuver, it is no accident that in the last Commission meeting that when every CABMW member spoke in opposition to Commission Policy #1, that low and behold 30 days later it shows up as a bill, as it was obvious it was not getting approved by this Commission. Mr. Johnson said session after session the same circumvention of the system. He said he has testified in Natural Resource Committee for years and there are a number of radicals that cannot get their way, cannot get support from sportsman and Commission, and they circumvent that system with a certain legislator who will do what they ask. Mr. Johnson said he has incurred the wrath of that Assemblyman and those people, and it is shown in articles they write about him. He said this Commission needs to be smart enough to know when they are being snookered, and you have a timetable that does not allow you to dally. Mr. Johnson said hearings on AB 362 and AB 516 is Wednesday afternoon, those bills could potentially be passed out of Committee by next Monday and they can be scheduled for a work session where public comment may not be allowed. He said Wednesday afternoon is our one shot and we must be there.

Daryl Harwell, Washoe CABMW, said these bills were discussed at their meeting, with action taken and given to the Commission. Judi Caron showed their CABMW a power point presentation on the dream tag. Mr. Harwell said Nevada Waterfowl Association has been working for 20 years on transfer of Carson Lake to Nevada. Tina Nappe wanted to add a fee that would entail bird watchers pay a fee, and the bill is going to be in the Natural Resource Committee on Tuesday at 3:30. He said they support the bill and as a sportsman he wants the Commission to act on this bill.

Chairman Lent asked for clarification on the lion tag, and what their vote was.

Mr. Harwell, Washoe CABMW, said it was passed in a second vote, they thought another bang for your buck.

J Wanton Waste Regulation – Chief Game Warden Rob Buonamici
Chief Game Warden Buonamici said edible portion is defined in NRS – it is basically you cannot allow any of the meat to go to waste, and there is a lot of opinion as to what constitutes wanton waste amongst sportsmen. He said the goal is to define edible

portion and a definition is required and has been provided in support material. He said this item is informational to allow input from sportsmen through the Commission and staff will come back with a more refined project to craft a regulation and hear further public input.

Commissioner Raine said the same descriptions of edible portions from the last time and understands that in majority of cases you can reasonably harvest neck meat and other parts, and not a reasonable expectation of small antelope, butts and during the rut if swollen neck meat left, and we give them a ticket we failed. Commissioner Raine said inclusion of those items in here that seems rather extreme and is not practical for all species. He said we should add language that "as a minimum you must harvest this" and we need to take neck meat, brisket, etc...out.

Tim Humes representing himself said he testified at the last meeting and he has met with Chief Buonamici and Mr. John Capurro on this and took recommendations in draft and cut it down to the minimum that the Commission was looking at last time. Mr. Humes said Commissioner Raine said the same items at the last meeting with the brisket and rutting buck, and he is passionate about this and took time to get everyone on the same page and protect sportsmen and give game wardens the tools if they have a prosecutable case.

John Capurro, representing himself, said the idea to go forward is good, and would recommend removing latissimus dorsi, the issue on the neck is good, and brisket, and showing the minimum requirement is good for the sportsmen.

Tim Humes said he meant to leave off brisket and latissimus dorsi and should be the medial join, and he apologized for the error.

Chairman Lent said this was brought up to the Legislative Committee in AB 77 as well and he asked that a regulation be brought forth for the May meeting, with Option 1 and Option 2.

K Litigation Report – Deputy Attorney General (DAG) Bryan Stockton and Deputy Attorney General Nhu Nguyen

DAG Nguyen said she had no new updates as there has been no new activity since last report.

DAG Stockton said he had a comment for the Commissioners and that is when this board has an appeal, the board acts as a quasi judicial board, and if the person who has filed an appeal calls you, you need to tell them you cannot speak to them. He said as Commissioner McBeath knows, that is an ex parte communication. Even if someone from the Department calls you, you do not discuss the case. Again, he said the Commission is a quasi judicial forum therefore you cannot respond to calls or emails or

have any communication with that person other than communication that you cannot have any further discussion with them.

Commissioner Cavin asked if that applies after the fact.

DAG Stockton said each party has 30 days after the hearing to appeal, actually 33 days, as three days allowed for mailing. He said it is possible you may hear it again, and would not apply as much.

L Department Activities/Leadership Team Notes – Secretary Ken Mayer

Director Mayer said the Department is doing their best to keep up with volume of paperwork and if you have questions or recommendations, we are open to that. He said additional Department information is being provided in the Wildside as well to the Commission.

M Department Budget to Include Questions from the Commission Regarding the Department Budget Presentation to the Nevada State Legislature – ASO III Dave Prather

ASO III Dave Prather said part of the support material is an update on where the Department is financially and the Department is doing better considering the economy. He said tag applications at this point are up by 3,000 tags, but too early to predict numbers right now. Mr. Prather said the Department had its budget hearing with joint Finance Committee and await the questions from Legislative Counsel Bureau on the budget at this time.

N Update on Renewable Energy Projects and Nevada Department of Wildlife Involvement – Chief of Habitat Dave Pulliam

Chief of Habitat Dave Pulliam said most wind projects in Nevada are proposed for ridge tops which often have the best habitat in the state which is the challenge, and the most advanced wind project is China Mountain in Elko County and Idaho, several in White Pine, and Mt. Wilson, Virginia Peak in Washoe, Searchlight Wind and Power in Clark County. Mr. Pulliam said proposals that are most far along, considerable amount of monitoring with MET towers, and try to get right of way locations from BLM on those right of ways and many have been put on sage grouse leks and on ridge tops. He said the Department's air operations have had three near misses with the devices while surveying and are working with BLM to get the GPS locations. Mr. Pulliam said other alternative energy is geothermal, and lease sales ongoing with BLM and have been receiving parcels information from BLM so field biologists can analyze the projects. Mr. Pulliam said current projects they are working on is with Ormat and Vulcan which is to be transferred to the state, and Omnibus bill that recently passed changed the date of transfer to June 10, 2012, to state ownership. He said the Habitat Division takes the lead on environmental processes and depends and works with other Divisions complying

wildlife input on these projects usually through a NEPA process. He said we follow Commission Policy #62 to minimize impact to wildlife. In process of working with several divisions for BEST management practices (guidelines for species) regarding renewable energy, as a Department we support renewable energy but want it done smart and with mitigation and minimal impact to wildlife resources. It is an ever growing workload for the Department and faced with significant development on areas inhabited by Nevada wildlife and that does not come without its impacts. Mr. Pulliam said the Department is involved in the Governor's REETAC, with meetings attended by NDOW staff, and involved with other nonrenewable energy resources such as the Ruby gas pipeline which will distribute natural gas from the Rocky Mountains to a hub in Oregon. In conclusion the work load is becoming more intense and involving more staff time and we are working with the federal government on how we can possibly work together and getting reimbursed for time and travel for input on all of these plans.

Director Mayer said when you hear it all you realize how much there is to be done and no increase in staff to do that and there will come a time when something falls through the cracks as there is so much.

Commissioner McBeath said do we have a strategy to go to our Congressional delegation and convey to them the issues we are dealing with. He said we need to provide input on these energy projects and their impacts and that takes money away from other things, and is there any strategy, such as a letter from Commission.

Director Mayer said that would be helpful and the present strategy is to work through the Association of Fish and Wildlife Agencies and they are carrying the weight of all the state agencies and saying "uncle" and trying to work with Senator Reid's office and told them about Carson Lake which they did not know about, so it proves that there are many things going on. Director Mayer said he will take a shot at working with the green energy folks, but to date has been told to go away but will keep trying and a letter from the Commission would not hurt.

O Nevada Department of Wildlife Water Monitoring Relative to Southern Nevada Water Authority (SNWA) Projects – Chief of Habitat Dave Pulliam

Mr. Pulliam said there are several things going on with ground water and SNWA applied for underground water rights and at that time the agency did not protest those water rights as understanding that surface water rights would be protected. The Department of Wildlife does not have status.

DAG Stockton disclosed that he is DAG representing the state in litigation on water rights.

Commissioner McBeath disclosed that he is involved in the litigation with the State Engineer's office.

Mr. Pulliam said we are involved in review and negotiations of Muddy River: About two years ago great interest on the SNWA on working with us as some of their water passes through Overton and we agreed we would not increase acreage on Overton Wildlife Management Area. He said we would work with them and they secured deliverable water rights; however, the economic slowdown has affected SNWA and others in Las Vegas Valley and we do have agreement and communication and regularly talk with SNWA officials.

Commissioner McBeath said in regard to Spring Valley they issued a plan which has biological and hydrological component, and Department had input into and he wondered if Department has looked at and if an update could be provided at the next Commission meeting.

Mr. Pulliam said the Spring Valley Stipulation Plan would be released in March and staff specialist is pleased with hydrological monitoring and know we have had specific input in biological monitoring.

Commissioner McNinch asked if any plan for monitoring of water on property that we own.

Mr. Pulliam said on Wildlife Management Areas we do monitor our use and what goes off and do not expect to increase that, and we have wiggled our way into the process as a consultant because of no status, and we provide input on what springs should be monitored.

Commissioner McNinch said that is an extremely critical area for NDOW to get a handle as we have a handful of places that we need to monitor water sources at the spring to make sure we have our own data so we can show the impact.

Commissioner McBeath said monitoring that will be in place in the mitigation plans will be designed with input from federal agencies and his point, is that is where we need to be involved, and communicate our areas of interest, not just federal.

Mr. Pulliam said SNWA is going to pay for the monitoring and USGS will oversee it and folks in the field are feeling that adjacent areas will have impact. He said he feels comfortable because field folks are good with what is coming out of stipulated plans.

Commissioner McNinch said no one is going to watch interests of NDOW but NDOW and if your not in zone of influence your input may register no impact.

P Bassett and Comins Lake Fisheries' Status – Deputy Director Rich Haskins

Deputy Director Haskins said the status of the fishery at Comins Lake in White Pine County is that biologists have found that pike are on the way out too, and angler use has dropped off substantially. He said staff had a proposal to poison the waters but dropped

the project because as they got into sampling the waters they found problems with mercury levels in Comins which compounded the problem with pike eradication. Deputy Director Haskins said in regard to Bassett Lake that two years ago the agency tried to acquire Bassett Lake from Kennecott Copper; however the sale broke down, and then White Pine County said a Conservation Easement was the plan, and the last time he talked to Judge Papez he told him it was not a good time for Kennecott, and that the deal needs to be done through the White Pine community, and concluded that both are in a holding pattern.

Commissioner Raine said he is aware that pike are in other waters in Nevada and named a private reservoir "JD Reservoir" and he asked for a timeline.

Deputy Director Haskins said we missed the boat this year and one solution to the illegally put pike is to draft regulations making transfer of wildlife a felony. Mr. Haskins said the mercury issue complicates the timeline, and we need to go carefully and involve the public in the process.

Commissioner Lurie said in regard to the economic issues that many Las Vegans go to White Pine County to recreate and that if we got the law that would be important because of fiscal responsibility because right now you have a small group ruining it for thousands of anglers we have a problem for law enforcement.

Deputy Director Haskins said Comins Lake is a substantial body of water because we control that, and had a reputation west wide for its fisheries and due to actions of a few people we lost that.

Meeting adjourned at 6 p.m.

Saturday, March 28, 2009 – 8:30 a.m.

Chairman Lent called the meeting to order at 8:41 a.m.

Recording Secretary Suzanne Scourby conducted a roll call of Commissioners present: Chairman Lent, Vice Chairman Ron Lurie, Commissioners Cavin, McBeath, McNinch, Mori, Raine, Swanson, and Wallace.

Roll Call of CABMW Members:

Brandon Fordin, Elko; Rick Smith, Washoe; Daryl Harwell, Washoe; Glenn Bunch, Mineral; Gil Yanuck, Carson; Phil Gray, Lander; Bill Miller, White Pine; Jim Matheus, Lander; Chad Bliss, Eureka; Eric Scheetz, Douglas; Bob Cook, Douglas; Mike Turnipseed, Douglas; Tom Cassinelli, Humboldt; Rex Flowers, Washoe; Walt Mandeville, Lyon; and Dearn Sneed, Clark CABMW.

Member Items/Announcements –

Commissioner Cavin said the Heritage Committee will meet Thursday, May 14, at 1 p.m. before the regular Commission meeting and that is a meeting that will be at least four hours.

Commissioner Raine said one piece of advice yesterday from DAG at committee meetings, that if we do have changes in regulation, that before sending to LCB send a bunch through at once instead of several small changes, as it is expensive for LCB's work.

Commissioner McBeath said he wanted people to be aware that he saw an article in a newspaper one month ago directed at agriculture interests but implications to wildlife, and the article indicated that 115 environmental organizations had petitioned the Department of Interior with respect to Wildlife Service's activities in the area of predator control, targeted toward the aerial aspects of Wildlife Service's work. He said this was within 30 days of the Obama administration taking office, these groups are making it known what their agendas are, and we need to keep that on our radar screen as that is a part of our predator management program. He said we need to be aware of how sensitive these issues are.

Chairman Lent said took the the letter to WAFWA and was transmitted to all states to warn them that this letter was being sent out.

Director Mayer said this has been an ongoing thing for years and it remains to be seen what the new administration does, and when they look at what Wildlife Service's does, that the problems created if they walk away, will outweigh it.

CABMW Items –

Daryl Harwell, Washoe CABMW, said he would like to bring up that he purchased his license this year, got state stamp privilege and did not receive state stamp and would like it brought up at next or future meeting that he could get a stamp after the season ends.

Director Mayer said he will talk to staff and come back with an answer at the next meeting, whether obtaining the actual stamp after the season ends is doable.

Cory Dalton, said he was at a Commission meeting last summer to discuss falconer seasons and wants it on another agenda for falconry to have the same hunting privileges for birds as other hunters.

Director Mayer said he will have staff work with him and research this matter and bring something back.

Jim Davis, Clear Creek Bowmen, said his organization has concerns about archery deer season and Heritage tags because archery season is being encroached upon by the rifle season. Mr. Davis said there are more and more rifle seasons in the archery season and NDOW needs to define the seasons better and one other issue is that they moved the archery season 10 days earlier which takes the archery hunt out of the rut and warden told him that they were trying to eliminate bull rut hunts, and we now have four rifle hunts during the rut this year and last year there was two, and is wondering why and they cross-over into the archery hunt. Mr. Davis asked for an explanation from the Commission.

Chairman Lent said he does not have that material with him and Big Game Biologist Mike Cox is not here today.

Mr. Davis said it is wrong to have rifle hunters in the archery season and is a dangerous situation and creates hostility between user groups.

Commissioner McBeath told Mr. Davis that Mr. Church of Nevada Bowhunter's Association was present at the February season setting meeting and having himself sat through the CABMW meetings and Commission, told him that there are two meetings that your group needs to show up at, and that is the season setting meeting and quota meeting. He said different groups want different things and everybody's interest is dealt with and if you had been here as we went back and forth on the rut hunts. He implored him to show up next year or a representative as the Commission listens to everyone's position and the Department's and your group needs to get involved in the process. He said their concerns are very legitimate but the brochure is already being printed.

Mr. Davis said he understands that is for next year and has talked to warden and game boards and take into consideration for next year. He said he will be at the next meeting.

Bob Cook, Douglas CABMW, said he wanted to let the Commission know about quagga mussels at Lake Tahoe and Asian clam that has been talked about and have been seen at the Lake for 10 years and is amazing that they are just now bringing it out to fishermen. He said the process they are going to use is to vacuum it out of the lake, and his feeling is that quagga mussel will be there before we know it in Lake Tahoe and would like more involvement by NDOW. TRPA not doing enough to keep quaggas out, and at two public boat launches they are stopping people but that is not enough and need someone to inspect the boats, and if you can't have inspectors than close the boat launch. There are private launches and everyone is aware of the quagga, but that will not stop someone from slipping in and would appreciate any help you can give.

Director Mayer said NDOW active in quagga/zebra mussel issue, at WAFWA meeting in January they had a special mussel meeting to discuss this and put together an outline for strategic approach for the west. He said there is an educational side and inspection side on all western waters, and basically a multi-disciplinary team has been formed and

receives three to four emails per day on quaggas to insure we are all on same page and are putting system together to track boats. Director Mayer said NDOW shares Mr. Cook's concerns and this program will get bigger at next phase, and are working with TRPA.

Tom Cassinelli, Humboldt CABMW, said he would like to comment on the archery season, and it is always one hunter against the other, and not really a rifle season it is any legal weapon season. It benefits archers because they are the any legal weapon season.

Gil Yanuck, representing Friends of Nevada's Wildlife, said his group's breakfast at the State Legislature, is April 9 from 7 a.m. to 10 p.m. NDOW will make a presentation. He said, hopefully the Commission will attend and it is in Room 3100.

Glenn Bunch, representing Walker Lake Working Group, said April 25 is the Walker Lake Education Day and they are running a statewide campaign to advertise Walker Lake at the State Beach instead of Sportsmen's. He said boat rides will be available to show the plight that Walker Lake is in and good chance we may lose Walker Lake this year as a viable fishery if we don't get an inflow of water.

12 Future Commission Meeting – Director Mayer

Director Mayer said to the Commission that they let Department staff know about subcommittee meetings as soon as possible for planning and staffing.

Commissioner Lurie said he would like to set up a Finance committee meeting on Thursday at 4 p.m.

Daryl Harwell, Washoe CABMW, said while talking about the May meeting he would like to know the date of the Legislative committee meeting.

Chairman Lent said he has to talk to DAG and staff and may just have a committee meeting rather than a full Commission meeting because he needs to get the bills out to everyone.

Glenn Bunch, Mineral CABMW, said he questioned the May Commission meeting date when the calendar for 2009 was being set, and as it is Armed Forces Day in Mineral County, he and his board will not be at the May Commission meeting, but will send in recommendations for Mineral County and will hope for the best.

Commissioner McNinch said due to yesterday's input and discussion, and the importance of the legislation sitting out on the table, he is compelled to make a motion that we conduct a special meeting as our statutory rights:

COMMISSIONER MCNINCH MOVED THAT WE CONVENE A SPECIAL MEETING OF THE WILDLIFE COMMISSION MONDAY, APRIL 6, 2009, IN THE MORNING AND ALSO MOVED THAT SECRETARY MAYER PROVIDE THE APPROPRIATE BACKGROUND SO CABMWS CAN CONSIDER AND COMMISSION CAN CONSIDER IN INTEREST OF PEOPLE WE REPRESENT: ASSEMBLY BILLS 73, 77, 171, 183, 194, 241, 246, 362, 437, 516, SENATE BILLS: 42, 108, 146, 280. COMMISSIONER SWANSON SECONDED THE MOTION.

Chairman Lent said the discussion yesterday was that we would do all wildlife related legislation.

Director Mayer said if telephonic meeting, access can be provided for the public in the regions, and for the record we can accommodate the motion and the meeting should not be a problem, just let him know the time.

COMMISSIONER RAINE SAID TO INCLUDE IN THE MOTION THE MINIMUM OF THESE BILLS LISTED PLUS ANY OTHER WILDLIFE BILLS THAT COME UP BEFORE THE MEETING DATE.

Commissioner McNinch said he would accept that and his intent with the motion was to not have things off the list and minimum is great.

MOTION MAKER AND SECOND ACCEPTED THE AMENDMENT.

Chairman Lent said in summary the motion is to have all the wildlife bills as made in the motion and any others that may surface before the April 6, 2009, telephonic meeting and prefers morning. He said he would like fiscal notes and impacts before we look at bills.

Director Mayer said support material can include a copy of bill and fiscal note if made, and NDOW's concerns with legislation, and confirmed that the time of the meeting is at 9 a.m.

VOTE ON MOTION – MOTION CARRIED UNANIMOUSLY.

Rick Smith, Washoe CABMW, asked if he understood motion correctly, that may be a technicality that no public comment taken before vote, and he asked if intent is for public comment. He wanted to make sure that CABMW input is heard and public opinion is heard on CABMW's position on the bills.

Commissioner McNinch clarified that input will be heard and recommendations will be taken from public and the Department. Commissioner McNinch said that is important part of this, is that is that the Commission take public comment but who knows what we will get and cautions about being aggressive and keep in mind that it is based on deliberation and comment and some of this may result in 50/50 support. The intent of

the Special Meeting is to do the right thing and deliberate based on what we are hearing from CABMWs and the Department.

Director Mayer said support material will be provided to the Commission and the CABMWs.

Commissioner McNinch said this meeting puts the CABMWs in a tough spot as they have to meet before that date as well.

Rick Smith, Washoe CABMW, said he will gladly take that challenge on.

Chairman Lent said when he was on Washoe CABMWs they had a mandate that they had to have approval of their County Commission and suggested that they check if they are allowed to act on legislation without their Commission's approval before their meeting.

Rick Smith, Washoe CABMW, said he will check and personally thanked Commissioner McNinch for taking action on this as these are too important of issues to let slide under the radar.

Gil Yanuck said as a citizen if you feel strongly you can go to hearing and bring comment and say what you say, and as a member of Advisory Board if you need to hold special meeting it has to done in accordance with Open Meeting Law, and if not time for board of supervisors meeting, if you go forward make sure they understand they are private citizen or Advisory Board only not the county commission.

Commissioner Raine asked DAG Stockton if the CABMWs as advisory boards, do they have authority to go to Legislature on their own, or not.

DAG Stockton said he will research it.

Commissioner Cavin said he would like to echo Commissioner McNinch and Vice Chairman Lurie's comments from yesterday and whatever way the vote goes we need to bury it and move on as it has become divisive.

13 Regulations – Big Game Biologist Kevin Lansford – Action

Commissioner Raine said after yesterday's meeting he does not see support for regulation as written when it came up in February this was an alternative discussed and there was universal support, but since that meeting maybe we should revisit other options such as depredation hunts in special areas.

Public Comment –

Brandon Fordin, Elko CABMW, said he will restate that his board was against three mountain lion tags and agreed with Commissioner Raine on his suggestion.

George Corner, Nevada Outfitters and Guides Association, said perception of language in CGR states “will” and with the existing two tags, only one hunter took advantage of that. Mr. Corner said no CABMW voted for to support the regulation.

Chairman Lent corrected Mr. Corner that Washoe CABMW voted for it.

Bill Miller, White Pine CABMW, said again, the two tags was for opportunity and the White Pine CABMW recommended leaving it at two tags.

Chad Bliss, Eureka CABMW, said they are opposed and support taking care of certain units or problems and have to remember the Commission is under the radar.

Chairman Lent said three tags was picked as easiest route and least expensive way to go.

Daryl Harwell, Washoe CABMW, said when it comes down to the mountain lions and waterfowl, turned swan into a permit and states if trumpeter swan shot they close all swan hunts. With mountain lions as a big game species with permit and does not know how to setup area with no limit of mountain lions and would allow hunters to go to different areas.

Mr. Lansford said historically that was how it used to be.

Commissioner McNinch said we have gone full circle and used to be regional quotas where you called for availability for unit and then areas would be closed, and lot of comment to take it back where it was. He voted against it then, and New Mexico actually went in and put restrictions on number of female lions taken.

COMMISSIONER SWANSON MOVED TO DENY THREE TAGS. COMMISSIONER LURIE SECONDED THE MOTION.

Commissioner Raine said he would like the regulation sent back to committee as discussed previously.

Commissioner Swanson said he is confident that will happen and does not think the amendment is necessary and let the chair relook at this option.

MOTION CARRIED UNANIMOUSLY.

Regular meeting adjourned to commence CABMW Workshop

County Advisory Board to Manage Wildlife Workshop – Informational*

The Boards and Commission will meet in a facilitated session for brief presentations and discussions.

*Note – The Commission will not take formal action on any workshop items. However, the purpose of the workshop is that a common understanding of Board and Commission processes is achieved. The public is encouraged to attend and observe.

- **Welcome and Opening Comments – Chairman Lent and Secretary Mayer**
- **Mule Deer Management Plan and Herd Prescriptions – Big Game Biologist Tony Wasley**
- **Mountain Lion Ecology and Results from a Long-Term Study – Dr. Becky Pierce Department of California Fish and Game**
- **History of Mountain Lion Management in Nevada – Big Game Biologist Kevin Lansford**
- **County Advisory Board to Manage Wildlife Members' Roles and Responsibilities Overview – Chairman Gerald A. Lent and NDOW Staff**
- **State Budget 101 Training – Administrative Services Officer III Dave Prather**
- **Nevada Revised Statutes/Nevada Administrative Code and Commission Regulation/Commission General Regulation and "What is the Difference?" – Chief Game Warden Rob Buonamici**

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.

(04/30/09)

