

**DRAFT MINUTES - videotape of the meeting is available for viewing at ndow.org.**

Nevada Board of Wildlife Commissioners' Meeting  
Clark County Government Commission Chambers  
500 S. Grand Central Parkway  
Las Vegas, NV 89155  
Final Agenda

Friday, February 4, 2011 – 10:30 a.m.

- 1 Call to Order, Pledge of Allegiance, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Raine
- 2 Presentation of the Wayne E. Kirch Wildlife Conservation Award – Chairman Raine
- 3 Approval of Agenda – Action  
The Commission will review the agenda and may remove items from consideration or adjust in the order in which they appear on the agenda.
- 4 Member Items/Announcements
- 5 County Advisory Boards to Manage Wildlife (CABMW) Member Items CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda.
- 6 Public Comment Period -

Note: Public comment will also be limited to three minutes per speaker on each individual agenda item.
--

- 7 Approval of Minutes – Action  
Commission minutes from the Dec. 3 and 4, 2010, meeting.
- 8 Big Game Division Computer Model and Recommendation Process Report – Big Game Division Chief Larry Gilbertson and Big Game Biologist Mike Cox – Informational
  - A Big Game Division Computer Model and Recommendation Process – Chairman Raine - Action  
The Commission may discuss and request information concerning the Department's computer model and recommendation process.
- 9 Wildlife Damage Management Fiscal Year 2011 Plan Report – Chief of Game Larry Gilbertson – Informational
  - A Wildlife Damage Management Committee Report – Commissioner Vogler – Informational  
The Commission will hear a report from the Wildlife Damage Management Committee.
  - B Wildlife Damage Management Fiscal Year 2011 Plan – Commissioner Vogler - Action  
The Commission will discuss and provide guidance to the Department concerning development and information provided in the 2011 and future Wildlife Damage Management plans.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

- 10 Reports – Informational
- A Wolf Regulation Status Update – Chief of Game Larry Gilbertson
- B Wildlife Heritage Trust Fund Principal and Interest Fiscal Year 2012 – Deputy Director Patrick Cates
- C 2011 Legislative Session Update – Management Analyst III Kim Jolly
- 11 Clark County Road Access – Commissioner Shrum, Chief of Habitat Elmer Bull and Bureau of Land Management Representative (BLM) - Action  
The Commission will hear a report on the Bureau of Land Management’s designated routes, restricted grazing and desert tortoise management in Clark County and may draft letters, resolutions and or policy, concerning any or all of these items.

---

2 p.m. Agenda Item #12

- 12 Commission Regulation 11- 07, Black Bear Hunt – Chief of Game Larry Gilbertson and Big Game Biologist Carl Lackey – Action  
The Commission will consider adoption of recommendations to the 2011 - 2012 black bear hunt seasons, dates and quotas, including limits, hunting hours, special hunt eligibility, animal gender, and physical characteristics, and legal weapon requirements and manner of hunting.

- 
- 13 Administrative Procedures, Regulations and Policy (APRC) Committee Report and Recommendations – Commissioner Lent – Action  
The Commission will be asked to take action on the APCR Committee’s recommendations for changes to Heritage regulations.

- 14 Report from Feral Horse Committee, Horse Monument and Letters and/or Resolutions – Committee Chairman Mike Stremmer - Action

- A The Commission may consider approving a draft letter to the State Water Engineer in reference to the issue of giving water rights meant for wildlife to wild horses – Mike Stremmer, chair – Action

- B The Commission will discuss the Pickens Horse Monument in Eastern Nevada, may provide guidance to the Department on the matter and may approve, modify, create, or deny a resolution and/or letter – Chairman Raine – Action

- 15 Correspondence – Chairman Raine – Informational  
The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record). Correspondence sent or received by Acting Secretary Mayer will also be discussed.

Saturday, February 5, 2011 – 8:30 a.m.

- 16 Call to Order, Pledge of Allegiance, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Raine
- 17 Member Items/Announcements

18 Public Comment Period

Note: Public comment will also be limited to three minutes per speaker on each individual agenda item.

- 19 CABMW Budget Adjustments Fiscal Year 2011 – Deputy Director Patrick Cates - Action  
The Commission will review CABMW budget status reports and may make adjustments to CABMW budgets for Fiscal Year 2011.
- 20 Management Bull Elk Hunt and Seasons – Action – Chairman Raine  
The Department will provide a report and recommendations to the Commission on “management bull elk seasons” as described in a report from Cory Lytle of the Lincoln CABMW, and the Commission will discuss options for possible development of regulation changes for “management bull” elk seasons: Options to set all cow elk seasons after the bull seasons; convert all muzzleloader bull seasons into “management bull seasons”; convert all archery bull seasons to “management bull seasons”; create new any legal weapon “management bull seasons”; and no management bull seasons.
- 21 Nevada Waterfowl Hunt Zone and Swan Hunt Area Changes – Game Division Staff Biologist Russell Woolstenhulme – Action  
The Commission will hear options for the addition of a new waterfowl hunt zone for Nevada and an expanded hunt area for tundra swan. The Commission may accept these changes and initiate action by the Department to pursue these changes with the Pacific Flyway Council.
- Commission Regulations – Action
- 22 Commission Regulation 11 – 03, Big Game Seasons 2011- 2012 – Big Game Biologists Mike Cox and Tony Wasley – Action  
The Commission will consider adoption of the 2011 and 2012 hunting seasons and dates for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat, including limits, hunting hours, special hunt eligibility, animal gender, physical characteristics and legal weapon requirements, hunt boundary restrictions, and legal weapon requirements, emergency depredation hunt structure and statewide quotas, the 2011 – 2012 nonresident restricted deer tag quotas and seasons, and dates and times for indoctrination courses. Note: Support material will be sent under separate cover.
- 23 Commission Regulation 11 – 04, Big Game Season Application Eligibility, Deadline and Remaining Tag Regulations 2011 - 2012 – Program Officer III Maureen Hullinger – Action  
The Commission will consider adoption of the 2011 - 2012 big game tag draw application eligibility, deadline and return card questionnaire information including Restricted Nonresident Guided Deer Hunt draw application deadline and return card questionnaire information.
- 24 Commission Regulation 11 – 05, Silver State Tag and Partnership in Wildlife Season and Quotas 2011 – Big Game Biologist Mike Cox and Program Officer III Maureen Hullinger – Action  
The Commission will consider the adoption of the 2011 Silver State Tag and Partnership in Wildlife hunt species, seasons and quotas. Note: Support material sent separately.
- 25 Commission Regulation 11 – 06, Heritage Tags, Silver State Tag and Partnership in Wildlife Season and Quotas 2012 - Program Officer III Maureen Hullinger and Big Game Biologist Mike Cox – Action  
The Commission will consider the adoption of the 2012 Heritage Tag, Silver State Tag and Partnership in Wildlife hunt species, seasons and quotas.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

- 26 Commission Regulation 11- 08, Mountain Lion Seasons 2011- 2012 and 2012 - 2013 – Staff Biologist Russell Woolstenhulme – Action  
The Commission will consider adoption of recommendations to the 2011-2012 and 2012 – 2013 mountain lion seasons, dates, and harvest limits, including limits, hunting hours, animal gender, physical characteristics, hunt boundary restrictions, legal weapon requirements, method of take and manner of hunting.
- 
- 27 Findings of Mule Deer Restoration Committee - Chairman Raine - Action  
The Commission will have a second discussion of the report from the Mule Deer Restoration Committee. The Commission will be asked to accept the findings of the Mule Deer Restoration Committee and adopt some or all of them as findings and recommendations of the Nevada Board of Wildlife Commissioners.
- 
- Commission Regulations – Action
- 28 Commission Regulation 09 – 09, Amendment #1 – Fisheries Biologist Jon Sjoberg – Action  
The Commission will consider closure of a water(s) within the Clark County Wetlands in Las Vegas Wash, Clark County and a name change for the Fuji Park Pond in Carson City to the Baily Fishing Pond.
- 
- 29 Reports - Informational
- A Western Association of Fish and Wildlife Agencies (WAFWA) 2011Mid-Winter Conference Report – Commissioner Capurro
  - B Elk Damage and Incentive Committee Report – Commissioner Vogler
  - C Gifts, Grants, Donations, and Bequests – Deputy Director Cates
  - D Litigation Report – Deputy Attorney General David Newton
  - E Department Activities/Leadership Team Notes – Acting Secretary Ken Mayer
- 30 Additional Application Hunt System Report Format – Chief of Operations Bob Haughian - Action  
The Commission may endorse or deny a request made previously at the December 2010 Commission meeting from Commissioner Cavin to introduce an additional report format to publicly display a list of successful tag applicants by hunt unit on the huntnevada.com website.
- 31 Nevada Department of Wildlife Director Selection/Recruitment Process – Chairman Raine – Informational  
In accordance with NRS 501.333 the Commission will review and discuss the selection process for recommending a new Director for the Nevada Department of Wildlife.
- 32 Future Commission Meeting – Acting Director Ken Mayer – Action  
The next Commission meeting is scheduled for March 11 and 12, 2011, in Reno; and the Commission will review potential agenda items for the meeting and the biennial County Advisory Board to Manage Wildlife Workshop. The Chairman may designate and adjust committee assignments as necessary. The Acting Secretary of the Commission will report on the status of the requested joint meeting with the Utah Commission in 2011.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Nevada Board of Wildlife Commissioners present for two day meeting:

Chairman Scott Raine	Vice Chairman Gerald Lent	Commissioner Daryl E. Capurro
Commissioner Tom Cavin	Commissioner Howell	Commissioner Michael McBeath
Commissioner Hal Shrum	Commissioner Hank Vogler	Commissioner Grant Wallace

Secretary/Director Kenneth E. Mayer  
Suzanne Scourby, Recording Secretary

Robert Whitney, Deputy Attorney General  
David Newton, Deputy Attorney General

Nevada Department of Wildlife personnel present:

Deputy Director Rich Haskins	Deputy Director Patrick Cates
Chief of Game Larry Gilbertson	Chief Game Warden Rob Buonamici
Program Officer III Maureen Hullinger	Big Game Biologist Carl Lackey
Supervising Fishers Biologist Jon Sjoberg	Administrative Assistant IV Kathleen Teligades
Administrative Assistant III Jamie Wise	Big Game Biologist Mike Cox
Supervising Big Game Biologist Ken Gray	Big Game Biologist Tony Wasley
Big Game Biologist Russell Woolstenhulme	Management Analyst III Kim Jolly
Acting Chief of Conservation Chief John McKay	Biologist Cris Tomlinson
Big Game Biologist Patrick Cummings	Big Game Biologist Mike Scott

Others in Attendance/Two Day Meeting:

Paul R. Dixon, Clark CABMW	Keith Rogers, LV Review-Journal
Gil Yanuck, Carson CABMW	Eric Scheetz, Douglas CABMW
Glenn Bunch, Mineral CABMW	Ken Wellington, Elko CABMW
Paul Harris, Clark CABMW	Ray Sawyer, White Pine CABMW
Clint Bentley, self	Cindy Alexander, self
Cory Lytle, Lincoln CABMW	Lee Graves, Lyon CABMW
Joe Crim, Pershing CABMW	Mary Jo Rugwell, Bureau of Land Management (BLM)
Carolyn Running, BLM	Gayle Marrs-Smith, BLM
Mary JoErika Schumacher, BLM	Bol Ross, BLM
Shanna Dooman, BLM	Jessie Stegmer, BLM
Judi Carson, Coalition for Nevada's Wildlife	Brett Jefferson, Nevada Bighorns Unlimited (NBU)
Chris Steven, Southern Nevada Water Authority	Jenny Ramirez, U.S. Forest Service
Walt Gardner, self	Cliven Bundy, rancher/speaker
Carol Bundy, rancher	Dane Bradfield, Lincoln CABMW
Jennifer McCarty, self	Catherine Matz, self
John Hiatt, Red Rock Audubon Society	Amy Ogden, People Ethical Treatment of Animals PETA
Randy Ogden, PETA	Karen Layne, Las Vegas Valley Humane Society
Gina Greisen, NV Voters for Animals	Heather Spaniol, self
Billy Howard, NoBearHuntNV.org	Linda Faso, Humane Society of the U.S.
Debora Toro, self	Pamela Coburn, LV Valley Humane Society
Nancy Salazar, NV Political Action for Animals	Mac Kasraian, self
Stacia Newman, NV Political Action for Animals	Tracy Hammond, self
Megan Sewell, Humane Society of the U.S.	Kirsten Comm (illegible), BLM
Hillierie Patton, BLM	Chris Schwamberger, NoBearHuntNV.org
Martin Scholl, self	Steve Hemp, Humboldt CABMW
Monty Martin, Systems Consultants	Don Sefton, Systems Consultants
Carmen Rhoda, none	Jelindo Tiberti, self
Cindy MacDonald, resident	Kensen Lee, self
Kevin Strozzi, Nye CABMW	Jason Cork, self
Micki Jefferson, self	Kathryn Bricker, NoBearHuntNV.org
Heather Lunsford, NoBearHuntNV.org	Robin Picardo, self and animals

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Friday, Feb. 4, 2011 -10:30 a.m.

Call to Order – Chairman Raine called the meeting to order at 10:39 a.m.

Roll Call of Commissioners present: Chairman Raine, Vice Chairman Lent, Commissioners Capurro, Cavin, Howell, McBeath, Shrum, Vogler and Wallace.

Roll Call CABMW Members: Paul Dixon, Clark; Ken Wellington, Elko; Gil Yanuck, Carson; Joe Crim, Pershing; Leland Graves, Lyon; Dane Bradfield, Lincoln; Cory Lytle, Lincoln; Eric Scheetz, Douglas; Ray Sawyer, White Pine; and Glenn Bunch, Mineral.

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

Commissioner McBeath asked for a point of order, as a letter was received from Marlene Kirch to the Department of Wildlife asking that neither her name nor her father's name be associated with any Commission award. Ms. Kirch wrote the letter to the Commission on Dec. 2 requesting the process not move forward due to her concerns that there is bias present in judging process in Policy #51 where the Wildlife Commissioners dominate the award process. He said a letter was received by Marlene Kirch from Commissioner Lent on Dec. 6 and that letter from an individual Commissioner was not authorized, as the Commission is a body, and that letter should have come back to a Commission meeting for action as an agenda item, and everyone was shocked that the award has come out anyway. Commissioner McBeath said his point is a person's name is everything to them, it is your reputation and credibility, and that is your name, and if she does not want to be associated with the award it cannot go forward. The Commission will need to amend Policy #51 and establish its own new Commission award and since it is not on the agenda that can't happen today His position is that the award cannot be issued as no Kirch award anymore as Marlene Kirch has withdrawn her family name and it cannot go forward.

Chairman Raine said the point of order is denied as the Commission has received legal counsel on this matter and been advised that no private citizen can control a public award if that happens than the award does need to go away. Chairman Raine said this award is being presented to Cecil Fredi of Hunter's Alert and he read his remarks (microphones not on for remainder of presentation).

Commissioner Howell said he is the chairman of the Wayne E. Kirch Wildlife Conservation Award Committee and that Cecil Fredi is responsible for Hunter' Alert which sponsored legislation to increase the Commission, newsletters, changing the Department back from a Division to a Department, and legislation.

Cecil Fredi said thank you to the Commission and provided a quote "If you want to make enemies try to change something."

3 Approval of Agenda - Action

Chairman Raine said to move Clark County road access #11 between #7 and #8.

Commissioner Howell said to move #13 up also if time allows before agenda item #12.

**COMMISSIONER MCBEATH MOVED TO STRIKE ANY CONSIDERATION BY THE COMMISSION OF AGENDA ITEM #13 THAT DEALS WITH REGULATION OF HERITAGE FUND AS GOVERNOR INDICATED CLEARLY NOT TO TAKE ACTION ON THAT ITEM SO THE CORRECT PROCEDURE IS TO MOVE THAT IT BE STRICKEN. IF YOU VOTE YES, THAT IS A VOTE TO STRIKE IT FROM THE AGENDA, IF NO, YOU ARE VOTING TO KEEP AGENDA ITEM #13 ON THE AGENDA. COMMISSIONER WALLACE SECONDED THE MOTION.**

Chairman Raine said perhaps we could do the changes one at a time instead of all at once and will deal with motion to strike item #13 from the agenda.

Commissioner Capurro said he will not vote in favor of the motion, as he believes it is inherent that we discuss this item as number of items that need to be discussed, and will be voting no.

Commissioner Lent said as chairman of the committee he thinks we should discuss the item and has motions to make on what the Commission should do, but thinks it is a discussable item, and would like to put the governor's letter into the record officially. He said he will be voting against the motion.

Chairman Raine said he made sure this item stayed on the agenda for the main reason as part of open and transparent government and if we vote an item down or take an action we should tell the CABMWs and people as to why and he will not backdoor anything as actions should be done in this forum.

**COMMISSIONERS IN FAVOR OF MOTION: MCBEATH AND WALLACE. COMMISSIONERS OPPOSED: COMMISSIONER LENT, CAPURRO, CAVIN, HOWELL, SHRUM, AND VOGLER. CHAIRMAN RAINE DID NOT VOTE. MOTION FAILED 2 – 6.**

Commissioner McBeath said he is concerned with agenda item #15 Correspondence which has been moved to end as anything that is an agenda item that precedes it may cause an issue as we are supposed to consider all written correspondence on agenda items and would be prudent to get those items dealt with or be dealt with on specific agenda item.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Chairman Raine said his understanding of correspondence is that it covers items not on the agenda and he likes to bring up his correspondence when on the agenda item. It is up to the Commission how we do it and have general understanding to bring it up during the item.

Commissioner McBeath said unless we have an understanding of the correspondence as the Commission receives written correspondence as the Department does not always receive the same.

**COMMISSIONER MCBEATH MOVED TO MOVE #15 IN FRONT OF #7. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: MCBEATH, WALLACE, CAVIN, LENT. COMMISSIONERS OPPOSED: RAINE, CAPURRO, HOWELL, SHRUM, AND VOGLER. MOTION FAILED 4 - 5.**

Commissioner McBeath said he is wondering if we need to strike #14 B as letter has already gone out and if kept on agenda will there be limited discussion of the letter and what happened to the letter.

**COMMISSIONER CAPURRO MOVED TO REMOVE ITEM #14 B. COMMISSIONER VOGLER SECONDED THE MOTION.**

Commissioner Capurro said voted on at December meeting, letter drafted, and sent and is a non-issue.

Chairman Raine agreed that it is non-issue and history at this point.

Commissioner Lent said no action is an action, and if we take no action, that certainly is appropriate.

Commissioner McBeath said your assumption is incorrect as the letter was not written by the Department.

Chairman Raine said no problem with striking it.

**COMMISSIONERS IN FAVOR OF MOTION: CAPURRO, SHRUM, HOWELL, VOGLER. COMMISSIONERS OPPOSED: MCBEATH, CAVIN, WALLACE, LENT. CHAIRMAN RAINE BROKE THE TIE AND VOTED IN FAVOR OF THE MOTION TO STRIKE THE ITEM. MOTION PASSED 5 – 4.**

Chairman Raine asked if the Commission wants to deal with #11 and #13.

**COMMISSIONER HOWELL MOVED TO MOVE #13 BEFORE #12 IF WE HAVE TIME AS WE HAVE TIME CONSTRAINT WITH AGENDA ITEM #12. COMMISSIONER SHRUM SECONDED THE MOTION.**

DAG Whitney said with a time specific item ahead of it, that is questionable, and his advice is not to move anything.

Commissioners Howell and Shrum withdrew the motion.

**COMMISSIONER SHRUM MOVED THAT AGENDA ITEM #11 BE MOVED BACK BETWEEN #7 AND #8. COMMISSIONER HOWELL SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, SHRUM, MCBEATH, SHRUM, VOGLER AND WALLACE. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER LENT MOVED TO APPROVE THE AGENDA AS AMENDED. MOTION SECONDED. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, SHRUM, MCBEATH, SHRUM, VOGLER AND WALLACE. MOTION PASSED 8 – 0. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

4 Member Items/Announcements

Chairman Raine said he himself has an item for a future meeting as he had requests involving the Wayne E. Kirch award which led him to request the committee meet and address the concerns mentioned earlier.

Commissioner Lent said the Friends of Nevada Wildlife Legislative Breakfast will be held Feb. 17 from 7 a.m. to 9:30 a.m. in Carson City and he mentions the event in interest of southern Commissioners attending as legislators have encouraged the Commission to attend. He also announced that lawsuit against Commission was dismissed with prejudice which was filed by Chairman of Clark CABMW at a great cost to sportsmen and did not know if all the Commission knew that. Also, he had a question on the NDOW deer study in the Rubies and he would like to ask questions if appropriate, such as what kind of study is going on and who is paying for it.

Chairman Raine asked Acting Secretary Mayer to provide that information to Vice Chairman Lent.

Acting Secretary Mayer said that could be on the next Commission agenda.

Commissioner Vogler asked that there be a cutoff date for Commission support material, such as two days before the meeting, as Commissioners are barraged toward the time of the meeting and is difficult to retrieve all of that information when you are already driving to the meeting.

Chairman Raine said he would refer Commissioner Vogler's question to the deputy attorney generals (DAGs) as that is a legal question.

Commissioner McBeath said in regard to agenda item #14 B that was stricken, that is basically a letter Chairman Raine wrote to Interior Secretary Ken Salazar, and he has serious concerns in regard to that letter as at the December Commission meeting a series of motions were made, the original motion was that the Commission approve the letter drafted by the Feral Horse Committee and that motion failed 2 – 5, and on the recommendation of Commissioner Howell a second motion was made that indicated that staff would draft a letter to Secretary of the Interior Ken Salazar with regard to the Pickens Horse Monument Sanctuary. He did a public information request and received an email string that led to issuance of actual letter and is clear that NDOW drafted letter which was rejected, and basically Chairman Raine inserted verbatim the items that the Commission indicated to not have go forth and he sent it off unilaterally on his own to Mr. Salazar. That is an action outside of this Commission acting as a body, and we have Commissioners doing things on their own outside in the guise of the State of Nevada through this Commission, he will be going to the governor and will request appropriate action be taken, this is an outrageous action where you have a single Commissioner taking it upon himself to write a letter when not authorized by the Commission and he has a serious problem with that and will pursue this issue vigorously.

Commissioner Lent said his comment is that any letter written going out to anybody is not giving carte blanche to the Department and he wrote letters while chairman where he changed and clarified items in the letter. The chairman has the right to make changes before it goes out and would be a big mistake to let the Department send letter out without Chair's approval and you have a right to do that.

Chairman Raine said he did receive legal counsel on the issue and no legal issues and he did check with motion makers pursuant to discussion beforehand and other motion involved that day and controversial issues were taken out and inserted what was appropriate to follow the intent of the motion.

Commissioner Capurro said as matter of information that the motion at the Dec. meeting was approved 7 – 0.

Commissioner Howell said driving here today he noticed there are people outside protesting the bear hunt and that is a moot point as we have already voted on the bear hunt and all we are doing today is setting the season and quota.

Commissioner Capurro said under agenda item #4 we will be hearing from Management Analyst III Kim Jolly later and there is already one bill scheduled for hearing next Wednesday, Senate Bill 56, Department of Information and Technology (DOiT), which is a bill that requires agency exemptions from using DOiT and puts all agencies under

control of Dolt and would urge everyone to take a look at that bill and since we don't have three days to agendaize we can't take a vote on it now and if only for the tag draw system we need to take a look at opposing that bill and testifying against it.

5 CABMW Member Items –

Ken Wellington, Elko CABMW, and is also a member of Natural Resources Commission in Elko County, said they have an issue with BLM travel plans on the border with Idaho, and there is a website for the 71 Association which is a livestock organization from Idaho promoting access for sportsmen. Secondly, has a letter from Pat Laughlin on predator project in Diamonds, and while Wildlife Services was out there, they noted over 600 horses in there, and asked BLM representative what they plan on doing and already have started Environmental Assessment (EA) to remove horses down to 161. Antelope Complex also has a horse removal project underway, BLM came forward with a restoration project and not sure if NDOW knows about that, and involves wildlife habitat and he has copy for Commission. BLM is also doing proposal for riparian issues up in Blue Bell and Goshute Wilderness where there are water structures damaged by horses which is in Madeline Pickens area and curious how they will fix it and keep horses out. The China Mountain wind project the draft Environmental Study is out. Madeline Pickens project has been reported as through and is not true as she can resubmit her prospectus. He heard the Ruby Mountain project come up, Elko CABMW working with NDOW biologist and are working on predator projects, and also directed by Natural Resource Commission to work on that and Mr. Gardner is to assist with that. For CABMWs here they had an idea for a special award for NDOW employees and one for the Commission, they are in the planning process and if other counties interested please contact him.

Commissioner Lent asked that the Commission receive a copy of the material that Mr. Wellington provided.

Paul Dixon, Clark CABMW, said for clarification that Commissioner Lent mentioned the Heritage lawsuit that he filed as a private citizen, although he is on the Clark CABMW, and that has been misrepresented here on the County level by Commissioners Howell and Shrum, and he wants the record to reflect that the lawsuit filed had nothing to do with Clark CABMW.

Gil Yanuck, Carson CABMW, said they would like to show their appreciation to Carl Lackey and the amount of time he has spent at CABMW meetings and the science behind bear management and the amount of information he has collected and the great job he is doing.

Commissioner Capurro said that Washoe CABMW will not be present at this meeting and their minutes were provided and they are some of the best minutes out there. He

said it should be on the record that they were going to come and would have presented recommendations which can be read in their minutes which are out, also an Open Meeting Law complaint has been filed on the Washoe CABMW.

Commissioner Shrum said he went through the notes of Clark CABMW the chairman states that he requested backup information from himself and Chairman Raine concerning BLM issue and for the record he did not receive any correspondence, email requests, or calls, from the chair of the Clark CABMW. Commissioner Shrum said he even contacted Chairman Raine to check and he had not been contacted. He said Mr. Dixon is in error and if he can prove him wrong he will apologize as he is responsive to constituents and if wrong, again, he will apologize.

Paul Dixon, Clark CABMW, said it is the 21st century and he can prove that he sent the emails to Commissioner Shrum and Chairman Raine and he will bring the evidence in and is appalled that would be said in public.

Chairman Raine said he went back and looked and did not see anything.

6 Public Comment –

Gil Yanuck said he is speaking for himself and as president of Friends of Nevada Wildlife he would like to use his time to recognize sponsors of the legislative breakfast planned for Feb. 17: Nevada Bighorns Unlimited; Nevada Conservation League; Nevada Muley's; Carson Valley Chukar Club; The Nature Conservancy; Pershing County Chukars Unlimited; Allison, MacKenzie, Pavlakis, Wright and Fagan; Friends of Red Rock Canyon; Red Rock Audubon Society; Nevada Trappers Association; the Toiyabe Chapter of Sierra Club; Lahontan Audubon; and Carson Fly Fishing Club. He appreciates their effort and contributions to make the breakfast happen.

Clint Bentley, former Wildlife Commissioner, said since the Commission wants to be transparent there is a letter or two that need to be vetted in public and noted Commissioner McBeath read Ms. Kirch's letter into the record at the December meeting, he will read Commissioner Lent's letter into the record (Attachment A). He said a second letter from Ms. Kirch requesting the award not be presented as not following proper protocol was sent. He said if you want to issue the award as you did, he believes the Kirch name should have been removed from the award.

Billy Howard, of Reno, Nevada, read a letter into the record detailing the email opposition to the bear hunt (Attachment B).

Chris Schwamberger said she is from Carson City and she would like her comments entered into the record. This Commission does not understand the word "public." We object to the bear hunt regulation passed in December due to deficiencies in legal and

procedural processes in its adoption. Point 1, NoBearHuntNevada.Org filed an Open Meeting Law (OML) complaint yesterday with the Attorney General's Office alleging civil and criminal violations of OML for intentional exclusion of public comment at the December meeting. At that meeting Commissioner Raine characterized the email received as spam, an amount of emails slightly over 2,000 communications, and he said emails were evenly divided as pro and con, and no one else on the Commission questioned his characterization they accepted that characterization of public comment. The public record shows over 4,800 emails received, 98 percent of which were against the hunt, her organization believes this was characterization was intentional to deny public input to the December meeting. Secondly, OML requires discussion of public comment, and majority of emails against killing bears, the option of not having a hunt was never discussed, this lack of discussion of public comments was a violation of OML. Third, the general Public not represented at the December meeting. On this Commission there is only one person who represents the general public and our general public representative is Hal Shrum. Despite 98 percent of the emails being opposed to the hunt, Commissioner Shrum still voted in favor of the hunt. NoBearHuntNevada.org considers this violation of his oath, to well and faithfully perform all duties of his office and they are considering legal action. Since the general public was not represented at the December meeting, the vote approving the hunt should be invalidated. This December vote is a slap in the face to Nevada voters and taxpayers. Finally NoBearHuntNevada.org calls on the legislature to pass legislation to permanently protect bears and to reconfigure this Commission to properly represent the public.

Meagan Sewell said she represents the Humane Society of the United States (HSUS) representing 11 million constituents including more than 95,000 in Nevada. She said she would like her comments included in the record. She would like to comment on the Commission's adoption of a bear hunt in December, HSUS opposes the first trophy bear hunt in Nevada due to the indeterminate demographics of the bear population, no full population study has been released to the public despite repeated requests and apparently will not be released for years. Ms. Sewell said according to information available to the public Nevada's bear population has not changed much in decades and is remarkably small. In 2008 a study was presented to the Commission by the Department showing majority of residents opposed to a bear hunt in Nevada, a poll in the Carson City Appeal found more than 62 percent opposed to bear hunting, in a Tahoe-Tribune story 60 percent were opposed, N. Lake Tahoe Bonanza poll showed 57 percent opposed, Mason-Dixon research and poll showed 74 to 24 percent of Nevada voters believed state should prioritize non-lethal methods of solving conflicts between people bears. According to the Department the majority of conflicts with bears obtaining access to human food and has stated that a legal harvest will not be a solution to the nuisance bears, due to the fact that new bears will move in to replace those bears. Shooting bears at random will not reduce conflict with bears and Nevada residents deserve effect solutions to human/bear conflicts.

Kathryn Bricker, of Zephyr Cove, Nevada and member of NoBearHuntNevada.org, said she would like to comment on areas that could have been helpful to her as a citizen and thinks it could of moved things along and more harmoniously. She said one thing that has been mentioned several times is that the Commission makes decisions that are science based, and the Commission seems selective in that science as we are still having that discussion and are still quoting Chairman Raine that hunting will positively impact the urban bear problem. She said all the science shows it won't and Mr. Lackey's says it won't and his work states that as well. It would be helpful as a member of the public that if we could agree that hunting won't solve that and put that to rest to discuss other issues. Science clearly shows in all the western states that linear correlation between the amount that large predator is hunted and rise in human predator interface problems rather it be ranchers taking cougars from their land and bears getting our trash and is scientifically proven and never sees mention of that. Her concern is that science being used is quite selective and supports intention to hunt the bears, rather than breadth of science. She said she brought three studies and can bring 17 more. The other area has to do with enforcement and safety as she understands that it is not your job or obligated to consider public safety or use of land, however you have discretion of good judgment and there is a risk benefit ratio to any decision you make. In looking at California, poaching has become endemic in information from Fish and Game Committee, and statistics state violations have risen and illegal sale of wildlife body parts generates \$100 million in revenue and is second to illegal drug trade, from 2005 – 2007 illegal bear kills went from nine to 49 and they say the can't control it and is attributed to dangerous methamphetamine gangs, and is your decision to open our borders. She asked if they have thought of our protection.

Stacia Newman, said she is representing Nevada Political Action for Animals and Compassion Charity for America, and is on record that both are opposed to black bear hunt and should be on hold. She said the calls and emails that she is getting which have been in the hundreds have been to halt the bear hunt.

Gina Greisen, Nevada Voters for Animals, said that she is concerned the Commission would limit public comment at this point unless people speak directly on agenda items as that is the minimum of the law and maybe legal counsel can help with that. She said she is a native Nevadan and is very disturbed we are at this point and she attended the Clark CABMW and heard a interesting comment that a board member made at that meeting was that they were not used to hearing from women and can see that here. The public is overwhelming opposed to this but you already know that and she herself was told by Deputy Chief of Staff Ann Wilkinson of the governor's office that the governor's office has heard more on this item (the bear hunt) then the state's budget and they have heard the message loud and clear. They believe there have been procedural defects in the regulation process, Open Meeting Law violations filed, and believes that board should table this agenda item today and really take into consideration the feelings of public. She does not know how public representative

Commissioner Shrum could vote in favor with so many emails against this and believes there is a vote of no confidence for him and if he can't represent the public he should step down and means that with all due respect. And she is also concerned with striking agenda item #14 and removing that and is deeply concerned about the letter, appreciates Commissioner McBeath's comments, and believes more complaints to be filed.

Heather Lunsford said she would like her comments included in the record, her issue is the science used to determine viability of the black bear hunt. Nevada statutes require basing hunts on science and scientific data and data for Nevada, Carl Lackey has stated population is robust but differing numbers provided by Mr. Lackey at different meetings. She asked why has poaching not been addressed as it is well known that hunting facilitates poaching and has been stated 20 bears could be taken in that hunt but with poaching will exceed that. Finally, she is holding up email that Carl Lackey sent soliciting emails from CABMWs to support the hunt by emailing NDOW as soon as possible. Biologists are required to approach their science with neutrality and to be unbiased and present data that is fair and unbiased; however this discovery makes them question the data and the merits of science. If you want us to trust the science then give us science to trust and would ask that the hunt be tabled until these issues are addressed and corrected.

Commissioner McBeath said he would like to respond to the statement made about the woman at the Clark CABMW meeting as he himself was there and someone from the audience made a statement to Vice Chair Truman that he had obviously never talked to a woman at one of these meetings, and Mr. Truman took immediate exception to that, because prior to Mr. Dixon being chair of Clark CABMW, Cindy Alexander, a woman, chaired the Clark CABMW, and any insinuation that sportsmen do not take women into account as part of their group is incorrect and Mr. Truman denied that immediately. He said he thinks it was an inappropriate remark made at that meeting.

Jennifer McHardy said she was at that CABMW meeting and that Gary Pratt was the one on the end who said the remark that they were not used to hearing from a woman.

7 Approval of Minutes – Action

Commissioner Howell said on page 5, the date Dec. 24 is incorrect, change to Dec. 4, 2010. Also, page 48, statement by Mr. Molde needs to be corrected to state "last 10 years."

**COMMISSIONER HOWELL MOVED TO APPROVE WITH CHANGES NOTED TO PAGE 5 AND PAGE 48. COMMISSIONER VOGLER SECONDED THE MOTION. MOTION CARRIED 8 – 0.**

11 Clark County Road Access – Commissioner Shrum, Chief of Habitat Elmer Bull and Bureau of Land Management (BLM) Representative

Commissioner Shrum said he has spent much time in Nevada and in the past years has been running into road closed signs and did research and he ended up at the BLM office and picked up books and spent time over there with BLM District Manager Mary Jo Rugwell who is here along with BLM staff. He also invited representatives from Clark County sheriff's office, and he prepared a small pamphlet (exhibit file) of the issues. To balance this out he went to Bunkerville, Nevada, and met with Cliven Bundy and family, and he is present today as well. He read the pamphlet (exhibit file) that he prepared for this agenda item along with questions for Ms. Rugwell.

BLM District Manager Mary Jo Rugwell addressed the questions from Commissioner Shrum's pamphlet and said authority to designate or close roads and primary legal authority is in Federal Land Policy and Management (FLPMA) Act of 1976, BLM is part of executive branch of government and their responsibility is to implement laws Congress passes and when FLPMA passed, BLM had to promulgate regulations to implement laws and manage and administer BLM public lands. Second question, who decides what roads to close, BLM has the responsibility to make the final decision but with public input. Clark County road designations were implementation action of Resource Management Plan (RMP) completed in 1998 and plan took over three years to develop with input from over 400 stakeholders and rural community assisted with documenting the roads. BLM had four public meetings and a 50 day public comment period and after the decision, the public is allowed another 30 days to appeal and BLM did not receive any appeals on road decision and then their job was to implement. Important to note that of over 906 miles of roads analyzed that BLM left 90 percent of those roads open, did not close anywhere near the majority of roads. Next question was how long will plan stay in effect, road designations in effect as long as RMP in effect. Agency continues with help of partners to monitor roads and effect on resources and changes to road decisions can be made through analysis and another public process. Another question was who decides when desert tortoise recovered, and U.S. Fish and Wildlife Service makes that decision. The criteria for delisting tortoise, is outlined in the recovery plan which was developed when the tortoise was listed. Other question, when ranchers leave who maintains water – springs, seeps, and the answer is the BLM does in conjunction with NDOW, Nature Conservancy, the folks who have water rights. Another question is when travelling on a road and you are at an intersection and take wrong road that is closed and get citation, what happens. She said when BLM puts sign up for designated road through planning process we give people time to get used to closure before citing them. The Gold Butte area is signed and folks vandalize signs which costs taxpayers, and results in confusing recreating people, and if people knowingly use closed roads they are cited. Working hard to insure signage is there for the public. Who has the authority in Gold Butte, sheriff or BLM, she said the answer depends on the situation or crime, BLM has few law enforcement rangers and are happy to help Clark County Sheriff's Office.

The violation of any federal regulation is under BLM rangers under authority of FLPMA, some examples are theft of government property, vandalism of a sign and off-road travel in a closed area. A Memorandum of Understanding in place with Las Vegas metro for search and rescue in Wilderness Area as BLM does not have that capability. Prior to the meeting a copy of the fact sheet and Gold Butte map was provided to the Commission and that information will be on the website after refinement to the map. She said that concluded the answers to the written questions from Commissioner Shrum.

Commissioner Shrum introduced Cliven Bundy who is a rancher from Bunkerville. Commissioner Shrum said there is contention between the ranching families and BLM up there and he wants people to be informed of both sides of the question.

Mr. Cliven Bundy said he is a rancher and co-partners with the resource and has great respect for the Commission. He said he is a god fearing man and believes we live in a country of choice and the resources provided are for man's use and we need to take care of them. He showed the group a slide on jurisdiction of the "proper form of government" which started with "We the People" and he reviewed the forms of government starting with 13 original colonies which formed the U.S. Constitution, 13 sovereign states, state's independence and that Nevada became a state in 1864 with the state divided up into counties. He said when talking about public lands we are talking about the public lands of Clark County that is land belonging to the people. County Commission and sheriff are government closest to the people, and when we started we were after protection of life, liberty and property, and created Constitution. We now have sheriffs paid to do that and his question is who has the authority over the land, jurisdiction and sovereignty. Federal government jurisdiction challenged and "We the People" formed proper form of government and that is not the proper authority we have now as the people are not taking care of the land.

Commissioner Shrum asked if Mr. Bundy can explain how this has affected him with wilderness designations and other items.

Mr. Bundy said he is well known for firing the BLM about 15 – 20 years ago as they don't have jurisdiction to manage his ranch in Clark County and all the 57 ranchers of Clark County are gone, he is the only one with viable livestock business. He learned BLM is only manager and when he quit signing contracts he released them from their assistance and from that time on has been able to manage and claim rights to forage, the water, the access, and range improvements. He said he claims rights to hunt, fish, and camp and enjoy public lands in Nevada.

Commissioner Shrum asked what effect a Wilderness designation would have on his ranch.

Mr. Bundy said he has presumptive rights created through beneficial use and if they designate area as National Conservation Area onto this public land, and or Wilderness, that will make it hard for him to run his cattle and harder for outdoor recreationists and he foresees that they will create a byway that you just stay on and that is where we are headed. This area in Southern Nevada that has not been designated yet and is the last piece of free land in Southern Nevada and we are about to lose our freedom there.

Public Comment on Agenda Item #11 –

Ken Wellington, Elko CABMW, said he is representing himself on this issue and that Mr. Bundy needs to move to Elko County, as everyone carries a copy of the Constitution in their pocket in Elko County. He said in Elko CABMW members are active on the Resource Management Commission and they get people involved, and the forms that he provided to the Commission's recording secretary are BLM's documents such as Environmental Assessment's and proposed closures, and they are providing their input into the plans and the Commission could comment if public comment period still open.

Commissioner McBeath said 1998 RMP was mentioned earlier which is currently in process of being revised and they are in process of putting together plan and noted road access portion of that plan and he would ask BLM staff the effect on sportsmen and NDOW, and secondly on Jan. 28 he saw in the Federal Register what appears to be a transportation plan for Clark County, and is similar to what we have dealt with up north. He said it is absolutely critical that access be maintained for sportsmen.

Ms. Rugwell said her agency is in early stages of revising the RMP and the reason for the revision is because of energy concerns in Southern Nevada and some decisions that were conflicting in old plan that needed to be resolved. Local governments are offered the opportunity to participate as cooperators and they are getting Memorandum of Understandings signed with local governments right now and the county will be very involved. RMP for Southern Nevada District is beginning and these are two efforts that are crucial for public engagement and want to hear from the public to insure this is what the public wants before the process gets too far along.

Commissioner McBeath said the Clark CABMW should assume a role such as Elko CABMW has done to weigh in and make sure wildlife stakeholder interests are heard on access issues in Clark County.

Commissioner Vogler asked Mr. Bundy if he had been told that he could not run livestock due to the desert tortoise listing.

Mr. Bundy said that is correct and there a many desert tortoises and he has data showing surveys for Kern River pipeline done by the bureaus and what happened there

is where there are cattle there are five to seven tortoises in a strip. There are higher tortoise numbers in grazing areas than areas where there is no livestock grazing.

**COMMISSIONER SHRUM MOVED TO DRAFT A RESOLUTION TO SEND TO ALL CONGRESSIONAL REPRESENTATIVES, INTERIOR SECRETARY KEN SALAZAR, CLARK COUNTY COMMISSIONERS, AND APPROPRIATE PARTIES TO REMOVE THE GOLD BUTTE AREA FROM CONSIDERATION NOW OR ANY TIME IN THE FUTURE AS WILDERNESS AREA, CONSERVATORY OR ONE OF THOSE DESIGNATIONS. SUCH A DESIGNATION WOULD HAVE A NEGATIVE IMPACT ON WILDLIFE AND WOULD DENY ACCESS FOR DISABLED, ELDERLY, AND FURTHERMORE DESIGNATION NEGATIVE IMPACT ON DESERT FLORA AND WATER RESOURCE DISTRIBUTION SYSTEMS WHICH ALL WILDLIFE DEPEND. COMMISSIONER HOWELL SECONDED THE MOTION.**

Commissioner Shrum offered to draft the resolution for Chairman Raine's signature.

Commissioner Capurro said his concern is this should be placed on a future agenda for full discussion and have staff develop a resolution along lines mentioned, under circumstances would recommend action for a future agenda and follow-up.

**COMMISSIONERS IN FAVOR OF THE MOTION: COMMISSIONER LENT, HOWELL, SHRUM, AND VOGLER. COMMISSIONERS OPPOSED: CAPURRO, WALLACE, AND MCBEATH. CHAIRMAN RAINE VOTED IN FAVOR OF THE MOTION TO BREAK THE 4-4 TIE. MOTION PASSED 5 – 4 WITH CHAIRMAN RAINE'S VOTE.**

**MOTION AND A SECOND TO CONTINUE WITH #8 GO TO #12 THEN PICK UP #9 AND #10 AT THE END. MOTION PASSED 8 – 0.**

- 8 Big Game Division Computer Model and Recommendation Process Report – Big Game Division Chief Larry Gilbertson and Big Game Biologist Mike Cox – Informational

Chief of Game Gilbertson said the model was shown to the Commission a few years ago when there was intense interest in the elk population relative to NDOW's modeling. He said since that time there are new Commissioners and CABMW members and the Department is pleased to present this item. He provided background on evolution of the modeling process: Before 1975 not as much need to conduct deer population estimates due to the hunt structure and in the old days the population estimates used were simply harvest representing a percentage of the population. He said in 1975 Nevada switched to total quotas for the entire state, and at that point the Department either needed population estimates for real numbers to use to calculate quotas commensurate with the ability of the population to provide that harvest, or one method that may be used still is to look at long-term average harvest. In the mid-1970s we could have looked at average harvest and applied hunter success and could have started that way. Instead the Department decided as we collect data and implement helicopter surveys that we

would use population estimates. The first population technique used was the Selleck-Hart change-in-ratio population estimate technique. Basically solving for “x” to figure how many bucks there are by using harvest and buck ratios. There are other factors included so it is more complicated than that. He said as computers arrived at work and in the 1980s the biologists used Quattro Pro for spread sheets and later used a program developed by Mr. Bartholomew named “Pop 2.” The technique evolved from algebra to a “life table.” There were problems with the model such as the winter of 1992 – 1993 when we had a deer die-off due to that extreme winter weather. That model had one place for mortality rates, and if you put the data in it knocked the deer herd down to show that decrease, the biologists called it a “killing model”. Once you got to that point you could not turn it around. NDOW even worked with Mr. Bartholomew to try to fix the problems but still staff could not get the model to work in all situations and instances. As a result of that frustration with Pop 2, Big Game Biologist Mike Cox developed the current Department model which he will explain today to show how population modeling estimation has evolved.

Big Game Biologist Tony Wasley said the overall process is we start with the survey and inventory to the population model with the data from surveying and inventory, to develop arrays and recommended quotas that undergo scrutiny of public process. Harvest data is entered directly into the model and harvest data used in developing arrays and quota recommendations. He focused on survey and inventory of big game except mountain lions as lions are not surveyed (power point presentation in exhibit file) and answered questions from the Commission.

Big Game Biologist Mike Cox made a power point presentation (exhibit file) explaining the population model he uses to estimate populations and answered questions from the Commission.

Public Comment – None

Commissioner Lent said he had an article on the “Art and Science of Counting Deer” and the various ways to count deer and the part politics play deer counts. He said on the computer part of it he said many wildlife agencies have turned to population modeling such as Pop 2 and the other problem is hunters tend to believe anything that comes out of a computer. He said he is doing work on this and the Department has helped him out and the question sportspersons need to ask is how initial population number obtained. Computer algorithms are based on assumptions and you need to be careful of algorithms as they can bring a population down. The question is if the models incorporate enough biology and use algorithms for anything you want and knows when he checked the NDOW model that you have variable in there called a “survivor rate” and he has read documents from Dr. Charles Kay’s and would put his resume against anyone’s and you can learn from them and he would suggest that we need review of the model by a computer specialist as right now we are in a declining deer herd population

and as a Commissioner he would like to see if anything we can do and modeling is start. Commissioner Lent said he hears all the time that there are no deer out there and would like to have the model looked at by a professional as we may not be taking advantage of all the science.

Commissioner Vogler said to Chief Gilbertson that we have conflicting ways of doing some things and in private enterprise you have to have solutions and if he wander offs to far he has to readjust, and if Mr. Gilbertson could do anything he wanted to increase a population in an area with declining herds what would it be? As every hunter he knows wants hunter opportunity and the Commission is to provide that opportunity based on the model, so should we not hunt does or forked horn deer?

Chief Gilbertson said there are many things to evaluate and much to look at such as pinyon-juniper encroachment and other impacts. We have been most protective with deer in Nevada in not hunting does and he will contrast that with the harvest of cow elk which we have been doing. A good example is in the Jarbidge which had a initial population objective of only 300. We started cow hunts with only eight tags and then went to 50 the next year, and then to 200 cow elk tags the third year with a total population of only 300 elk in order to stay within the caps of the plan. In contrast during those years we also had doe hunt recommendations. Often the same CABMW that would approve those cow elk tags for a small herd of 300 elk would not approve hardly any doe tags. Another species to take a look at is antelope, where we harvest female antelope aggressively and they continue to perform and produce well and the population maintains itself or grows. In the River Mountains we transplant a lot of female bighorn sheep with the trapping and transplanting program and that population continues to thrive. Deer is the one species that does not show a recent increase in numbers even though we have eliminated most doe hunts. This suggests most deer herds might be at carrying capacity and we need o actively manage them with doe hunting to stimulate production like in some of the other big game populations mentioned. As far as collecting data and population models, if Commissioner Lent can buy a population model that increases deer, we would buy that. He said staff has read the paper written by Dr. Kay who is a sociologist and found it interesting, he does not have a biological background and makes interesting comments not necessarily supported by data. All the biologists study their areas and make recommendations and submit Heritage project proposals to improve deer herds such as, in Area 6 working to increase deer winter range and fence removal in Area 7, building overpasses in Area 7 that are the first in the state, and with UNR researchers monitoring the use, have documented more than 3,000 deer using it. These deer were not hit by motorists. He said he hears all the time that deer herds have crashed and the deer disappeared, but people are comparing 1980s deer estimates with today's. We use a completely different model from that used in the 1980s, which was very robust and had increased harvest built into it with its much higher crippling loss. There has to be a bigger population to sustain that higher harvest and that is what was done then. We had higher mortalities

built into the population model than now so you can't compare the two. If we used the 1980s model today we would have a higher deer estimate than current published estimates based on the conservative model we are using. Over the long term, if you look at deer populations back to 1950, today's deer estimates are probably not tremendously under average for Nevada, probably just a little below average, since some herds are performing well now. He is tired of hearing there are no deer in Area 10 as Area 10. Area 10 is performing extremely well with record helicopter samples exceeding that of the 1980s. The only thing we don't have is the high fawn ratios of the 1980s but the Area 10 population has potential to have huge increases if we have a few wet back-to-back years. Finally, many factors vary by area.

Chairman Raine asked if the model could be released to the public as the model is an equation. He would like to see to see the variables and post them on the website as to be the most careful government, we could be, we need transparency and he has been told that. He asked that data on here be sent to Commission as difficult to view on the screen. He would like a better explanation of the "value" and possible error factors in the equation.

Commissioner Capurro said he attended the mid-winter WAFWA conference and an issue discussed was using "UAVs/drones" to survey and inventory instead of paying for helicopters which would be an alternative which would reduce the cost of personnel and provide more accurate counts. He asked if the Department looked at possibility of securing UAVs and he can send more information to the Department on it. Commissioner Capurro said in regard to Dr. Kay not sure about the sociology degree but he knows from information he has, that he has a PhD in wildlife ecology.

Biologist Cox said unmanned aircraft was evaluated eight to nine years ago.

Commissioner Lent said we as a Commission are looking at everything from counting to validity of the model as they just want to improve the system and asked Chief Gilbertson if model has been reviewed by a professional modeling specialist as he knows a good one, better than Dr. Kay.

Big Game Biologist Cox said the model has not been formally reviewed. He said we welcome review and models do not kill animals and are not the cause of the decline of deer and instead we should focus on what that is.

Commissioner Lent agreed that models do not kill deer but results of the model do and if not modeling right or doing the seasons or quotas rights the humans do kill as they are a predator and that is a factor in everything that goes on.

Chief Gilbertson said that is why he went through the history of the model as methodology makes a difference and what is unique about our model is NDOW collects

data and adjusts numbers in the model so that the model reflects real data. That is the difference between theoretical and predictive models. The other thing is the history behind and reason for hunting of any species is we use adaptive management to insure harvests do not negatively impact populations that we are trying to maintain or improve. When we do population estimates, we have other checks in the model and in our data to look at such as point class of the harvest, point class of bucks classified in helicopter surveys, hunter success, and buck ratios. Biologists have flown many areas for over 20 years and anything unusual in the surveys is accounted for. Consecutively, if we overestimate, hunters will see a shift to forkies and less bucks observed. All of these checks make sure we are in the ballpark with our estimates and that is the best you can do with animals that you cannot put in a pen and count one at a time through a chute.

Commissioner McBeath said he would point out that by doing trend analysis that if errors are being made, they will pop out somewhere, and they will eventually be known through counts being down or harvest figures that show something is wrong. Eventually, it and will come out in the wash and the biologist will note it.

Acting Secretary Mayer said as a former deer biologist, one part of the discussion that we did not have is that a bucks-only harvest, does not affect total population. What we are discussing is the number of males in a population, not the population crashing because we issued too many buck tags, as last time he checked bucks don't make other deer, you need a doe, which is why we are careful with antlerless harvest. Clearly if we were overharvesting the buck segment, we would be hearing from sportsmen. Instead, we kill many four point bucks. He agreed with Commissioner McBeath that it is long-term trend analysis and if you start making mistakes you would see it in field and that is adaptive management. He said we could have the Commission come to Reno and go through the model.

Chairman Raine asked that in interest of transparency that this model be posted to the NDOW website and asked if an issue.

Acting Secretary Mayer said he does not think so but will check on that and would also like to see the model published in a peer reviewed journal and what is in the model from a mathematical perspective.

Commissioner Capurro commented regarding predators – microphone not on.

Acting Secretary Mayer said absolutely and Nevada is second or third in the nation for what is spent for predators. The Department has never been anti-predator management and he does not know where that comes from as the facts since he has been here is money expended on predators has doubled.

- A Big Game Computer Model and Recommendation Process – Chairman Raine – Action
- Chairman Raine asked for a motion and he would like to see posting of equation and whatever else the Commission has.

**COMMISSIONER LENT MOVED THAT WE HAVE A LIVE DEMONSTRATION OF “A TO Z” IN ACTUAL AREA AND RUN THROUGH TO THE END OF DEMONSTRATION OF THE MODEL FOR COMMISSION AND ANY PUBLIC TO LOOK AT AND IF YOU WANT TRANSPARENCY TO HAVE ON THE INTERNET OR WEBSITE FOR EVERYONE TO SEE AT THE MARCH OR APRIL COMMISSION MEETING. COMMISSIONER SHRUM SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Commissioner Vogler requested that the presentation be sent to the Commission as the information was not viewable on the screens.

- 12 Commission Regulation 11 – 07 2011 Black Bear Season and Harvest Objectives – Chief of Game Larry Gilbertson and Big Game Biologist Carl Lackey

Chief Gilbertson said the Department was charged by the Commission to bring forth regulations to implement a bear season and in response they have brought forth a conservative approach to a bear hunt to insure consumptive use of bears will not result in a negative impact to the bear population in Nevada.

Commissioner Cavin said Big Game Biologist Lackey provided an overview presentation at the two CABMW meetings he attended and he requested that Mr. Lackey provide the basic population structure and a brief history.

Biologist Lackey said numbers they came up with are from a dataset analysis started in 1997 through 2008, and still are collecting data. With over 700 occurrences in data set, and an occurrence is a handling of a bear, we had a professional population ecologist analyze the dataset from the University of Nevada, Reno (UNR) and he used “Program Mark” which is a complex mathematical analysis. He said they met and discussed parameters by which the analysis would work and looked at individuals bears. They combined the study into three-month seasonal capture periods and briefly removed 223 bears from the analysis out of 420 in final analysis because they did not fit the criteria. He said 161 untagged bears were taken out of the analysis. There were 197 bears in final analysis, which gives demographics such as annual survival rates and global population size for that study area. He said some of the data was called into question with suggestions of insufficient data or not having data available for the public. To clarify, Mr. Lackey said NDOW data was collected in collaboration with Jon Beckmann of UNR, and we have a letter from him attesting to the quality of the data which was

collected in a rigorous and scientific manner. He said he has been extremely transparent over the years with bear data and information and he has written an annual status report since 1988. That status report documents the number of complaints received, from where, time of year, county location, sex cohorts, average age of adults, capture sites, and kill and release rates, which have all been available to the public.

Chairman Raine said next is public comment and first of all on public comment the Department has forwarded the emails and letters and a digital log of those emails has been kept.

Commissioner Capurro said can we establish how we got to point of having a bear hunt, and it was not done in a vacuum as we had three to four meetings on this issue, and came from a request from hunter or hunters group or CABMW to have a black bear hunt as other western states do and the Commission asked the Department to gather information on that. This was not initiated by the Department to establish a bear hunt, again, the request went to the Department to gather information and even people opposed have stated on the record that Carl Lackey is the expert in Nevada and we have to rely on expertise of people who know what they are doing. He resents negative comments to Carl Lackey, as Mr. Lackey has done what he was asked to do and his conclusion has been that Nevada has huntable population and he provided information as requested. He realizes this is an emotional issue and he has not seen 4,800 emails he has seen about 200 emails with two variations of a form letter, he respects their position and the Commission adopted a bear hunt in December and today we are looking at season setting and would hope comments today will not be of personal nature as they do not belong in the discussion, and at no time is he aware of anyone on this Commission saying we are having a hunt to get rid of problem bears, and the quote attributed to Commissioner McBeath sounded bad but the basis of the comment is that we have a sustainable population. Commissioner Capurro said it is important to set the record straight before starting the discussion.

#### Public Comment –

Chris Schwamberger said she would like her comments entered into the record (Exhibit File). This regulation should be tabled as the process of the regulation is riddled with legal and procedural deficiencies. She said it is one thing to hunt an animal for food and kill it quickly and painlessly, and another to terrorize and brutalize animal for hours and days which is being proposed in this regulation, by allowing hunting with dogs and bows and arrows. Let's talk about dogs chase and terrorize bear to exhaustion for hours and hours. This regulation stipulates only six females should be killed but extremely difficult if not impossible to determine sex of bear and heard Mr. Lackey say over and over in every hearing that dogs are appropriate because by chasing them up a tree you can tell sex and if our number of bears is so low that important that only six females allowed to be killed and the way to tell sex is to allow them to be terrorized by uncontrolled packs

of dogs and brutalize it in process, we have no business allowing bear hunt in state. Let's talk about bows and arrows, bears are big and muscular with thick skin fat layers and is very hard to kill a bear with a gun and typical practice with bow and arrow is to wound the bear and then track the blood trail and finally people do not eat bears. Statute says wildlife belong to people of the State of Nevada not just hunters. NobearhuntNevada.org supports ethical hunting but hunting with dogs or using a bow and arrows and chasing them with packs of dogs in terror and brutality is not ethical hunting. Ethical hunting is not required by NDOW nor the Wildlife Commission, it is rarely if ever discussed and if it and when it is, it is optional, ancillary and by choice and she has been told by hunters that most hunters when they see unethical behavior turn and look the other way. Until the legal, ethical, and procedural issues in this regulation are resolved, this regulation should be tabled. NobearhuntNevada.org will not be going away.

Kathryn Bricker, Zephyr Cove, Nevada, said she would like her comments included for the record - Attachment D.

Megan Sewell, Humane Society of the United States (HSUS), representing 95,000 Nevada residents would like her comments included in the record. The Commission should reconsider proposal for bear hunting as specific methods are unnecessary and should be tabled. Establishing a season with archery for bears is inhumane as higher wounding rate is associated with bow hunting than other types of hunting and use of hounds should also be prohibited as using packs of dogs to pursue bears for hours and miles is not sporting. In many states dog's collars are fitted with high tech GPS collars and remotely monitored by hunters and dogs bite bears and bears wound and kill dogs while defending themselves, information on this controversial practice was previously provided, and is being restricted in other states. They thank the Commission for withdrawing the spring hunt proposal and would emphasize that spring hunting should not be considered at this time or in the future as hunters cannot tell the bear's sex unless cubs are present and killing of sows leaves cubs to starve. She thanked the Commission for opportunity to comment.

Karen Layne, Las Vegas Valley Humane Society, said to the Commission when this was originally brought up and at a previous meeting that she does not recall discussion of there "not being a hunt" and what has occurred has been toned down. She said she agreed that staff should not be called to task but when staff urges pro hunters to send in comments that steps over the limit. In looking at the regulation she would suggest that tag quota be zero, zero hours and zero time.

Stacia Newman, representing Nevada Political Action for Animals and Compassion Charity of America, said to Commissioner Capurro's comment about not attending earlier, that they did not know about this in the beginning and know they do, also if small number of hunter requesting the bear hunt, is evident at this point that there are

thousands asking that the bear hunt not be continued and is requesting a zero season, zero quota.

Gina Grayson, Nevada Voters for Animals, said she is confused about testimony today as on last agenda item Biologist Mike Cox gave all his report and provided information and many questions from the Commission on information from that particular biologist, and when she attended the Clark CABMW meeting it was accepted at the Clark CABMW that whatever Biologist Lackey said was accepted, but today we have seen another biologist questioned and needs clarification on that. Is Mike Cox not an expert in his area, and Chairman Raine also said we need to create transparency and post all the variables and models online to clarify and make sure everything done correctly as may be errors. She is in total agreement with a lot that has been said as well as agreeing with Commissioner Capurro who said we need to step back and in the great words of Commissioner Lent, who is now her favorite, said may be it is ego, may be not up to date with latest science and philosophy and need to think outside the box, she is in agreement with him too. She said nine Commissioners are making decisions that impact all Nevadans and she asked them to reconsider as they did in the last agenda item on all of the science submitted. She is recommending zero bears, zero days, and again to reconsider the issue and live by your own words.

Jelindo Tiberti said comments are for the record or not, he is very interested on this debate as north/south issue and he is from southern Nevada and would love to go up north and whack a bear. He does not understand comments on archery equipment as arrows very efficient cutting machine with four razor blades and is a proven method of take. He said this sounds like a great hunt and he would be the first one to apply and sounds like a great hunt.

Gil Yanuck, Carson CABMW, said his board voted to support season proposed by the Department with much discussion at their meeting pro and con. He said their audience was mostly made up of people not in favor of the hunt but at the same time the people who came previously from hunting groups were looking forward to the hunt. Whether it is humane to use dogs needs to be looked at. He said when you look at mountain lion hunting, the use of dogs is the most efficient way to take a mountain lion, and at least we have a method that works and is employed in Nevada. Recently New Jersey had over 7,000 people apply for bear tags in a state less than one-third the size of Nevada. Mr. Yanuck said we are starting off with a conservative quota and will gather data from the hunts.

Walt Gardner said he agreed with Commissioner Capurro that this is an emotional issue and believes the decision should be based on scientific basis and the science is there. Hunters will hunt humanely and as ethically possible.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Paul Dixon, Clark CABMW, asked for clarification on whether archery will be allowed, as at their meeting, were told it was rifle only. Mr. Dixon said recommendation from Clark CABMW was for a rifle or muzzleloader only and to stay away from controversial issues in the beginning.

Commissioner McBeath said he brought up at last meeting were earlier discussions were that it would be only a rifle season but regulation season definition is for any legal weapon hunt.

Commissioner Capurro (microphone not on).

Leland Graves, Lyon CABMW, voted to support the hunt with recommendation of elimination of spring hunt to protect the sows.

Eric Scheetz, Douglas CABMW, said their focus was the regulation, and they allowed liberal public comment which lasted about two hours, with comment from about 20 to 30 people. They had two motions and neither against the concept of the hunt, but vote was tied with no tie breaker and did not pass a motion. He relayed the failed motions, and said Mr. Lackey made a great presentation and his feeling is that he understood from the groups opposed to the hunt is that the groups could work cooperatively with the CABMW with focus groups and use money toward bear management and work on local ordinances for garbage and education for human interaction. His understanding from the meeting was a desire to work together on the issue.

Commissioner Lent said he is the sportsman rep and would remind the Commission and the audience that hunters involved and he provided numbers of licensed hunters; and as far as money goes, the Department gets \$22 million, one-third from licenses and one-third federal funds tied to license sales which all come from hunters. General Fund is \$300,000 and probably won't get any and without hunters and fisherman we would have no wildlife programs and we need management and will never let a species deteriorate or disappear and the Department does a good job.

Commissioner Capurro said question by Douglas CABMW which also came up at Washoe CABMW meeting and answer is the season proposed matches the California season. With respect to hunting with dogs they don't know the state line and if you go into California or Nevada is prima facie evidence you are hunting.

Commissioner Cavin said he had two letters of correspondence against the bear hunt addressed to him personally and entered the letters into the record. He knows we have spent a lot of time on this and he attended local CABMW meetings and is ready for a motion.

Commissioner McBeath said for the record that he is comfortable with the science, has great confidence in the Department and its partner UNR. He would emphasize that with the numbers thrown around, that this bear hunt in the Sierra Nevada's is limited by our jurisdiction that ends at the state line and that the bear population in the Sierra Nevada range is 15,000 bears, and we have heard today that many people don't want hunt in Tahoe Basin, and more of Tahoe Basin is in California than Nevada where they already hunt bears, and there have been a whole parade of problems state by bear advocates if a hunt is allowed there, but we already hunt there and feels comfortable with allowing the hunt.

Commissioner Howell said he would like to discuss season recommendation with Mr. Lackey.

Mr. Lackey said the recommended quota is conservative for reasons given in the past, and the recommended quota is one-half what could be taken out of population to keep it stable. Bear populations will continue to increase with or without recommended quota and that is on top of bears killed for other anthropogenic reasons. When we establish maximum sustained yield on conservative estimate and when we looked at 20 bear quota we had to look at success rates. Utah highest success rate and doubts Nevada will have that.

Commissioner Howell said Utah's is high as they allow baiting within their four and one-half month season. He said he hates to mention this but would bet a lot of people may buy a license and tag who have no intent of hunting and may be some in this audience.

**COMMISSIONER CAVIN MOVED THAT THE BOARD ADOPT CR 11 – 07 FOR 2011 BLACK BEAR SEASON AS PROPOSED BY THE DEPARTMENT WITH FOLLOWING: UNDER SEASON DATES CURRENTLY STATES THIRD SATURDAY IN AUGUST CLOSES LAST SATURDAY OF DECEMBER 2011, AND WOULD LIKE TO ADD OR UNTIL HARVEST OBJECTIVE IS MET. COMMISSIONER CAPURRO SECONDED THE MOTION.**

**COMMISSIONER MCBEATH OFFERED AMENDMENT THAT INDOCTRINATION COURSE SOUNDS WISHY WASHY AND WOULD LIKE THE INDOCTRINATION COURSE TO BE MANDATORY WITH IDENTIFICATION OF BEARS AS MAIN ISSUE. COMMISSIONER WALLACE SECONDED THE AMENDMENT. COMMISSIONERS IN FAVOR OF AMENDMENT: COMMISSIONERS LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, VOGLER, AND WALLACE. COMMISSIONER SHRUM OPPOSED. MOTION CARRIED 7 – 1.**

Chairman Raine restated main motion, and added mandatory indoctrination course.

**COMMISSIONERS IN FAVOR OF MAIN MOTION: LENT, CAPURRO, CAVIN, MCBEATH, SHRUM, VOGLER, AND WALLACE. COMMISSIONER HOWELL OPPOSED. MOTION CARRIED 7 – 1.**

13 Administrative Procedures, Regulations and Policy Committee Report and Recommendations – Commissioner Lent – Action

Chairman Raine said for the record the Commission received a letter from Lucas Folleta General Counsel to Governor Sandoval regarding the Governor's freeze on state regulations. Chairman Raine said the letter is confusing as nothing done today would change a regulation and as we would be forwarding this to a committee. Regulation is housekeeping to him.

Commissioner Lent said he would read into the record the Executive Order establishing the freeze and that its intent was for businesses. Commissioner Lent said he would like the board to consider that this regulation falls within the exceptions and is essential to board or Commission at issue. He said the Commission's Deputy Attorney General provided this as clean-up to an existing regulation and will not hurt any business. He said even the Department says this section needs to be cleaned up for submission of Heritage projects. Commissioner Lent said we spent up to \$100,000 of sportsmen money for a lawsuit filed by sportsmen and the Commission's DAG was trying to insure we are within the law and regulation is clean-up and is not new and again this will not hurt businesses. He said he has two motions to make one is not to vote on this today, and secondly, that we have a constituency of Chairman Raine and Commissioner Capurro take these concerns and who meet with Governor staff to explain that this meets the exception.

Paul Dixon said as a private citizen he would like to request under Freedom of Information Act as Commissioner Lent has claimed at several meetings about spending hundreds of thousands of dollars for defense of the lawsuit he filed against this Commission for them not following the NAC rules related to Heritage project process and he knows what it cost him and he would like proof of what sportsmen spent of public funds on this, on the record. He added that Commissioner Lent is stating this is housekeeping and was brought up by DAG that if in order not to have lawsuits in the future that if you soften Heritage language and allow "shalls and wills" you would have more discretion as a Commission and he believes NAC written in the fashion to hold the Commission accountable. In December every CABMW supported no changes and most CABMWs did not respond to this based on Governor's letter and in December majority of CABMWs were against changes here and back to point that public is telling you not to change it and the only thing is you don't want to be held accountable to how you do your business up there.

Commissioner Capurro said most of language written in this was recommended by DAG Stockton and other things came up with respect to conclusions made by Deputy Director Cates who made extensive review and suggested change and there is inappropriate language in there for any project to meet and intent was to make it understandable in King's English for anyone applying for funds be it a private organization or the

Department and from that standpoint it is clean-up and covers those areas told to us by the DAG that we needed to look at to prevent questions that came up due to the lawsuit that was filed.

**COMMISSIONER LENT MOVED THAT WE NOT TAKE A VOTE ON THIS AGENDA ITEM. MOTION SECONDED (MICROPHONE NOT ON).**

**COMMISSIONER HOWELL MOVED TO AMEND THE MOTION TO TABLE UNTIL MARCH. COMMISSIONER CAPURRO SECONDED THE AMENDMENT (MICROPHONE NOT ON).**

Commissioner Lent said he did not include in motion as legislative year and what if we don't confer with Governor by then and as soon as we do we could put back on agenda and would recommend we not be so specific as we may not have the answer.

Commissioner Capurro said by putting in revision for March meeting, that necessitates us pushing the Governor for an answer, and could always take off.

**IN FAVOR OF VOTE ON AMENDMENT: COMMISSIONERS CAPURRO, HOWELL AND SHRUM. COMMISSIONERS OPPOSED CAVIN, LENT, VOGLER, AND RAINE. COMMISSIONERS MCBEATH AND WALLACE ABSTAINED. MOTION TO AMEND FAILED 3 - 4. CHAIRMAN RAINE VOTED.**

**BACK TO MAIN MOTION "NOT TO VOTE ON THIS ITEM" COMMISSIONERS IN FAVOR OF NOT VOTING: COMMISSIONERS HOWELL, SHRUM, VOGLER, CAPURRO, CAVIN, AND LENT. COMMISSIONERS MCBEATH AND WALLACE ABSTAINED. MOTION PASSED 6 - 0. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER LENT MOVED TO SEND DELEGATION COMPRISED OF CHAIRMAN RAINE AND COMMISSIONER CAPURRO TO MEET WITH GOVERNOR TO EXPLAIN CONCERNS AND IF THIS FALLS UNDER EXCEPTION TO EXECUTIVE ORDER. COMMISSIONER SHRUM SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: HOWELL, SHRUM, VOGLER, CAPURRO, CAVIN, AND LENT. COMMISSIONERS MCBEATH AND WALLACE ABSTAINED. MOTION PASSED 6 - 0. CHAIRMAN RAINE DID NOT VOTE.**

- 14 Report from Feral Horse Committee, Horse Monument and Letters and/or Resolutions – Committee Chairman Mike Stremler – Action

Chairman Raine said Mr. Stremler is not here today, Commissioner Vogler will report on the meeting, they sent forth paperwork for recommendations on these items.

Commissioner Vogler reported on the committee meetings in Reno and Eureka and they roughed out some items on what the policy (exhibit file) for the Feral Horse Committee should be and he started to read...

Commissioner McBeath said he does not see the policy on the agenda.

Chairman Raine said this is part of the general report from the Feral Horse Committee and the Commission will not be voting on it today, that is for a future meeting.

Commissioner Vogler continued read the draft policy, read a draft letter (exhibit file) addressed to State of Nevada Water Engineer Jason King, and read a letter from Department of Agriculture Director Lesperance to State Water Engineer Jason King. Commissioner Vogler said those are conclusions they came to based on material presented and this will not go easily as this affects many people with water issues in Southern Nevada. Designating horses as wildlife is a slippery slope especially when the 1971 Act did not include that in it and this issue will take much discussion.

Chairman Raine said we are running short of time and on policy draft third paragraph last sentence there is an omission from his notes and wording should be corrected to "Any use of water as wildlife" and in interest of time this will be brought back to the committee for further discussion. Chairman Raine said correspondence was received in emails and letters and he will provide those to the recording secretary.

Public Comment –

Cindy MacDonald said she has two questions and asked why this issue was on the agenda as to the Commission's authority and secondly she asked if the Commission has authority to directly manage or remove wild horses or burros or to discuss this issue.

Chairman Raine said this is not a question and answer period.

Ms. MacDonald said she is asking as everyone else asked questions and got answers today. She said the first time she attended a Commission meeting was in 2007 where she watched Commissioners laugh and joke with BLM representatives about why wild horses and burros could not be slaughtered, and if the public had a problem with that they should start adopting. As a result of that meeting she received a protest that NDOW filed against BLM application for water for Red Rock wild horses and burros basically using same argument the Feral Horse Committee has. Within the argument it states that the proposed site fails to benefit Nevada's wildlife as bighorn sheep and mule deer were not located within the area therefore the insects, reptiles, bats, small mammals and birds that could have benefitted from this water development were denied water. She said she would like to point out it was not Nevada's wild horses that caused Nevada's wildlife to go without a drink, was due to NDOW. Secondly, she has

reviewed dozens of Environmental Assessments (EAs) with NDOW constantly on BLM trying to reduce and remove wild horses and burros and in her files she has an email from NDOW employee Game Chief Russ Mason who said that most appropriate management for wild horses and burros was to shoot them as the National Park Service did. She said trying to show a trend here, and in 2004 Biologist Tony Wasley produced a report on mule deer dynamics which she read a quote from that little work done to examine competition between mule deer and wild horses. She said the Mule Deer Restoration Committee adopted two things in November to look for and document the habitat destruction from feral horses. The Feral Horse Committee is looking at ways to take water away from wild horses and she would like to remind the Wildlife Commission these are federally protected animals and given the trend would like to open record with an investigation of NDOW for failure to comply with NRS 504.490 and CFR ...

Chairman Raine used the gavel and said her time was finished.

Arlene Gawne, said she is a semi-retired photographer from Africa where visitors pay high prices to see zebra stallions fight for dominance and herd pictures. Our wild mustangs do the same in the west and having done safaris on three continents over 20 years, she can assure you the thrill of seeing horses and burros running free will attract people from all over the world. The benefit is this will provide jobs and local revenue for ecotourism. The mustangs in America are equivalent to Africa's elephants and zebras, and third world countries save their wildlife we should do the same here.

Carmen Rhoda, asked when the committee meeting will meet next as the draft letter has been deferred to that committee.

Chairman Raine referred her to [ndow.org](http://ndow.org) for committee information.

Carmen Rhoda said she is appalled as she has sat here for four and one-half hours listening to people's harangues for hours and when coming to this issue it is three minutes and that is it. She asked if a bias is showing by any chance.

Paul Dixon, Clark CABMW, said he understands where they are going with the wording of the letter on water rights but not sure if strong enough. This issue has polarized people as they see it as taking water rights away from horses, and is not clear to the people reading the letter. Mr. Dixon suggested that when the committee meets next that they use a professional to write letter to clarify the water issues for ranchers.

Chairman Raine said he is sure the committee would appreciate comments.

Commissioner McBeath said he wants on the record that he does not think this letter is a good idea and does not think a lot of good things going on. He said when he got on Commission first issue he wanted to deal with was wild horses and in fact he pushed for

a committee in place to deal with wild horses and when he saw how the committee was formed he was disappointed, with all due respect, as the Commission has delegated the issue to the livestock industry as every member on the committee is from the livestock industry which is a bad idea. The committee is not balanced and not dealing with all the issues on wild horse and have selected one. It almost looks like going back to Sagebrush Rebellion for livestock industry and is a terrible message. Second matter is letter assumes that horses are not wildlife, and NRS 504.430 deals with preservation of wild horses in our own NRS Chapters. Any assumption that horses not wildlife is a bad idea and makes no difference because if you know and understand water rights and allocation between users it is a public interest and will be balancing of water rights. Willis Lamm sent letter and material on federal reserve water rights which is another hornet's nest and question has not been answered. What did legislature mean in context of water law and can assume that they look over NRS on wildlife but we don't know in this letter or analysis to find the definition of wildlife. He said this is a good issue and should explore it and work with Water Resources and the Commission should not send letters that will be perceived to be sent on behalf of livestock industry and the matter should be handled in a behind scene fashion until we get a better handle on it.

Chairman Raine said the committee has two members who are not ranchers and is sure they would be happy to hear comments and will have a teleconference site in Las Vegas if possible. He said the committee people are open minded and will listen.

Commissioner Vogler said the Virginia Range horses came from ranchers in Washoe Valley and the Nevada Department of Agriculture wound up with care of the horses as they are crossing the highway and that is a liability for the state, and that BLM walked away from the issue. The 1971 Act does not call them wildlife and for us to call them wildlife opens us to liability if someone is hurt on the road and those are the reasons the committee drafted the letters and any input from anybody is welcome.

Commissioner Capurro said Virginia herd is not under the 1971 Act they are wards of the state and considered feral horses and there is a difference. That is what causes us some of these problems and would suggest that if you say livestock in one place and then domestic livestock in another to be consistent, and on page 3, where it states "legislative declaration regarding wildlife" that should be "legislative declaration *of intent* regarding wildlife" and needs to be cleared up on last page that we are not denying them but not classified either by feds or the state, as wildlife.

Meeting Adjourned at 5:30 p.m.

Saturday, Feb. 5, 2011 – 8:30 a.m.

- 16 Chairman Raine called the meeting to order at 8:32 a.m., Pledge of Allegiance, Introduction and Roll Call of CABMW Members Present.

All nine Commissioners present.

Roll Call of CABMWs present (no microphone): Ken Wellington, Elko; Gil Yanuck, Carson; Cory Lytle, Lincoln; Paul Harris, Clark; Leland Graves, Lander; Glenn Bunch, Mineral; Ray Sawyer, White Pine; Paul Dixon, Clark; Dahl Bradfield, Lincoln; Kevin Strozzi, Nye; Eric Scheetz, Douglas.

- 17 Member Items/Announcements –

Commissioner Lent reminded staff that he would like a copy of Mr. Cox and Mr. Wasley's presentation from yesterday as the screen was blurry.

Commissioner McBeath said at the December meeting we tabled Trail Safe's petition and promised them we would have them on the agenda for the Administrative Procedures Regulation Committee agenda to work on a solution to trapping in congested areas up north. A letter was received from Trish Swain, and the item was not on the agenda, and he would like Trail Safe to be accommodated before there is a lawsuit or the issue is solved to our detriment.

Commissioner Vogler said again he would like to talk to the DAGs about cut-off date for support material as Commissioners are receiving emails and information up to the last minute at the meeting, even while traveling to the meeting.

- 18 Public Comment Period –

Paul Dixon, Clark CABMW, said yesterday two issues discussed and he would like to submit evident of those issues. One is Commissioner Lent mentioned that Paul Dixon chair of the Clark CABMW filed a lawsuit and he provided judicial court documentation to the Commission that shows Paul Dixon "an individual plaintiff" filed the lawsuit, and secondly Commissioner Shrum questioned whether he had corresponded with him and he has the correspondence requests to Commissioners Shrum and McBeath and the Clark CABMW members on agenda item #11. Thirdly, he has sent an email to Deputy Director Haskins asking for accounting of the Department's costs of the lawsuit in response to Commissioner Lent's comments yesterday that hundreds of thousands of dollars spent.

Glenn Bunch, Mineral CABMW, said in response to yesterday's agenda item #11, Clark County road access, that he would advise everyone that you need to get involved with public planning processes and be wary of open space designations in your county as that is back door wilderness. He said we need to run a parallel course with land agencies to prevent them from shutting us down and again he advised persons to stay involved.

Commissioner Capurro asked that a future agenda have discussion of federal requirement to keep wolves on the endangered species list as information received today that attempt made to pass a bill in federal Congress to delist the wolf and that was defeated with Democratic objections. He said Nevada is on the cusp of having wolves and would like this issue on the agenda, preferably next month's.

Chairman Raine advised that if other counties have issues such as Mr. Bunch mentioned to bring them to the Commission as the Commission assisted Elko County with a letter and they could do that for other counties. He returned to agenda item #15 from Friday.

15 Correspondence – Chairman Raine - Informational

Chairman Raine said he had several items of correspondence which have been provided to the file, one was the Marlene Kirch item, Judi Caron sent in a letter, and mostly bear items and several letters on the seasons and waterfowl, and will bring those up when at the agenda item.

Commissioner Lent said he had the same one from Judi Caron, most of the others were bear and horse letters, and those were covered yesterday.

Commissioner McBeath said just for a general understanding when the Department receives emails through normal channels and they are addressed and forwarded to him, he relies on them being entered in the correspondence file and entered into the exhibit file. The ones he needs to be concerned about is emails from constituent and or advocate and group and would like to make sure he is clear on that as far as obligation to bring forth as correspondence.

Acting Secretary Mayer said his office adds them to the official record. He said there is a letter to the Commission from Chair Jim Heffelfinger of the Western Association of Fish and Wildlife Agencies Mule Deer Working Group that will need to be read into the record when we reach that agenda item (#27, Findings of Mule Deer Restoration Committee).

19 CABMW Budget Adjustments Fiscal Year 2011 – Deputy Director Patrick Cates – Action

Deputy Director Cates said a report was submitted similar to the one provided at the last meeting to allow CABMW members an opportunity to request additional funding if needed.

Paul Dixon, Clark CABMW, said they had two items on the agenda at their meeting that were controversial, wild horses and bears, and as yet the Commission will not support a recorder for them as required by Clark County who limits their meeting to three hours and does not allow them special meetings, and with the long agenda that has 20 action items, he is unable to complete their meeting or address all the items as they cannot accommodate public comment. It would go a long way if he could extend his meeting by one hour and he requested respectfully that since the Open Meeting Law complaint filed by Mr. Cecil Fredi, that he get the recording support to insure there be a recorded version. And secondly he asked about the Utah meeting as the CABMWs have not budgeted for that and if the additional Legislative Commission meeting in April was budgeted for. He said he provided an estimate.

Chairman Raine said his understanding is that the Utah meeting will not happen as the dates did not work out.

**(MIRCOPHONE NOT ON) COMMISSIONER CAPURRO MOVED TO ADOPT REPORT ON CABMW BUDGET STATUS FROM DEPUTY DIRECTOR CATES FOR. COMMISSIONER SHRUM SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0.**

20 Management Bull Elk Hunt and Seasons – Action – Chairman Raine

Biologist Cox said over the last few years we have had concerns from Lincoln CABMW that they are seeing more five-point elk in field and larger more mature bulls becoming scarce, and there are lots of reasons for that. He said we have to maintain that herd under a fairly small population objective of 350 in Area 23. Along with that we have issued many bull tags to manage the bull ratio. This population is very unique, as we have a large herd in Utah that has a huge influence on the Area 23 herd. NDOW works cooperatively with Utah as we have a small portion of that shared herd. He said we had a conference call this past fall with local biologists and heard local sportsmen concerns with excessive mature bull harvest and he compiled data and highlights are: Surveys showed many bulls in January over last five years, 80 bulls per 100 cows in aerial surveys; Utah has much different management strategy than Nevada as they are more conservative on bull harvest and they have tried a management bull hunt and had the last one in 2008; in 2009 Utah tried spike hunt statewide in most of their limited entry units, in 2010 13,000 spike tags available for sportsmen anywhere a season was open and the success rate was 10 percent for rifle hunters, harvested 60 spikes, that same

year Nevada harvested 82 bulls; and they are continuing the hunt this year. He said Utah has been killing more mature bulls and now are taking spike bulls, and Nevada's success rate going down about 60 percent in Area 23 -24, 46 percent in 2010. A lot may be due to hunter choice and selection. Certainly different dynamics happening and Nevada is dependent on those bulls coming over into Nevada and if we are killing more and so are we with a population objective that has not changed and he does not think it will change that much more as people select mature bulls out of the population.

Commissioner McBeath said you talked of Area 23 and would seem to him this issue is present in other areas of the state with high number of bull tags issued such as in Area 11 22, and would hope CABMWs can relate their experiences and what he is seeing is older age class bulls being reduced in those areas as hunters with those tags concentrate on those big bulls. Question is if we consider management type hunts should we only concentrate on Area 23 or incorporate other areas.

Biologist Cox said with population objective over 1,000 in Area 11 and 22, the situation is not as severe or as similar as Area 23. He looked at point class in other units and in 11 – 22 we have 20 percent of bulls harvested at five points or less in last five years. Mr. Cox said he would suggest focusing on one unit as a pilot program if we need to do that.

Acting Secretary Mayer said from Department's perspective we should learn from other states as the states who implemented the management bull system have backed away and may be a matter of pay me now or pay me later. He said staff looked at numbers and down the road this may not work. Also there is an enforcement issue as well, and will end up with fewer bigger bulls down the road in a few years.

Biologist Cox said he spoke to Mr. Lytle yesterday and proposed what-ifs in the elk model for Area 23 and with deer, the maturity is different, as it averages five years and with bull elk, the maturity is eight to 10 years, and have to keep the bulls alive the entire time and need to have a freshman class coming in. What could occur in Nevada is when you kill younger bulls that plays a big role in the next two to three years and will have a hole or depression in that class as they age from one to two, three to five, and we may not see it for a few years unless huge dispersal from other units. He said could be an issue of tapping into those bulls early and they won't be available to grow old and may be a point where you target lesser bulls but it could be pay me now or pay me later.

(Mr. Cox's Microphone not on)

Commissioner Lent said when he proposed this as we have interstate problems with Utah and earlier we heard that we won't be meeting with Utah. He would propose that a few Commissioners meet with Utah Commissioners along with Lincoln CABMW members to discuss these concerns on a fact finding meeting under a quorum and also

he has problems with the Pilot Peak sheep which he will discuss later. That is a solution he would propose.

Cory Lytle, Lincoln CABMW, said he appreciates Mr. Cox and Mr. Scott for the work they have done on this as it has been ongoing for many years. He said he would like to this to be tried in Lincoln County as the pilot area. He said they understand this is micromanagement and this is a small herd, hunter strategy has manifested with hunters taking five or so people on their hunts and they are being more selective. He appreciates all the CABMWs weighing in on the matter and something needs to happen for more than one year to collect data as it may need to be tried in other units. If you hunt Utah the unit is three times the size of Nevada's and they are not equal.

Chairman Raine said first step is to make the NAC changes before this summer to allow the hunt to happen in the future and have that as a tool for next year.

Commissioner Lent asked Mr. Lytle if brainstorming session with Utah and others would be a good idea, and with freeze on regulations that could be a problem with the Department, if they are not behind it.

Cory Lytle, Lincoln CABMW, said the Utah meeting would be a good idea, and to the second part with the Department, they have to look at all aspects. Atlanta Farms is not included in season setting as a depredation hunt as the hunt was not working the way it was intended and a management hunt would apply to that situation. He was hopeful that pilot project would work to learn more science.

Acting Secretary Mayer said the Department could craft a management bull elk regulation. He said we need to address the law enforcement issue of identification of points and if we had to do this staff could come up with a workable solution. As to the regulation freeze, certainly the intent of the Executive Order from the governor's office is for businesses and believes it applies to necessary regulations not those that would be "nice to do."

Chairman Raine said looking at biology now is "cart before the horse" as in certain situations a form of this may work and before meeting with Utah need to do the regulation and then meet with them once that is in place as he is concerned about spending time on biological end that might be wasted time if we cannot do the regulation, and Mr. Cox has the solution.

Biologist Mike Cox said we do have "cart before the horse" as fundamentals have been brewing for a long time and goes back to state elk plan and tiering off that into elk subplans. We have population objectives which is why we are here along with a bull ratio that some think is moveable, and have built perceptions and thoughts regarding bull management in Nevada as hunt opportunity or trophy hunt. Have bull management

plan that has not been complied with and situation in Area 23 would go against it even worse, in trying to increase the bull ratio and the bull numbers. The bigger picture should be to question how we manage bulls with limitations on landscape, social arena, and expectations of hunters. Remind everyone that we need to go back to plan and follow it.

Commissioner Vogler said in 113, landowners receive tags and the value has slipped due to the economy, and now seeing elk where you only saw antelope and bulls being hunted since August and is the situation that the mature bulls are in the trees. Limited resource with so much feed, is it viable to increase cow elk tags.

Cory Lytle, Lincoln CABMW, said they are in a sea of pinion-juniper and have discussed taking more cows. He said they are recommending splitting the season with 20 – 30 tags which is a small amount and bigger success rate small in scheme of things. He said if that does not work and we will know in 10 years or so, he would be the first to admit it and apologize.

Commissioner Lent said we need to think outside of the box and biology is driving this new model and as far as Mr. Cox's remarks, he recalls quality as what sportsmen want when surveyed, and if you have doubts re-survey sportsmen.

Jelindo Tiberti said his comment from hunter perspective is that people pass up broken tined bulls all the time, and the bull still breeds and has a function in life; however, hunter's choice and is one option. People would see larger bulls before the rut and he is not suggesting a rut hunt and nothing wrong with study groups or units and will know in 10 years if right or wrong.

Gil Yanuck, Carson CABMW, said they picked Lincoln County and a multi-year study would be good as so many variables year to year. He also said a meeting with Utah is a good idea, and that this may not be the right year to go forth with new regulations with the Governor's Executive order in place.

Ken Wellington, Elko CABMW, said his board tabled this and speaking for himself, he said Mr. Lent's suggestion for a meeting could be accommodated in Elko County with the Utah representatives. He said when the season starts in Utah the elk move to Idaho as no season there, and would invite Idaho to participate too. As a hunter he supports the idea of doing this in Lincoln County first.

Ray Sawyer, White Pine CABMW, said they addressed the issue at their meeting but did not realize it was not statewide which they did not agree with, but support the idea of Lincoln County trying it.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Paul Harris, Clark CABMW, said speaking for himself that meeting with Utah is a good idea and he has many elk preference points but he won't put in for Lincoln County as no quality bulls and agreed with Mr. Lytle's proposal.

Commissioner Lent agreed with Mr. Wellington that Idaho could be included as same issues.

Chairman Raine said much CABMW support and should try to bring forward, the biology could be discussed later, and is looking for motion to have on future agenda to determine if allowed under the rules.

Commissioner Howell said for a motion he would go as staff recommended and with Mr. Lytle's suggestion

**COMMISSIONER HOWELL MOVED TO DRAFT A REGULATION TO HAVE A MANAGEMENT BULL ELK HUNT. MOTION SECONDED BY (MICROPHONE NOT ON).**

Commissioner Cavin asked to amend the motion to request approval from Governor's office before expending staff time to move forward as order is no new regulations and does not think we should be proposing new regulations without securing that permission otherwise we are wasting time.

Commissioner Capurro said for the record there is no legislative action as this is NAC issue, and he would disagree with Commissioner Cavin's assessment, and does not think we need to ask Governor, as agenda will be presented to the governor's office each and every month and they will make the decision at that point in time. If Commission has a concern we can request a meeting.

**COMMISSIONER CAVIN RESTATED AMENDMENT: IF WE MOVE FORWARD WE ASK THE GOVERNOR ABOUT MOVING FORWARD WITH NEW REGULATION WITH EXECUTIVE ORDER. COMMISSIONER WALLACE SECONDED THE MOTION TO AMEND.**

Director Mayer said he can send an email to governor's office; however, he needs clarification as to a definition of what a "management bull elk is."

Commissioner Capurro said in the amended order from governor's office is that the section Dr. Lent brought up yesterday is apropos in regard to regulation of the Commission and ongoing effort to do their job and he will vote no on the amendment.

Commissioner Vogler said he will be voting no as there are three branches of government and are we going to have the governor's counsel make all of our decisions if so why are we even set up, as Legislature has input and cabinet level position, this is beyond the scope of their reach and will be voting no.

**CHAIRMAN RAINE ASKED FOR THE VOTE FOR THOSE IN FAVOR OF AMENDMENT: COMMISSIONERS MCBEATH, CAVIN, WALLACE. COMMISSIONERS OPPOSED: LENT, CAPURRO, HOWELL, MCBEATH, SHRUM, AND VOGLER. CHAIRMAN RAINE DID NOT VOTE. MOTION TO AMEND FAILED 3 -5.**

Chairman Raine returned to the main motion to bring forth management bull elk hunt to Commission at next meeting for action.

**COMMISSIONERS IN FAVOR OF THE MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. CHAIRMAN RAINE DID NOT VOTE MOTION PASSED 8 – 0.**

Commissioner Capurro requested that background information be provided to the governor's staff.

Commissioner McBeath said he voted in favor of the motion with check in place that governor's office review the agenda and he requested that it be pointed out to governor's staff that this is a continuance.

- 21 Nevada Waterfowl Hunt Zone and Swan Hunt Area Changes – Game Division Staff  
Russell Woolstenhulme – Action

Waterfowl Biologist Russell Woolstenhulme said support material for agenda item #21 (exhibit file) and said the first issue is there are four proposals for changes to Nevada's waterfowl hunt zone and 2011 is the year that the framework can be changed. The request to change the hunt zone initially came from Elko and White Pine Counties. Mr. Woolstenhulme said the change would allow them more opportunity to hunt waterfowl as they have early freezes that the rest of the state does not. Second issue is changes to swan hunt area.

Commissioner Lent said four options provided but does not know what they are based on.

Mr. Woolstenhulme said the state's current zones are Clark and Lincoln are Southern Zone and the rest of the state is Northern Zone; new proposal #1 is the current Eastern Region - Elko, Lander, White Pine and Eureka; Alternative #2 is Elko and White Pine; and Alternative #3 is Elko, Eureka, Lander, Lincoln, Nye and White Pine Counties. He said originally Elko and White Pine asked for the new zone and he has sent this information out to the CABMWs at least three times and did not receive much feedback from the counties to date and has spoken to a handful of waterfowl hunters as well and Alternative #3 which includes Lincoln and Nye County to increase opportunity for dwindling numbers of waterfowl hunters.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Commissioner Lent said the weather issues are not in Lander or Eureka and they could be put in Alternative #1, and Lincoln and Clark are similar weather-wise and should be in same zone. He said based on weather, the original Alternative #2 includes Elko and White Pine, and Alternative #3 has Eureka and Lander Counties in the other which seems to make sense as to the original purpose.

Chairman Raine said letter received from Jeff Mackay of Ruby Valley and he was in favor of Alternative #1.

Commissioner McBeath said some input from Southern Nevada sportsmen preferred Alternative #3 and knows many hunters who hunt Key-Pittman and Pharangat Valley which is on southern edge of Lincoln County and really is like Clark County and we have had Clark and Lincoln together and does not want to give that up. When he looks at the youth issue, Option #1 or #2, Nye is in first zone and gives youth ability to go up to southern White Pine County for new project on 3-C Ranch and Sunnyside and they would have three days to hunt and is not sure or aware of duck hunting activity in northern Lincoln.

Public Comment –

Ken Wellington, Elko CABMW, said his board brought the request from Mr. Mackay in August 2009 at the Elko meeting. This proposal means that their season will end earlier in those areas. He said in December Elko is frozen over which is why they wanted this and other counties will be taken out earlier and folks from Elko go to those counties. Mr. Mackay requested alternative #1 and he is original author and the board supported his request for alternative #1.

Paul Dixon, Clark CABMW, said this is an item that they were unable to discuss due to three hour time constraint. He said he had personal correspondence and is speaking for himself, and in general they supported #3, but after hearing discussion Option #2 would be better. He again said they did not get to discuss or vet these ideas and other Clark CABMW members will address this as well.

Chad Bliss, Eureka CABMW, said the waterfowl hunters at his meeting chose option #3.

Gil Yanuck, Carson CABMW, said when discussed thought great idea, and ranked the Options as #1 or #2 and did not consider Option #3.

Paul Harris, Clark CABMW, said due to proximity to Overton Management Area, they have had meetings and hunters preferred #3 but did not have option #2 before them and #2 would provide more options. He said he prefers Option #2.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Dane Bradfield, Lincoln CABMW, said along Commissioner McBeath's statement that there is not a lot of waterfowl hunting in northern part of Lincoln County as most waterfowl hunting is in southern Lincoln County which mirrors Clark County weather and would agree with keeping Lincoln in with Clark.

Ray Sawyer, White Pine CABMW, said they voted for #1 as best option for their situation.

Chairman Raine said he likes all options but his preference would be for Option #1.

Commissioner Capurro said this was weather related due to free over and suddenly grew to "topsy" here and should keep to the weather related issue which is alternative #2.

Commissioner Cavin said Elko, White Pine, Humboldt and Carson all prefer Option #1 and since dealing with close neighbor Humboldt and due to CABMW input he prefers Option #1.

Commissioner Capurro said not sure about options that shorten the season as issue was weather and others may not realize that.

**COMMISSIONER LENT MOVED FOR ALTERNATIVE #2 WHICH HAS ELKO AND WHITE PINE IN ONE ZONE, LINCOLN AND CLARK IN ONE ZONE, AND THE REST OF THE STATE IN ANOTHER. COMMISSIONER CAPURRO SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, CAPURRO, CAVIN, HOWELL, SHRUM, VOGLER, AND WALLACE. COMMISSIONER MCBEATH OPPOSED. CHAIRMAN RAINE DID NOT VOTE. MOTION PASSED 7 - 1.**

Biologist Woolstenhulme reminded the Commission and audience that although Option #2 was approved today by the Commission, the Pacific Flyway Council still must approve the changes before implementation.

Tundra Swan

**COMMISSIONER HOWELL MOVED TO APPROVE EXPANDED TUNDRA SWAN AS PRESENTED BY THE DEPARTMENT. COMMISSIONER MCBEATH SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLACE. CHAIRMAN RAINE DID NOT VOTE MOTION PASSED 8 - 0.**

Commission Regulations – Action

- 22 Commission Regulation 11 – 03, Big Game Seasons 2011 – 2012 – Big Game Biologists Mike Cox and Tony Wasley – Action

CABMWs submitted recommendations (exhibit file) and Biologist Mike Cox reviewed the hunts for antelope.

Antelope

(Microphone not on) Big Game Biologist Mike Cox said the muzzleloader season had units added in Washoe, Humboldt and Churchill, and no nonresident hunts for that yet as many are five to six tags and need more interest per unit from nonresidents. Archery for nonresidents Hunt 2161, the only difference is adding nonresident units where we had poaching or exceeding 10 tags for residents. The season for horns shorter than ears is same as last year.

Kevin Strozzi, Nye CABMW, said they would like to add Units 161 – 162, 171 - 173 in Unit 251 to muzzleloader resident antelope horns longer than ears hunt to provide extra opportunity for hunters that can't hunt during the August any legal weapon season.

Steve Hemp, Humboldt CABMW, said they voted against the muzzleloader hunt as they thought during the prime of the rut for the antelope.

Commissioner Lent said he agreed as antelope in late September are in the rut and is opposed to the seven new muzzleloader hunts during the rut as that has been really expanded. Essentially, adding all the muzzleloader hunts we could put throw them in any legal weapon hunt and is opposed to the new muzzleloader season and hunting in the rut.

Biologist Cox said if you recall muzzleloader season was suggested by sportsmen, there is an interest and people buying the tags and utilizing the opportunity. The peak of the rut is about Sept. 10 and is post-rut all the other western states except Oregon and Nevada harvest their bucks in September and October and is post rut. Washoe CABMW supported it as they felt there is hunter congestion with rifle hunt and will spread hunter pressure out.

Commissioner McBeath said he will go on the record that he is less concerned with rut for antelope and more apt to give hunter opportunity and so he will be supporting this as proposed by the Department.

Commissioner Capurro asked what the Department will recommend as far as quotas for these new additional muzzleloader hunts, and asked if rifle tags will be taken to put in these muzzleloader hunts.

Biologist Cox said probably a few tags, last year had demand two to seven tags and demand value which is 90 percent rifle, 4 percent muzzleloader, and 5 - 10 percent archery and would be slicing off 5 percent off demand which would be very conservative and no more than three to four tags for those units. Mr. Cox said they are not add on tags, a 100 percent of the tags are accounted for and gave example of demand/success, and that was part of the reason counties wanted to spread the tags among weapons classes from high rifle quotas.

**COMMISSIONER LENT MOVED THAT GO ALONG WITH HUNTS 2151 AS RECOMMENDED BY THE DEPARTMENT, 2152 AS RECOMMENDED; FOR HUNT 2171 ELIMINATE NEW HUNTS IN UNIT 011, 012 – 014, 015, 021, 022, 031, 032, 034, 035, 041, 042, AND 181 – 184 AS SUGGESTED BY THE DEPARTMENT TO GO ALONG WITH HUNT 2161, TO GO ALONG WITH HUNT 2261, TO GO ALONG WITH HUNT 2181, AS RECOMMENDED BY THE DEPARTMENT. COMMISSIONER HOWELL SECONDED THE MOTION.**

**COMMISSIONER MCBEATH OFFERED AN AMENDMENT TO MOTION, TO APPROVE THE DEPARTMENT'S RECOMMENDATION AS IS WITH ADDITION OF NYE COUNTY PROPOSAL TO ADD 161 – 162, 171 – 173, AND UNIT 251. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS' VOTE IN FAVOR OF AMENDMENT: MCBEATH, SHRUM, AND WALLACE IN FAVOR. COMMISSIONERS OPPOSED: VOGLER, LENT, CAVIN, HOWELL AND CAPURRO. CHAIRMAN RAINE DID NOT VOTE. MOTION FAILED 3– 5.**

**COMMISSIONERS IN FAVOR OF ORIGINAL MOTION: VOGLER, LENT, CAVIN, HOWELL AND CAPURRO. COMMISSIONERS OPPOSED: MCBEATH, SHRUM, WALLACE. CHAIRMAN RAINE DID NOT VOTE. MOTION PASSED 5 – 3.**

### Elk Hunts

Biologist Cox provided background on changes to elk hunts starting with Hunt 4102 a depredation hunt on Atlanta Farms where objectives were not met and in Rubies and East Humboldts had suggested bull hunters who don't see a bull to kill a cow at the end and did not take eligibility restrictions into account, primarily bonus points, and are specific to a hunt number. For 4106 they recommend switching back to Hunt 4102 an antlered bull hunt in the Rubies and East Humboldts as in the past so those who acquired bonus points in the past can still use them. He said for Hunt 4151 there are several changes, and he did provide the two-page rationale sheet (exhibit file) explaining the focus on Western and Northern Elko county where we have access issues

in some winters, and have a need to harvest more elk and be more successful in the field. Much history with cow seasons as increasing tags does not always increase harvest, looking at split seasons for cows and bulls, want success rate to climb for cow hunts and for bulls responding to complaints of congestion in some unit groups. Issue of access later in the year as a couple of unit groups have historic movement into Idaho and the later we go the less chances for hunters. He said we added a couple of units as herds expand and split Unit 108 north/south; added Area 17 onto Area 16 bull elk hunt and will start slow with opportunity to hunt Area 17; Unit 223 being added to adjoining Area 22 hunts. In addition to adding those units adopted early late/split season in Area 11; nonresidents expanded unit groups that did not have tags; Hunt 4156 shifting those Northern and Western Elko County dates to accommodate split rifle season; added nonresident muzzleloader added 061, 071; for archery bull hunt 4161, no season date changes just adding same units as earlier; cow antlerless seasons starting with rifle hunt 4181, Areas 6 and 7 are split seasons into early October and later October, and we know if you keep pouring tags into cow season there is diminishing return on success rate and splitting season will assist with managing herds and success rates; added new cow hunts to a few elk herds, one is Spruce Mountain herd and the Cherry Creeks; expanded cow season in Areas 11 and 22 and adding late season to all the same unit groups that have an early October season, for example 111 -112; Atlanta Farms instead of two long seasons will be four shorter seasons; and Areas 16 and 22 cow season is two weeks later to avoid overlap with rifle hunters; muzzleloader cow same season dates and companion weapon class hunt in Spruce Mountain and Cherry Creek; same season dates for cow archery with addition of Spruce Mountain and Cherry Creek herds.

Public Comment –

Paul Harris, Clark CABMW, said his concern is on Area 23 and bull quality and if you get archery tag you need a ton of points and now we will have two full months of rifle hunters pounding the cow elk and for archers to follow the rifle hunters with an overlap in the archery season for first five days.

Biologist Cox said that is only on Atlanta Farms area and is what we have had for the last four or five years.

Gil Yanuck, Carson CABMW, said they don't know what to do about problems or conflicts but in Area 16 archery hunt would like any legal weapon hunt, muzzleloader or archery hunt to be a rut hunt. Also, he has a board member concerned with the potential of something happening with the cow elk overlapping the archery mule deer hunt on Atlanta Farms, to date nothing has happened, but member is concerned something could happen. He said they also talked of overlap areas in Units 061 and 071 for cow and muzzleloader bull antlered Hunt 4156 and crowding and conflict with guided archery hunts.

Kevin Strozzi, Nye CABMW, said for Hunt 4151 any legal weapon antlered elk, Nye County would like to see a hunt for Units 161 – 164 Sept. 16 – 23 the same early season rifle hunt traditionally had in Nye County, and do not want to get rid of later split rifle hunts to prevent congestion, and don't want that hunt to go away, as that is a great opportunity even if just three or four tags and would like that same season for nonresident 4251 too. They talked to Biologist Tom Donham and biologically not a problem and when quota recommendations are made this will eliminate eight tags from later rifle hunts which is a 50 percent success rate.

Dane Bradfield, Lincoln CABMW, said as stated in the minutes they sent in and as Mr. Cox said, for antlered elk hunts they added Unit 223 in with 231, 241, and 242 and would like 223 in with the antlerless hunts to eliminate confusion. In regard to statements about congestion and conflicting weapons around the Atlanta Farms hunt, he said if you look at geographic area of the farm it is within five mile radius of cultivated fields at bottom of valley and at time of year when archery hunt underway there are very minimal deer that low, and as Mr. Yanuck said, they do not know of problems at that time, and would like to stay with that area and for Lincoln County they don't want to see rifle rut hunts for elk.

Chad Bliss, Eureka CABMW, said in favor of Department season dates with exception of depredation hunt with bonus points. As far as early rifle bull hunts they are not against them but would like to see them moved around as they were supposed to be done. He understands the issue of incentive tags and maybe something to work on in the future to rotate that hunt.

Commissioner Lent said he has heard more controversy from hunters on this lack of having early rifle bull hunts and increasing the 4156 muzzleloader hunt and moving five early seasons for them and moving all the rifle early hunts. He said he would like 4181 antlerless hunts to start later at the same time and is ready to make a motion.

**COMMISSIONER LENT MOVED FOR HUNT 4106 AS DEPARTMENT RECOMMENDED WHICH IS CHANGED TO 4102 AND IS ANTLERED ONLY. COMMISSIONER CAPURRO SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER LENT MOVED HUNT 4151 TO GO BACK TO LAST YEAR, THINKS WE NEED EARLY RIFLE AND INSTEAD OF TRYING TO CHANGE WITH ALTERNATE HUNTS, BE EASIER TO PUT ONE ARCHERY AND ONE RIFLE HUNT TO CHANGE 072, 074, AND LAST YEAR IT WAS SEPT. 16 – 23, CHANGE TO SEPT. 16 – 23; AND UNIT 091 LEAVE AT SEPT. 17 TO STAY IN AGREEMENT WITH UTAH FOR 2011 AND FOR 2012 MOVE TO SEPT. 15 – OCT. 7; AND 108, 131, AND 132 CHANGE THE SEASON TO SEPT. 16 – 23, RETURNING TO LAST YEAR'S DATE; REINSTATING EARLY RIFLE HUNTS LIKE LAST YEAR, 161 – 164,**

**EARLY AND LATE ADD HUNT SEPT. 16 – SEPT. 23 INCLUDING 171 – 173 AND LEAVE LATER SPLIT HUNT. COMMISSIONER HOWELL SECONDED THE MOTION.**

Commissioner Capurro said he had the most calls and emails from hunters on the issue of early hunts and is in favor of restoring those early hunts, Area 7, 13, and 16, and that was the motion and with respect to Unit 13 under 131 and 132.

Chairman Raine said that would be 108 E portion thereof.

Commissioner Capurro said that would be early hunt and wants the record is clear that there were many requests to go back to early hunts on 4151.

Commissioner Lent said the seasons are set every two years and a policy should be in place that we rotate and set three areas as early rifle hunts. There is a tremendous demand for early rifle hunts.

Commissioner McBeath said he will support the motion and to put the Department on notice that he has an issue for next year as he had discussions with CABMW members today and the issue of the 11, 22 units being split, the eleven units in one group and the 22 units possibly with adding new Unit of 23 to that group, and many CABMWs want this completely vetted and try to get the Department look at this and split the biggest hunt area in half as may be time to do that and CABMWs indicated we have had discussion in the past about it and the Department has not wanted to do it, and realizes we can't do it now as no discussion on it but is something sportsmen want and would like the Department to bring back all the issues for discussion next year.

Biologist Cox said if we could have early season in Central Nevada just for Area 16 units because there is limited cow season in 17.

Chairman Raine asked for the vote on the motion.

**COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Nonresident Elk Hunt 4251

Commissioner Lent asked why we need the new seven split hunts for the nonresidents.

Biologist Cox answered (microphone not on).

**COMMISSIONER LENT MOVED THAT WE ACCEPT HUNT 4251 AS THE DEPARTMENT RECOMMENDED. COMMISSIONER HOWELL SECONDED THE MOTION.**

Commissioner Shrum asked question can we add Units 161, 162, and 163 and hunt from Sept. 16 – Sept. 23 add that to our unit groups in Hunt 4251.

Chairman Raine said yes if motion made to that effect that passed.

Commissioner Capurro said we could amend the motion as for the record this is another one he has received letters and phone calls from nonresidents, and if we make change for resident to do the same for nonresidents.

Chairman Raine said if you could not hear that since we added early rifle seasons to residents there should be an opportunity for nonresidents to have another rifle season for 161 - 164, 171 – 173. It should be consistent and was not a motion.

**COMMISSIONER WALLACE MOVED TO AMEND HUNT 4251 MOTION TO ADD A HUNT ON 161, 164, 171 - 173 WITH SEASON DATE SEPT. 16 TO SEPT. 23. COMMISSIONER MCBEATH SECONDED THE AMENDMENT. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

**VOTE ON MAIN MOTION AS AMENDED: COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Resident Elk – Antlered 4156 Muzzleloader

**COMMISSIONER LENT SAID WE TOOK AWAY ALL EARLY RIFLE SEASON AND ADDED FIVE EARLY MUZZLELOADER HUNTS PLUS THE OTHER UNIT AND CALIFORNIA DOES NOT HAVE MUZZLELOADER HUNTS AND DOES NOT THINK WE NEED THEM AND HE WILL MAKE MOTION TO ACCEPT DEPARTMENT RECOMMENDATION FOR HUNT 4156 EXCEPT 061, 071, 062, 064, 066, 068, 072, 074, 073, AND 075, NOT HAVE THE LATE HUNT AND PUT THEM AT OCT. 20 TO NOV. 2. COMMISSIONER HOWELL SECONDED THE MOTION.**

Biologist Mike Cox said for clarification for Hunt 4251 the Commission approved as is plus Area 16 and 17, Sept. 16 – 23, which means you approved the nonresidents to hunt with a rifle in Elko County from Oct. 22 to Nov. 4. In 4151 motion the Commission approved both early and late in Oct. and Nov. and added the September hunt in Areas 16, 17, in White Pine Range and the Jarbidge.

Commissioner McBeath said Mr. Cox is saying if we change the dates from Oct. 22 to Nov. 4....

Chairman Raine said there will be overlap between muzzleloader and rifle seasons, and that was the motion.

**COMMISSIONER MCBEATH MOVED TO AMEND THE MOTION AS HE HAS GENERAL HEARTBURN WITH ANY WEAPON CLASS IN THE RUT BUT DOES WANT TO GIVE OPPORTUNITY TO MUZZLELOADERS, AND GIVE TO THEM WHERE THEY DON'T HAVE COMPETITION WITH THE RIFLE HUNTERS. HE WOULD LIKE TO SEE SEASON STOPS OCT. 21 AND IS 14 DAYS BEFORE THAT, AND THAT WOULD BE TO CHANGE THE SEASON DATES FOR ALL THE ONES INDICATED HERE FROM SEPT. 16 TO SEPT. 30 CHANGE TO OCT. 8 TO OCT. 21.**

Commissioner Lent said basically that was what they were last year and were similar dates to last year and that was his motion to put back as last year.

**COMMISSIONER WALLACE SECONDED AMENDMENT. VOTE IN FAVOR OF AMENDMENT: CAPURRO, CAVIN, MCBEATH, SHRUM, VOGLER AND WALLACE. COMMISSIONERS HOWELL AND LENT OPPOSED. AMENDMENT PASSED 6 - 2. CHAIRMAN RAINE DID NOT VOTE.**

**VOTE ON MAIN MOTION: OCT. 8 TO OCT. 21. VOTE ON MAIN MOTION AS AMENDED: COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 - 0. CHAIRMAN RAINE DID NOT VOTE.**

Nonresident Elk – Antlered Muzzleloader Hunt – 4256

**COMMISSIONER LENT MOVED FOR HUNTS 061, 071, 072, 074, TO CHANGE DATES TO MATCH RESIDENT HUNT OCT. 8 TO OCT. 21. COMMISSIONER CAVIN SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 - 0. CHAIRMAN RAINE DID NOT VOTE.**

Resident Elk – Antlered – Longbow Archery Hunt 4161

**COMMISSIONER LENT MOVED TO APPROVE 4161 AS RECOMMENDED BY THE DEPARTMENT COMMISSIONER CAPURRO SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 - 0. CHAIRMAN RAINE DID NOT VOTE.**

Nonresident Elk – Antlered – Longbow Archery Hunt 4261

**COMMISSIONER LENT MOVED TO ACCEPT HUNT 4261 AS RECOMMENDED BY THE DEPARTMENT WITH REMINDER THAT THE QUOTAS ARE WITHIN THE 10 PERCENT RULE AS WE HAVE NEW HUNTS. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Resident Elk – Antlerless – Any Legal Weapon Hunt 4181

Chairman Raine said his comment is we are throwing out a lot of seasons within the deer season and as far as hearing from hunters, it is having antlerless elk hunters out stirring things up before the rifle elk season and also stirring things up during deer season, and then having a split season too is bad PR. He said he agrees we need additional areas and in Lincoln County adding 223 onto the bottom of page 8 is a great idea.

Commissioner Lent said he agreed with all the new areas and split seasons.

**COMMISSIONER LENT MOVED FOR HUNT 4181 THE SEASON DATES FOR ALL OF THEM TO BE DEC. 5 TO JAN. 5 AND NEW AREAS AS RECOMMENDED BY THE DEPARTMENT.**

Chairman Raine said he would like discussion on addition of Area 223 to 231, 241, 242, Early, as per Lincoln recommendation, and consideration of 101 – 103 separately as well as Atlanta Farms, as possibly they should have different season dates.

**COMMISSIONER HOWELL SECONDED THE MOTION.**

Commissioner Volger said both of those are dealing with private landowners, and also 101 hunts is to limit number of elk moving into the Rubies, and prefers Chairman Raine's suggestion.

**COMMISSIONER VOGLER AMENDED MAIN MOTION TO STATE THE 101 – 103 ALL FOUR HUNTS WOULD REMAIN AS PRESENTED BY DEPARTMENT UNITS 221 – 231 WOULD STAY AS PROPOSED BY THE DEPARTMENT (MICROPHONES NOT ON) COMMISSIONER WALLACE SECONDED THE MOTION.**

Commissioner McBeath said he can only speak to areas he has hunted in but can say you are not giving cow hunters an option as you are throwing them all into late season and could have weather issues and the snow melts with bad roads. He said as a result success may go down which could impact staying within the elk plans and would love to hear from the Department.

Chairman Raine said we will definitely hear on that when quotas show up, first we have an amendment on the motion, and if this happens fast we'll hear all about it from the Department.

Biologist Cox said how about now?

Chairman Raine said we have an amendment to the motion.

**COMMISSIONERS IN FAVOR OF THE AMENDMENT: LENT, CAPURRO, HOWELL, SHRUM, VOGLER AND WALLACE. COMMISSIONERS OPPOSED TO AMENDMENT: CAVIN AND MCBEATH. MOTION PASSED 6 – 2. CHAIRMAN RAINE DID NOT VOTE.**

Chairman Raine said main motion as amended is on the floor for vote, and discussion. He said on the antlerless hunt he has run into late as generally good as that gets a number of hunters out there and early season the quality of meat is compromised even when brought in on same day. Bow hunters are prepared and cow elk hunters for the most part are but hates to see waste of game, and with a late season you have more time.

Commissioner Cavin said this proposal is too far off base as to what has been presented to CABMWs and public. The cow hunts are timed by the Department to reduce cow herds and has issues with overcrowding and overlapping hunts, in the old days you could hunt mule deer in Elko County and not see anyone but now we have elk there. The hunters and sportsmen who apply need to be more selective where they put in and that would be his recommendation that we put notice in application hunt book that we will have these issues and for hunters to do research. He said he cannot support this.

Commissioner Capurro said his biggest concern with Hunt 4181 is that he likes early and late seasons but to split a season into three parts is problematic on the other hand not sure if making all Dec. 5 through Jan. 5 will help. All hunts split into three parts could have been presented as or amended into early and mid with no late.

Commissioner Wallace said he voted in favor of the amendment for protection of depredation hunt and agrees with the other Commissioners on the late seasons and there will be weather issues and cannot supported it.

Commissioner Vogler said the areas he deals with the most is 111, 112, and 113, the biggest gripes are the conflicts, and for 113 no easy solutions with Utah Goshute Reservation in 113. If we have what we had last four years with mild Octobers where all the hunters are upset, and is a zoo no matter what. For 113 he would recommend a hunt from Dec. 5 until March 1, as depending on weather. He is for taking cow elk out, and no matter what we do will be wrong somewhere.

Commissioner Lent said he agrees and by this season we should have cow elk down where they are more accessible, and does not see reason for early to start in Oct. 1 to Oct. 19 than have the late hunt two months later Dec. 5 – Jan. 10. The cow elk are down and the harvest will go up with access and will simplify all these two month between seasons.

Commissioner McBeath said the more he looks at this the more the Department proposal strikes the proper balance. He said he has not heard many complaints from cow elk hunters, and a few from deer hunters, and thinks that pushing everything to the late season will eliminate some hunters who don't go out in those weather conditions and by having a later and early season strikes the proper balance and is ready to amend the amendment.

**COMMISSIONER MCBEATH MOVED TO AMEND MOTION TO TAKE IT BACK TO THE PROPOSAL OF THE DEPARTMENT AND WHICH WOULD TAKE INTO ACCOUNT THE PREVIOUS AMENDMENT, AND IF NECESSARY TO TAKE IN TO ACCOUNT 223. COMMISSIONER CAVIN SECONDED THE AMENDMENT TO THE MOTION.**

Commissioner Shrum asked if we could compromise and instead of Dec. 5 say Nov. 5 as he said he hunted that country and that country can be miserable even in early Oct. as he has been snowed on, if we took Nov. 5 to Jan. 1 would allow the meat to cool properly.

Chairman Raine said we are voting on amendment to the amendment of the main motion.

**COMMISSIONERS IN FAVOR OF THE AMENDMENT TO THE AMENDMENT: CAVIN, WALLACE, MCBEATH, SHRUM. OPPOSED TO AMENDMENT HOWELL, CAPURRO, LENT, VOGLER, RAINE. MOTION FAILED 4 – 5.**

**COMMISSIONER SHRUM MOVED FOR AN AMENDMENT TO THE MAIN MOTION AND TO MOVE THE DATE OF DEC. 5 BACK TO NOV. 5.**

Commissioner Vogler is opposed as there is a rifle hunt for bull elk would be a catastrophe and either go back amendment we just voted down, or go the Dec. 5 date.

**COMMISSIONER SHRUM WITHDREW THE MOTION.**

Acting Secretary Mayer said he is surprised that Commissioner Vogler has not commented as the way this is going you may have to issue thousands of tags to accomplish population objective that we have committed to the livestock industry and this is going to create havoc and the Department will have something to say after this all said and done and this is a very complex issue.

Commissioner Vogler said back to conflicts with agriculture and Ruby Mountains as we have already taken care of those in 223 and Atlanta, and Area 10. In most of units having elk closer to winter ranges takes them off tops of mountain and that is why he thought Dec. 5 to Jan. was more acceptable and question he has is when it comes to numbers are we talking 300 cow tags or ....., and that is where it gets tough as you have conflict between livestock and conflict with hunters with overlap of bull seasons, and obviously not an easy decision and is willing to experiment for two years and can always change it back.

Commissioner Lent said if you look at last year's 4181 some areas had 106 tags, and different numbers, but average is 40 tags per unit, some with 195 tags and does not know if that justifies a split season or not.

**CHAIRMAN RAINE SAID THE MAIN MOTION AS AMENDED FOR A VOTE IS AS FOLLOWS: THE FOLLOWING AREAS WILL REMAIN AS DEPARTMENT RECOMMENDED ALL FOUR OF THE 101 – 103 HUNTS, ALL FOUR OF THE 222 – 231 HUNTS, THAT 231, 241, 242, WILL ALSO INCLUDE UNIT 223, BUT THAT AND ALL OF THE OTHER SEASON WITH THOSE EXCEPTIONS HAVE DATES OF DEC. 5 TO JAN. 5. COMMISSIONERS IN FAVOR: VOGLER, LENT, AND HOWELL. COMMISSIONERS OPPOSED: MCBEATH, WALLACE CAVIN, SHRUM CAPURRO. CHAIRMAN RAINE DID NOT VOTE. MOTION FAILED 3 – 5.**

Chairman Raine asked for new new motion for Hunt 4181. He said the worst offenders for causing problems is the multiple new October seasons, and to make it simpler he made suggestion to breakout and approve 101 – 103, all four seasons of those as presented, and 222 – 231, all four of those seasons, and then deal with the rest.

**(MICROPHONE NOT ON) COMMISSIONER CAVIN MOVED TO APPROVE 101 – 103 AND 222 – 231, ALL FOUR SEASONS AS PROPOSED BY THE DEPARTMENT FOR TWO YEARS. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS IN FAVOR: CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLACE. COMMISSIONER LENT OPPOSED. MOTION CARRIED 7 – 1. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER CAPURRO MOVED THAT WE ELIMINATE THE MID SEASON FROM 072, 073, 074, AND 075, AND EXTEND THE EARLY SEASONS ACCORDINGLY IN ALL FOUR FROM OCT. 1 TO OCT. 10 TO OCT. 20 AND EARLY SEASON IN ALL FIVE FOR ALL OF THEM WOULD BE OCT. 1 TO OCT. 20. COMMISSIONER CAVIN SECONDED THE MOTION.**

Commissioner Lent said he will be against the motion as what will that accomplish as seasons are continuous as some that are early and late are two months apart but just eliminating a few mid seasons he does not understand what that will accomplish.

**COMMISSIONERS WHO VOTED IN FAVOR OF MOTION: CAPURRO, CAVIN, MCBEATH, SHRUM, VOGLER, AND WALLACE. COMMISSIONER LENT OPPOSED. COMMISSIONER HOWELL ABSTAINED. MOTION CARRIED 6 – 1. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER VOGLER MOVED FOR HUNTS UP ALONG THE IDAHO BORDER WHERE ELK MOVE INTO IDAHO AND ELIMINATED MID HUNT IN 072 – 075 MOVED THAT THE EARLY AND THE LATE HUNTS IN THOSE UNITS BE THE SAME AND LATES REMAIN THE SAME. IN 061, 071, EARLY/LATE 062, REMAIN 064, 066, 068, EARLY/LATE AS PROPOSED BY DEPARTMENT. COMMISSIONER CAVIN SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Chairman Raine said continuing down the list we have 072 – 075 late.

Commissioner Vogler said he thought we had late.

**COMMISSIONER VOGLER MOVED 072, 075 LATE, AND 076, 077, AND 079 REMAIN THE SAME. (MICROPHONE NOT ON FOR COMMISSIONER WHO SECONDED THE MOTION). COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER VOGLER MOVED THAT AS RECOMMENDED WE DO 078, 104, 105, AND 107. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER VOGLER MOVED FOR UNIT 081 AS RECOMMENDED. COMMISSIONER CAVIN SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

**(MIRCOPHONE NOT ON) COMMISSIONER CAVIN MOVED TO APPROVE AS IS 104 C, 108 D, 121 STARTING THERE ALL THE WAY DOWN TO 222 LATE. COMMISSIONER MCBEATH SECONDED THE MOTION.**

Commissioner Vogler said he has heartburn with early hunts on those because if we do have open weather and usually do they are brushed up.

**COMMISSIONER VOGLER MOVED TO AMEND THE MOTION THAT WE REMAIN WITH LATE HUNTS IN THOSE UNITS AS PROPOSED AND ELIMINATE EARLY HUNTS IN 111, 112 EARLY; 113 EARLY; 114, 115 EARLY; AND 161, 164 EARLY; AND PUT THEM ALL IN LATE.**

Commissioner Lent said we just talked about that on the other ones saying Dec. 5 and Jan. is too late and now we are putting them back.

Commissioner Vogler said in favor of late hunts, the opposite problem in Elko as the elk are high and they go into Idaho. In White Pine County they are brushed up and tight and high and on early hunt with warm weather you have to practically step on them to shoot them.

**CHAIRMAN RAINE SAID FOR CLARIFICATION OF THE MOTION ON THE LATE SEASON THE DATES ARE DEC. 5 TO JAN. 1. (MICROPHONE NOT ON) COMMISSIONER HOWELL SECONDED THE MOTION.**

Chairman Raine said we are striking 111, 112, Early; 113, 114,115, Early; 161, 164 Early, and leaving as late.

Chairman Raine said that is a motion for amendment of motion.

Commissioner Howell asked on the amendment if 108 and 131 Early were left out as he believes part of motion.

Commissioner Vogler said it was.

Commissioner Howell said he is just going down through to 222 Late.

Chairman Raine said the main motion was to go through 222 Late, and deal with the others later. Amending the main motion reads to approve in brackets starting at 104 C down through 222 Late and striking 108 Early, Early 111, 112, 113, 114, 115, and 161, 164 Early. He said we need a second to the amendment to the motion to discuss.

**COMMISSIONER HOWELL SECONDED THE MOTION TO AMEND.**

Commissioner McBeath asked if 161, 164 were part of Commissioner Vogler's main motion.

Commissioner Vogler said 161, 164 were not as he does not know those areas.

Chairman Raine said then that is his mistake and not part of his, four units stricken for early seasons, and the four are: 108, 111, 113 and 114.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Commissioner Capurro said if we approve down to 222 Late, and adopt the amendment and main motion, do we preclude going back to 221 Early and 222 Early.

Chairman Raine said if you like the amendment we can approve and then another amendment can be made to deal with 221, 222 before voting on main motion.

**COMMISSIONERS IN FAVOR OF MOTION TO AMEND: LENT, CAPURRO, HOWELL, SHRUM, VOGLER AND WALLACE. COMMISSIONERS OPPOSED MCBEATH, WALLACE, CAVIN. MOTION PASSED 5 - 3. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER CAPURRO MOVED TO AMEND FOR 161, 164 EARLY, AND 221, 222 EARLY TO BE STRICKEN. CHAIRMAN RAINE SAID THAT IS A MOTION TO AMEND THE MAIN MOTION TO STRIKE THOSE THREE EARLY HUNTS 161, 164, 221 EARLY AND 222 EARLY.**

Commissioner McBeath said he is familiar with that country and 221 and 222 are both in wilderness and the cows are on benches of Grafton on 222 side and all over the mountain and most successful piece for the hunters will be on the benches and on 221 the same thing probably and is not sure if this will accomplish your goal.

**COMMISSIONERS IN FAVOR OF MOTION TO AMEND: LENT, CAPURRO, HOWELL, SHRUM, VOGLER AND WALLACE. COMMISSIONERS OPPOSED MCBEATH, WALLACE, CAVIN. MOTION PASSED 5 - 3. CHAIRMAN RAINE DID NOT VOTE. AMENDMENT PASSED.**

**CHAIRMAN RAINE RETURNED TO THE MAIN MOTION WITH TWO AMENDMENTS WHICH BASICALLY APPROVES EVERYTHING FROM 104 C, 108 D, 121, APPROVES THAT AS STATED, AND ALL OF THE LATE SEASONS BETWEEN THERE AND 222 LATE, ONLY APPROVING THOSE LATE. COMMISSIONERS IN FAVOR OF MAIN MOTION: LENT, HOWELL, CAPURRO, VOGLER, CAVIN, OPPOSED COMMISSIONER SHRUM, WALLACE, AND MCBEATH. MOTION PASSED 5 -3. CHAIRMAN RAINE DID NOT VOTE.**

Chairman Raine said two units left, 231, 241, and 242, and suggestion to add 223 to that unit grouping.

**(MICROPHONE NOT ON) CHAIRMAN RAINE SAID MOTION MADE TO APPROVE THAT AS PRESENTED BY DEPARTMENT WITH ADDITION TO 223. COMMISSIONER WALLACE SECONDED WITH. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 - 0. CHAIRMAN RAINE DID NOT VOTE.**

Resident Elk – Antlerless Muzzleloader Hunt 4176

**COMMISSIONER WALLACE MOVED TO APPROVE HUNT 4176 AS THE DEPARTMENT RECOMMENDED WITH THE EXCEPTION OF ADDING 223 TO 231, 241, 242, HUNT. COMMISSIONER MCBEATH SECONDED THE MOTION.**

**Commissioner** Lent said he is opposed as we added three units as it is.

**COMMISSIONERS IN FAVOR: VOGLER, MCBEATH, WALLACE, CAVIN, AND SHRUM. COMMISSIONERS OPPOSED LENT, CAPURRO AND HOWELL. MOTION PASSED 5 - 3. CHAIRMAN RAINE DID NOT VOTE.**

Resident Elk Antlerless Longbow Archery Hunt 4111

**COMMISSIONER WALLACE MOVED TO APPROVE HUNT 4111 AS PRESENTED WITH ADDITION OF 223 ADDED TO UNITS 231, 241, 242. COMMISSIONER MCBEATH SECONDED THE MOTION.**

**COMMISSIONER MCBEATH, WALLACE, VOGLER, CAVIN. COMMISSIONERS OPPOSED LENT, HOWELL CAPURRO. COMMISSIONER SHRUM DECLINED TO VOTE. MOTION PASSED 4 - 3. CHAIRMAN RAINE DID NOT VOTE.**

Biologist Cox provided background on sheep hunts (exhibit file) and answered questions from the Commission.

Resident Nelson Desert Bighorn Sheep Any Ram – Any Legal Weapon Hunt 3151

Glenn Bunch, Mineral CABMW, said they disagree with closing 205 south.

Jelindo Tiberti said in all hunts coming up need to consider the nonresidents as he likes to hunt in other states and round up not give less tags and welcome them to Nevada as they welcome us in their state.

**COMMISSIONER CAPURRO MOVED THAT WE APPROVE BOTH HUNTS 3151 AS PROPOSED BY THE DEPARTMENT. COMMISSIONER CAVIN SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Nonresident Nelson (Desert) Bighorn Sheep Any Ram – Any Legal Weapon Hunt 3251

Commissioner Capurro said that was the first as both have hunt number - 3251.

Chairman Raine said his assumption that the motion was for both.

Commissioner Capurro said his concern with 3251 there is not a lot of numbers if you take number of sheep tags and 10 percent are for nonresidents, but in this case seven new hunts with 11 previous hunts and questions distribution you will get and if it warrants adding that many new hunts. He asked if anyone else has same concerns.

Commissioner Wallace said if looking at distributing 20 nonresident tags, he has same concerns, as 211 is split in two, and if you put nonresident in each of the areas he has concern. But if you knock out seven areas, where do you put them, and due to his explanation does not know how else we will do it.

Commissioner Cavin said speaking for the hunters when they get out there and end up with a unit with few tags in it and if we don't have enough units to go around and we put two nonresidents in with three residents, those residents will not be happy. He said doing this and putting one nonresident in each unit seems to make more sense and spreads nonresidents around.

Commissioner Lent said he agreed that we don't need new areas.

**COMMISSIONER LENT MOVED FOR HUNT 3251 AS DEPARTMENT RECOMMENDED EXCEPT ELIMINATE 173, 181, 184, 211 NORTH AND SOUTH, 261 AND 262. COMMISSIONER CAPURRO SECONDED THE MOTION.**

Commissioner McBeath asked why are we doing that and are we going to put the same amount of nonresident tags in the other units.

Chairman Raine said the motion stated it and still following the 10 percent rule.

**(MICROPHONE NOT ON) COMMISSIONER WALLACE MOVED TO AMEND THE MOTION TO APPROVE HUNT 3251 AS PRESENTED BY THE DEPARTMENT EXCEPT REMOVING 205 SOUTH, AND 211 SOUTH, AND PUTTING NONRESIDENT IN EACH. COMMISSIONER MCBEATH SECONDED THE MOTION. COMMISSIONERS IN FAVOR: MCBEATH, WALLACE CAVIN. COMMISSIONERS OPPOSED:. AMENDMENT FAILED 3 - 5. CHAIRMAN RAINE DID NOT VOTE.**

**VOTE ON MAIN MOTION - COMMISSIONERS IN FAVOR: LENT, CAPURRO, HOWELL, SHRUM AND VOGLER. OPPOSED CAVIN, WALLACE, MCBEATH. MOTION PASSED 5 – 3. CHAIRMAN RAINE DID NOT VOTE.**

Resident California Bighorn Sheep Any Ram – Any Legal Weapon Hunt 8151

**COMMISSIONER LENT MOVED TO APPROVE HUNT 8151 AS PROPOSED BY DEPARTMENT. COMMISSIONER WALLACE SECONDED. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Resident California Bighorn Sheep Any Ram – Any Legal Weapon Hunt 8251

**COMMISSIONER LENT MOVED TO APPROVE 8251 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER CAVIN SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Resident Rocky Mountain Bighorn Sheep Any Ram Any Legal Weapon Hunt 9151, Resident Mountain Goat Any Goat Any Legal Weapon Hunt 7151, Nonresident Mountain Goat Any Goat Any Legal Weapon Hunt 7251

**COMMISSIONER LENT MOVED TO APPROVE HUNTS 9151, 7151 7251. COMMISSIONER CAPURRO SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

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

Biologist Tony Wasley said he will present mule deer seasons and said the only change is slight adjustment for any legal weapon to incorporate Nevada Day holiday into recommendation Oct. 5 – Oct. 31 which includes Sunday of Nevada Day holiday. For the 1181 any legal weapon antlerless the Department is recommending dropping doe hunt from Areas 6, 114, 115 and also from 114 and recommending an antlerless hunt in 034 – 036. In 01 any legal weapon depredation hunt no changes, in 1235 some slight changes, a split in 043 – 046, to an early and late hunt this year, a change in Area 10 hunt structure, previously early and late now divided into early, mid and late, the objective by biologist is to address hunter conflict and access issues. Change in 181 -184 season date, to hunt later to increase success, change in 192 along with 194 and 196 to eliminate late season due to conflicts with homeowners in developed areas, change in 241 – 245 eliminate late hunt, previously early and late split, and are now recommending single season Oct. 5 to Oct. 31 to address county concerns over late hunt. Changes in 1331 mimic those changes he just articulated for 1235, skipping to 1371, antlered muzzleloader resident and nonresident, no changes, 1441 resident/nonresident archery hunt has a few changes, increased 192 late season by 10 days and 194, 196, the same to

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

compensate for loss of late rifle hunts, in 201 – 202, 204 - 206 Early has been combined for a new early hunt.

Public Comment –

Cory Lytle, Lincoln CABMW, said their recommendations mirror the 1341 recommendations. In 221 – 223, 231 – 245, they would like to start the archery hunt on Aug. 8. Particularly in 231 in Areas 23 and 24 as there is lots of congestion with cow elk hunters, gives deer another week to grow antlers more. In Areas 23 and 24 they have between 50 to 60 landowner tags sold and a good percentage of hunters hunt archery to and adds that many more deer hunters in on those units and would be a good balance for the cow hunt and the archery deer.

Eric Scheetz, Douglas CABMW, said they agreed with all the NDOW recommendations except for on Hunt 1341 we want to eliminate the archery hunt in Units 192, 194, and 196 Late, to be consistent with rationale on page 2 (exhibit file) as denoted by NDOW relating to hunter congestion in urban areas.

Ray Sawyer, White Pine CABMW, said he is here to ask that they would like late hunts changed to a seven day hunt instead of 16 day hunt for bows in units only in White Pine as lot of pressure in late hunts and quality of animals is decreasing. For clarification he would state 111 - 113, Late; 111 – 114; Unit 21, and Units 221 and 223.

Chairman Raine said season dates beginning Oct. 30 and ending Nov. 5.

Ray Sawyer, White Pine CABMW, said correct and further to go along with that they would like for hunter opportunity that Area 10 late archery season has not had great success but would like to extend it to Unit 121 as well with a few tags available for a late archery season.

Joe Crim, Pershing CABMW, he said they are opposed to special doe hunt in 043, 046 as Commission position that high number of predators and if we have excess does they would prefer to keep them as seed material. The other recommendation was to support doe hunt.

Steve Hemp, Humboldt CABMW, said they agreed with Department recommendations except for 192, 194 and 196 Late, rifle hunt as some wanted that opportunity for that late hunt.

Ken Wellington, Elko CABMW, said debate at meeting and some concern with extra tags being given out because of this and assured that won't happen. He said this is critical as they received emails and probably the Commissioners did too on hunter congestion in Ruby Mountain and problems with no areas to camp and believes this is a proactive

approach by Department to make an effort on this and cautiously in favor but want to make sure no additional tags and board supports this 100 percent.

Walt Gardner, representing himself, said he does not have a major problem with three seasons as long as the split is 40/40 with a 20 percent split going into late season, and low success rate in Area 10, and he is opposed to the doe hunt.

Ray Sawyer said his concern as a citizen that when doing the elk dates you have overlapped muzzleloader deer hunts and he would like the Commission to consider the dates as you need to consider rifle and muzzleloaders hunters in the field hunting two different animals.

Commissioner Lent said on Hunt 1331 last year we had Area 194 and 196 as late and was most popular hunt we had and he will make motion to bring those late hunts back and also in Washoe County in the past we split up 011, 013 and 014, and everybody liked it and lot of comments on that. He said these are trophy areas that worked in the past. He said if one board wanted to eliminate 1341 hunts in 192, 194, and 196, Late; he has no problem with that.

Chairman Raine provided his comments, that first week of archery it is hot in August and sees lots of deer that are soft on top and is not a good thing to start the season on Aug. 1, is just too early for deer as antlers not grown and again not good for meat at that time of year, just an observation and gives them 29 days. Also, not in favor of doe hunts, and not a fan in any form, for junior hunt cutting a few days off and does not have a problem as gives a chance to find a decent buck.

**COMMISSIONER HOWELL MOVED TO APPROVE JUNIOR HUNT 1107 TO APPROVE ALL DATES, SEASONS, UNITS AND CHANGE TITLE TO RESIDENT MULE DEER ANTLERED AND ELIMINATE TWO WORDS "OR ANTLERLESS" TO BUCK ONLY HUNT. MOTION SECONDED BY COMMISSIONER SHRUM.**

**COMMISSIONER WALLACE MOVED TO AMEND THE MOTION TO ACCEPT AS DEPARTMENT PRESENTED WITH EXCEPTION OF ARCHERY TO AUG. 8 AND BE ANTLERED AND ANTLERLESS. COMMISSIONER MCBEATH SECONDED.**

Commissioner Lent asked Mr. Cox how many does killed by junior hunters.

Chairman Raine said as to the antlerless what are we teaching our kids, he is the father of five young boys not quite deer hunting age, what you teach is what you preach, and if you are talking about deer management you don't teach your kids to shoot an antlerless deer in an area where problems occur and will have to go with original motion but does like the Aug. 8 starting date for archery.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Commissioner McBeath said his response to Chairman Rain is that his is a minority position and if we want to impact youth and teach them something is to go with majority position which is the opposite.

Biologist Wasley said youth hunters harvested approximately 300 does.

Acting Director Mayer said the Commissioners need to get out and do a ride along with a warden and talk to hunters as most will say looking for a buck but looking forward to shooting a doe. Need to be in touch with constituency and would be a travesty to switch roles right now and to do so with no input from the CABMWs.

**COMMISSIONERS IN FAVOR OF AMENDMENT: MCBEATH, CAVIN, VOGLER, WALLACE, AND CAPURRO. COMMISSIONERS OPPOSED: HOWELL, SHRUM, LENT. MOTION PASSED 5 -3. CHAIRMAN RAINE DID NOT VOTE.**

Chairman Raine restated the main motion as amended which now reads "Antlered or Antlerless" starting archery with Aug. 8 as start date.

Chairman Raine said nothing like teaching your children bad things, and some people like to do that and that is their prerogative.

Comment made (Microphone not on).

**COMMISSIONERS IN FAVOR OF MOTION AS AMENDED: COMMISSIONERS VOGLER, MCBEATH, WALLACE, CAVIN, AND CAPURRO. OPPOSED: SHRUM, LENT, AND HOWELL. MOTION PASSED 5 – 3. CHAIRMAN RAINE DID NOT VOTE.**

Resident Mule Deer – Antlerless – Any Legal Weapon Hunt 1181

**COMMISSIONER LENT MOVED THAT WE DON'T APPROVE HUNT 1181 AS RECOMMENDED BY THE DEPARTMENT, NO ANTLERLESS HUNTS. COMMISSIONER HOWELL SECONDED THE MOTION.**

**COMMISSIONER MCBEATH MOVED TO AMEND THE MOTION TO ACCEPT THE HUNT AS PROPOSED BY THE DEPARTMENT. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS IN FAVOR: MCBEATH, WALLACE, AND CAVIN. COMMISSIONERS OPPOSED: LENT, CAPURRO, HOWELL, SHRUM, AND VOGLER. AMENDMENT FAILED 3 - 5. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER CAVIN MOVED TO AMEND THE MOTION TO ACCEPT 101, 102, 104, AND NOT ACCEPT 043 – 046. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONERS IN FAVOR: MCBEATH, WALLACE, SHRUM, AND CAVIN.**

**COMMISSIONERS OPPOSED: LENT, CAPURRO, HOWELL, RAINE, AND VOGLER. AMENDMENT FAILED 4 - 5. CHAIRMAN RAINE VOTED.**

**CHAIRMAN RAINE SAID WE ARE BACK TO MAIN MOTION WHICH IS TO APPROVE NO HUNT DATES UNDER HUNT 1181. COMMISSIONERS IN FAVOR OF MAIN MOTION: VOGLER, LENT, RAINE, HOWELL, CAPURRO IN FAVOR. COMMISSIONERS OPPOSED: SHRUM, MCBEATH, WALLACE, CAVIN. MOTION PASSED 5 – 4, CHAIRMAN RAINE VOTED.**

Resident Mule Deer – Antlerless Any Legal Weapon Hunt 1101

**COMMISSIONER LENT MOVED TO APPROVE HUNT 1101 AS RECOMMENDED BY THE DEPARTMENT. COMMISSIONER HOWELL SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLACE. MOTION PASSED 8 – 0, CHAIRMAN RAINE DID NOT VOTE.**

Restricted Nonresident Mule Deer – Antlered Any Legal Weapon Hunt 1235

**COMMISSIONER LENT SAID HE WILL RECOMMEND THE SAME FOR RESIDENT AND MOVED TO ACCEPT 1235 WITH EXCEPTION OF 194 – 196 MAKE THAT LATE SEASON THE SAME FOR RESIDENTS WITH DATE OF DEC. 21 TO JAN. 1. COMMISSIONER HOWELL SECONDED THE MOTION.**

**COMMISSIONER MCBEATH MOVED TO AMEND MOTION AS PROPOSED BY WHITE PINE COUNTY TO SHORTEN SEASON IN UNITS THEY MENTIONED, 111 – 115, 221 -223, 131-134,121, 114 - 115 AND BEGIN ON OCT. 30 AND END NOV. 5.**

Commissioner Cavin asked Storey CABMW recommendations be incorporated as well (microphone not on).

**COMMISSIONERS MCBEATH AND WALLACE ACCEPTED STOREY CABMWS REQUEST AS PART OF THE AMENDMENT TO MAIN MOTION, UNIT 195 TO CHANGE SEASON DATES TO OCT. 5 TO OCT. 31, AND ALL OF THE WHITE PINE CABMW CHANGES 111 – 115, 221 -223, 131-134,121, 114 - 115. COMMISSIONER IN FAVOR OF AMENDMENT: CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLACE. COMMISSIONER LENT OPPOSED. MOTION CARRIED 7 – 1. CHAIRMAN RAINE DID NOT VOTE.**

Chairman Raine said we are back to the main motion as amended.

**COMMISSIONERS IN FAVOR OF AMENDED MAIN MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, WALLACE, AND VOGLER. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Resident and Nonresident Mule Deer Antlered Any Legal Weapon Hunt 1331

**COMMISSIONER LENT MOVED TO ACCEPT DEPARTMENT RECOMMENDATIONS ON 1331 WITH EXCEPTION 011 - 013, AND 014, WE HAVE SPLIT SEASON EARLY SEASON OCT. 5 TO OCT. 20 WITH 80 PERCENT OF TAGS; AND SECOND PART OCT. 21 TO NOV. 5 WITH 20 PERCENT OF THE TAGS. ALSO CHANGE 194 AND 196 DATES FROM DEC. 21 TO JAN. 1 AS IT WAS LAST YEAR. COMMISSIONER CAPURRO SECONDED THE MOTION.**

Chairman Raine said we are only voting on three groups of units in this motion, 011 – 013, and 014 to reflect dates of Oct. 5 to Oct. 20 and Oct. 21 to Nov. 5 with 80 and 20 split. Dec. 21 to Jan. 1 for 194 and 196.

**COMMISSIONERS IN FAVOR of MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, WALLACE, AND VOGLER. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Commissioner Capurro said he has had several people suggest that the same situation in Unit 24 Units 241 – 245 to provide a split season, early and late.

**COMMISSIONER CAPURRO MOVED TO SPLIT UNITS 241 AND 245 TO REFLECT DATES OF OCT 5 TO OCT 20 AND OCT. 21 TO NOV. 5. COMMISSIONER HOWELL SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, CAPURRO, CAVIN, HOWELL, SHRUM, VOGLER. COMMISSIONERS OPPOSED MCBEATH AND WALLCE. MOTION PASSED 6 – 2. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER HOWELL MOVED TO APPROVE ANY LEGAL WEAPON HUNT 1331 AND 1235 THE BALANCE OF CHANGES AS MADE BY THE DEPARTMENT EXCEPTING THE UNITS ALREADY VOTED ON. MOTION SECONDED (MICROPHONE NOT ON).**

Commissioner Cavin asked if Storey County included in motion.

(Commissioner Howell’s microphone not on).

Chairman Raine said this reflects all changes made 1235 as far as season dates and the only exception is the unit groups we voted on in 1331, Units 241 – 245, 194 – 196, 111 – 113, and 014.

Commissioner Lent said the Commission received a letter from Storey CABMW out of the blue and did not take their letter as a recommendation as the board is not funded by the Commission, has not met a member of the board nor seen a member at a meeting; therefore did not take the letter as a recommendation.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

**CHAIRMAN RAINE SAID WE ARE VOTING ON MOTION: COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, WALLACE, AND VOGLER. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Biologist Wasley asked Chairman Raine to restate the dates for Units 241 – 245.

Chairman Raine said Oct. 1 to Oct. 20 and Oct. 21 to Nov. 5.

Resident and Nonresident Mule Deer Antlered Muzzleloader Hunt 1371

**COMMISSIONER LENT MOVED TO ACCEPT HUNT 1371 AS PRESENTED BY DEPARTMENT. COMMISSIONER CAVIN SECONDED THE MOTION TO APPROVE MUZZLELOADER SEASON 1371. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, WALLACE, AND VOGLER. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

Resident and Nonresident Mule Deer Antlered Longbow Archery Hunt 1341

**COMMISSIONER VOGLER MOVED FOR HUNT 1341 THAT WE CHANGE THE AUG. 1 DATE TO AUG. 8 THAT WE INCLUDE A LATE ARCHERY HUNT IN UNIT 121 TO COINCIDE WITH DATES OF 101 – 108 LATE ARCHERY NOV. 10 – NOV 30. COMMISSIONER MCBEATH SECONDED THE MOTION.**

**(MICROPHONE NOT ON) COMMISSIONER CAVIN SAID AS AMENDMENT NEED TO ELIMINATE 192, 194, 196.**

Commissioner Vogler said Douglas CABMW had a request too.

Eric Scheetz, Douglas CABMW, said the reason to remove archery hunt and keep consistent with removal of other weapons and we put those back so to make consistent need to keep archery in.

Chairman Raine said wherever Aug. 1 in Hunt 1341 that needs to be changed to Aug. 8 and create late archery hunt in Unit 121 and move hunt to Nov. 10 to Nov. 30.

**COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, WALLACE, AND VOGLER. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE. MOTION PASSED 8 – 0.**

**COMMISSIONER LENT MOVED TO APPROVE 2011 AND 2012 EMERGENCY HUNTS AS PRESENTED BY THE DEPARTMENT. COMMISSIONER CAPURRO SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL,**

**MCBEATH, SHRUM, WALLACE, AND VOGLER. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

**COMMISSIONER LENT MOVED TO APPROVE BIGHORN INDOCTRINATION COURSES FOR 2011 AND 2012 AS RECOMMENDED BY THE DEPARTMENT. COMMISSIONER HOWELL SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, WALLACE, AND VOGLER. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

- 23 Commission Regulation 11 – 04, Big Game Season Application Eligibility Deadline and Remaining Tag Regulations 2011 – 2012 – Program Officer III Maureen Hullinger - Action

PO III Hullinger said format is same as previous years and what is new is Silver State tag coming online and eligibility for a client. She said if they apply and eligible in main draw they can apply for both. Bear added as a season and hunt and eligibility language added for that. Silver State and bear are both online only applications. She said no recommendations against this were received.

Commissioner Lent said he noticed there is no reference to the 48 hour draw results and that language needs to be added that draw results will be available no later than 48 hours after main draw occurs.

**COMMISSIONER LENT MOVED TO APPROVE CR 11 – 04 WITH INCLUSION OF LANGUAGE STATING THAT DRAW RESULTS ARE AVAILABLE ONLINE WITHIN 48 HOURS. COMMISSIONER CAVIN SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, WALLACE, AND VOGLER. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

- 24 Commission Regulation 11 – 05, Silver State Tag and Partnership in Wildlife (PIW) Season and Quotas 2011 – Program Officer III Maureen Hullinger

POIII Hullinger provided background and the CABMW recommendations (exhibit file).

Biologist Mike Cox said a few units to clarify and remove from PIW hunt, for the elk exclude Unit 019 have agreement with Utah on interstate herd; and mountain goats to exclude Unit 103 as such a small population.

Public Comment -

Ray Sawyer, White Pine CABMW, said they may have an error as under impression there was no Heritage tag for California bighorn and therefore recommended no Silver State tag for that and is now understanding that there is from previous speaker and if that is

the case he will withdraw that part of their recommendations. He said four is too many and they want one Heritage, one Silver State, and the other to go in the PIW.

Chad Bliss, Eureka CABMW, said his board discussed and thought for the first year to have one elk, antelope, Nelson desert bighorn sheep, and deer tag/one tag per species and see what people are interested in and as for 2012 wait and see what happens with 2011.

Clint Bentley, former Wildlife Commissioner, said he would like recommended that the Commission follow the Eureka CABMW recommendation of one per species due to the removal of Nelson bighorn tag from the Heritage which is a loss of \$100,000 to that program and need to have all of these animals in this draw to sell as many tags as we can to offset the loss of removal of the desert bighorn sheep.

Paul Harris, Clark CABMW, said he agrees with Eureka CABMW and their recommendation and Mr. Bliss.

Chairman Raine said he is personally hesitant to throw out a bucket of tags the first year and would like what started at the beginning, a premium tag and another tag as well, and definitely something that will develop over time and last year specified nine to split between Silver State and Heritage and keep at nine as conservative instead of going to the 15.

Commissioner Cavin said felt initially that we should have one or two tags in Silver State but looking overall that if we do one or two tags what will we learn, and if we stay with Eureka CABMW's recommendation we will find out where our interest is.

Commissioner Lent said he disagrees here as plan was to start easy and have to be careful here as unproven system and talking about resources being taken away from resident hunters. After first year we will know what the demand is and how much money we will make, but to sell a desert bighorn tag for \$10,000 is a disgrace as we can auction it for \$50,000. He said if we start with a couple trophies like elk, antelope and a deer and see what happens, we know what we get for those animals through auction process. Also, what is status of Dream Tag as that could come online as that was mandated by law.

Acting Secretary Mayer said he heard legislation was introduced for the Dream tag and to change the composition of the Commission but to date has not seen the text of the legislation.

Commissioner McBeath said each of these tags will have a different demand, and the only way to know how these tags perform is to put it out there at least once. His distinct recollection is that when dealing with Heritage tags we promised to put that tag in Silver

State, and that was promise to sportsmen and wants the Commission to keep that promise

Commissioner Capurro said he likes the idea of compromise set forth by Commissioner Lent with one tag for first year for one elk, antelope, and mule deer and then evaluate it. The rest we adopted for two years and assumes we will make motions separately and when it comes to Heritage he wants to take a look at adding California back into Heritage.

Commissioner Cavin said the Commission committed to the desert sheep tag last year and made major changes in the quotas for Heritage and committed to save a desert bighorn sheep tag for this hunt and if we are willing to throw in an elk tag and with the status of mule deer and antelope that won't hurt anything and we need to honor our commitment at least for desert bighorn sheep tag and not diluting that resource. He said he understands the Commission has been hung up on this for 15 or 20 years, and it is today.

Commissioner Capurro said he remembers with respect to desert bighorn sheep there was problem in Bares and had three desert sheep tags, PIW, and regular tag holder who was at end of line for hunting. The concern has been that those premium tags over the last few years have been used in Bares and that was major reason for reduction from three to one.

**COMMISSIONER LENT MOVED FOR SILVER STATE TAG THAT WE ALLOCATE ONE MULE DEER, ONE PRONGHORN, ONE ROCKY MOUNTAIN ELK. COMMISSIONER CAPURRO SECONDED THE MOTION.**

**COMMISSIONER CAVIN MOVED TO AMEND THE MOTION AND HONOR COMMITMENT TO DESERT SHEEP TAG THAT THE COMMISSION MADE LAST YEAR AND INCLUDE THAT IN THE MOTION. COMMISSIONER MCBEATH SECONDED AMENDMENT.**

**COMMISSIONERS IN FAVOR OF AMENDMENT: WALLACE, MCBEATH, CAVIN. OPPOSED: LENT, CAPURRO, HOWELL, SHRUM, AND VOGLER. AMENDMENT FAILED 3 – 5. CHAIRMAN RAINE DID NOT VOTE.**

**CHAIRMAN RAINE RETURNED TO MAIN MOTION AND COMMISSIONERS IN FAVOR: CAPURRO, HOWELL, SHRUM, VOGLER, LENT, MCBEATH, CAVIN. COMMISSIONER WALLACE OPPOSED. MOTION CARRIED 7 -1. CHAIRMAN RAINE DID NOT VOTE.**

PIW

**COMMISSIONER CAPURRO MOVED FOR 2011 TO RESIDENT MULE DEER GO TO 22 AND NONRESIDENT THREE, RESIDENT PRONGHORN ANTELOPE FIVE, DESERT NELSON ONE, ROCKY MOUNTAIN ELK TWO, ROCKY MOUNTAIN GOAT ONE, AND THE CALIFORNIA BIGHORN SHEEP ONE. COMMISSIONER SECONDED MOTION. COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, WALLACE, AND VOGLER. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

- 25 Commission Regulation 11 – 06, Heritage Tags, Silver State, and PIW - PO III Hullinger and Biologist Mike Cox

PO III Hullinger said CR 11 – 06 is all three programs are together for the first time and there is a limit of 15 for Heritage and Silver State and limits for PIW as well. She also reminded the Commission that Silver State has to have a concurrent Heritage tag to have a Silver State and current recommendation for 2012 that concurrence is not there. She reviewed the CABMW recommendations received.

Jelindo Tiberti, former Wildlife Commissioner, asked how much money was raised by PIW last year and was it less than a \$100,000, need to have that information today and taking the California out, where is the math and need a spreadsheet to show how much we are gaining or losing doing these accounts.

Paul Harris, Clark CABMW, said in response to what Commissioner Cavin said, it is different times, we have ability to put 15 tags out there and the state needs money and seems crazy. Past season we harvested 158 desert bighorns and there were about 200 resident tags, and 200 resident tags bring in \$24,000 and will take six years to make up for one tag. He said last year there were 17 rams that exceeded 170 inches and Mr. Capurro was absolutely wrong, as 10 units that had bighorn sheep over 170 inches, Unit 262 ...

Commissioner Capurro said you didn't get that from me.

Paul Harris, Clark CABMW, said you said that all of the hunters are going into one unit to kill the big rams that is not the case and issue resolved by not allowing that. Mr. Harris said his point is we killed 17 rams that were 170 plus and trophy hunters who bid on Heritage tags and that one tag could go for \$130,000 to \$150,000 and you are throwing that out. He understands the Commission has not gone beyond the nine tags in the past, but has the flexibility to go to 15. He said it is unrealistic to do that today and is not 2005 with money falling out of the sky. Mr. Harris said it seems like a personal vendetta by some of the Commission to not have that tag and that is crazy.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Chairman Raine said he would say that it appears exceedingly greedy to have 15 tags and that is how sportsmen will see it as making hunting a rich man's sport and again if we throw out 15 tags that looks exceedingly greedy and that is the public perception that he foresees, and that is the word used to him.

Commissioner Capurro said for the record that is exactly the testimony we had last year when we dealt with this issue, that all premium tags had gone to the Bares and taken as easy hunt and has big rams, Commission concerned that they would be hunted out. He said he does not know where Mr. Harris got his information but not the case as he was the person who made the motion to increase tags he thinks are important such as PIW tags that are for ordinary hunter and they increased it to 35.

**COMMISSIONER CAPURRO SAID HE IS PREPARED TO MAKE A MOTION RELATIVE TO HERITAGE TAGS, RECOMMENDING TWO MULE DEER, TWO PRONGHORN, TWO ROCKY MOUNTAIN ELK, ONE DESERT BIGHORN, ONE CALIFORNIA BIGHORN AND FIVE TURKEYS, A TOTAL OF 11, INCREASE OVER LAST YEAR'S EIGHT, AS TURKEYS ARE SEPARATE ISSUE, HIS MOTIONS RESULTED IN INCREASE OF PREMIUM TAGS TO 11, AND THAT IS MORE THAN WE EVER HAD.**

Chairman Raine said that was a motion on 2011...

Commissioner Capurro said 2012.

Chairman Raine said 2012 Heritage tags and asked for a second.

**COMMISSIONER HOWELL SECONDED THE MOTION.**

Chairman Raine said the motion is basically to accept as Department recommended with the additional California on 2012 Heritage tags.

Commissioner Vogler asked if too late to add a black bear tag.

Chairman Raine asked if that is an amendment to the motion.

**COMMISSIONER VOGLER SAID HE WILL AMEND THE MOTION TO ADD BLACK BEAR IF LEGAL. COMMISSIONER HOWELL SECONDED THE AMENDMENT.**

PO III Hullinger said the notice for the public for this agenda item did not include black bears.

DAG Whitney said he would agree that the public was not noticed as to the black bear.

**COMMISSIONER VOLGER AND COMMISSIONER HOWELL WITHDREW THE AMENDMENT.**

Chairman Raine said a good point and in the future may want to add black bear for consideration.

Commissioner McBeath asked if previously there had been California bighorn Heritage tags.

PO III Hullinger said yes and the sold for in 2010 for \$55,000, in 2009 \$45,000, and in 2008 \$60,000.

**COMMISSIONER MCBEATH MOVED TO AMEND THE 2012 HERITAGE TAGS TO ADD ONE ADDITIONAL NELSON BIGHORN SHEEP TAG TO THE LIST. COMMISSIONER WALLACE SECONDED THE AMENDMENT.**

Commissioner Lent said we've been accused of having a personal vendetta and would like that gentleman who stood up and said that he said we got \$140,000 and does not think we got that and he could make up the difference, and as is hearing that the tag prices have gone down and does not support adding tags just for money. The value of the tag is not raising as much and there are other things in the world beside money and sportsmen have a better right to them then selling our resources that belong to every citizen so a group can have a function that celebrates their function and we are getting more and more tags and getting way past what he thinks what we should do, and if you want to make it a rich man's sport we could auction all the California tags off instead of drawing them if that is what you want to do. He said he does not support going to two desert bighorn because of that.

Chairman Raine said absolutely, that is quite greedy, and that is what the public will see.

Commissioner Vogler said the biggest comment he gets is from elk hunters who say he gets rich off wildlife, and he only gets one elk tag and he does support them, and if we need to make it a rich man's sport let's sell them and do it by incentive, or let's make it a sport for general public.

**CHAIRMAN RAINE RESTATED MOTION TO AMEND WHICH IS TO CHANGE MAIN MOTION TO TWO NELSON. COMMISSIONERS IN FAVOR: WALLACE, MCBEATH, CAVIN. COMMISSIONERS OPPOSED: LENT, CAPURRO, HOWELL, SHRUM, AND VOGLER. MOTION TO AMEND FAILED 3 - 5. CHAIRMAN RAINE DID NOT VOTE.**

**CHAIRMAN RAINE RESTATED MAIN MOTION: AS DEPARTMENT PRESENTED WITH ADDITIONAL CALIFORNIA BIGHORN SHEEP FOR 2012 WILDLIFE HERITAGE TAGS.**

**COMMISSIONER CAVIN (MICROPHONE NOT ON). COMMISSIONER CAVIN SAID TO INCLUDE IN THE MOTION A UNIT WHERE THE HERITAGE TAG HARVESTED THAT UNIT WOULD BE CLOSED ONLY FOR DESERT BIGHORN SHEEP. COMMISSIONER HOWELL AS SECOND TO MAIN MOTION AGREED. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION PASSED 8 – 0.**

Silver State Tag 2012

**COMMISSIONER CAVIN MOVED TO DEFER ACTION ON THE SILVER STATE TAG FOR 2012 UNTIL WE HAVE RESULTS WE CAN LOOK AT AND RESET THE QUOTA ACCORDINGLY.**

Chairman Raine said originally he thought of only handling 2011 but was convinced otherwise to consider 2012 with a quota and would like a quota same as last year that could be amended if necessary to satisfy the expectation that this is an ongoing hunt.

**COMMISSIONER LENT SAID HE WOULD AMEND THE MOTION TO MAKE THE 2012 SILVER STATE TAG THE SAME AS PREVIOUSLY VOTED ON FOR 2011, ONE MULE DEER, ONE PRONGHORN, AND ONE ROCKY MOUNTAIN ELK. COMMISSIONER SHRUM SECONDED THE AMENDMENT. COMMISSIONERS IN FAVOR OF AMENDMENT: RAINE, VOGLER, LENT, HOWELL, SHRUM. OPPOSED: CAVIN, CAPURRO, MCBEATH, WALLACE. AMENDMENT PASSED 5 – 4. CHAIRMAN RAINE VOTED.**

Chairman Raine said main motion states 2012 Silver State tags for one mule deer, one antelope and one Rocky Mountain elk, identical to 2011.

PIW 2012

**COMMISSIONER CAPURRO MOVED THAT THE 2012 PIW HUNT NUMBERS FOR 2012 BE THE SAME AS 2011, TOTAL OF 35 TAGS - 22 DEER FOR RESIDENTS AND THREE FOR NONRESIDENTS; FIVE PRONGHORN ANTELOPE; ONE DESERT BIGHORN; TWO ROCKY MOUNTAIN ELK, TWO ROCKY MOUNTAIN GOATS AND ONE CALIFORNIA. COMMISSIONER LENT SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLACE. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

- 26 Commission Regulation 11 – 08, Mountain Lion Seasons 2011 – 2012 and 2012 – 2013 –  
Staff Biologist Russell Woolstenhulme

Biologist Woolstenhulme said no change with exception to Unit 091 which was changed from four lions to two due to an agreement between Utah that agreed four lions would be harvested between the two states.

Chairman Raine asked if NDOW have any numbers of the mountain lion population statewide.

Biologist Woolstenhulme said adult lions number was between 1,200 and 1,300 according to the model and plan.

Chairman Raine said his comment is that previously only science was Altman study that came out that you can harvest 30 percent of the lion population and not affect main population and is exceedingly conservative estimate and other states have come out and said number is far higher that you can harvest above that and not affect the population.

**COMMISSIONER HOWELL MOVED TO APPROVE CR 11 – 08 WITH FOLLOWING CHANGES TO RAISE QUOTA TO 500, ELIMINATE THE LIMIT ON THE TAGS COMPLETELY AND THE METHOD OF TAKE CHANGED TO INCLUDE INCIDENTAL TRAPPING DURING THE TRAPPING SEASON TO GET A HANDLE ON HOW MANY TRAPPERS TAKING LIONS AND THIS WAY WE WOULD HAVE A NUMBER.**

**(Speaker - Microphone not on until Acting Secretary Mayer speaks)**

Chairman Raine how to break up the quota among the units.

Commissioner Howell said identical distribution.

**COMMISSIONER SHRUM SECONDED THE MOTION.**

Acting Secretary Mayer said as a former third generation Californian he would advise the Commission that we have become California and we will see legal scrutiny on this. In California he saw it and they lost it. He said he believes that this will take a NAC change on trapping and is surprised the Commission's DAG did not address this as the trapping issue is completely separate. He said the other thing is when you throw out a number such as 500 he is not sure how that fits in our biological analysis and if beyond what we modeled as that is the avenue for anti hunters to come in. He said he believes in lion hunting and that the Commission have a measured approach to this and he suggested a workshop where the model could be discussed as we should understand what we are doing.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

Chairman Raine according to only science provided by NDOW the number is 700 and this is 200 under that so we are being conservative.

Commissioner Capurro asked Acting Director Mayer why there is no lion hunting on Sheldon or the Desert National Wildlife Refuge.

Acting Secretary Mayer said that is due to the federal government regulations.

**COMMISSIONER MCBEATH MOVED TO AMEND THE MOTION TO ACCEPT THE 2011 – 2012 AND 2012 – 2013 UNDER CR 11 - 08 AS SET FORTH BY THE DEPARTMENT. COMMISSIONER WALLACE SECONDED THE MOTION.**

**COMMISSIONER CAPURRO MOVED TO AMEND MOTION TO AMEND THE MOTION AND NOT DEAL WITH NUMBERS BUT TO REMOVE TWO TAG MAXIMUM PER PERSON AND THAT THERE BE NO LIMIT WITHIN CONFINES OF NUMBERS ADOPTED.**

PO III Hullinger said that is NAC change for two tag maximum per person.

Commissioner Vogler asked staff for the number of lions harvested.

Big Game Biologist Russell Woolstenhulme said this year 130 lions taken so far this year.

(Microphones not on until Acting Director Mayer speaks)

Acting Secretary Mayer said very few people take two lions and his experience has been perception and this is a quota we don't need to reach.

Chairman Raine conferred with DAG Whitney and advised the Commission that DAG Whitney said to strike all amendments and amendments to the motion and heed his advice to start over. Chairman Raine said all motions have been stricken and basically cannot deal with incidental take or tag maximums, as those are set in NAC and today's agenda is Commission Regulation.

Commissioner Howell said he conducted research and method of take is in the regulation. He said someone had to do that to begin with and let's do it.

Chairman Raine said that is a different process and we can deal with the quota.

**COMMISSIONER HOWELL MOVED TO APPROVE COMMISSION REGULATION 11 – 08 MOUNTAIN LION SEASONS FOR 2011 TO 2012 AND 2012 - 2013 WITH THE CHANGE OF THE LIMIT TO 500.**

PO III Hullinger said for clarification that the quota is unlimited with a two tag limit per person, and actually through the draw process actually issue a couple thousand. Numbers in the CR are for harvest objective.

**COMMISSIONER VOGLER SECONDED THE MOTION.**

**COMMISSIONER MCBEATH MOVED TO AMEND THE MOTION TO RETAIN HARVEST OBJECTIVES SET BY DEPARTMENT FOR 2011 – 2012 AND 2012 - 2013, AND IS VERY OBVIOUS TO HIM THAT THIS IS JUST A GESTURE AT THIS POINT AS WITH TWO TAG LIMIT YOU WILL NEVER GET THIS TO WHAT YOU PROPOSED HERE. THE ONLY THING THAT WILL OCCUR IS TO INFLAME THE PUBLIC AND THE ADVOCATES FOR ANTI-HUNTERS AND ANTI-LION PEOPLE AND OTHERS AND JUST DOES NOT SEE PURPOSE THE PURPOSE NOW THAT IT IS GUTTED BY THE NAC. COMMISSIONER WALLACE SECONDED THE MOTION. PUT BACK TO NDOW RECOMMENDATIONS. COMMISSIONERS IN FAVOR: CAVIN, MCBEATH, WALLACE. OPPOSED: LENT, CAPURRO, HOWELL, SHRUM, AND VOGLER. AMENDMENT FAILED 3 – 5.**

**COMMISSIONERS IN FAVOR OF MAIN MOTION: LENT, CAPURRO, HOWELL, SHRUM, VOGLER. OPPOSED CAVIN, WALLACE, MCBEATH. MOTION PASSED 5 - 3. CHAIRMAN RAINE DID NOT VOTE.**

27 Findings of Mule Deer Restoration Committee – Chairman Raine – Action

Chairman Raine said a letter was sent on this item from Western Association of Fish and Wildlife Agencies (WAFWA) and this issue was discussed at great length at the last meeting.

DAG Newton said there was a request in the letter that WAFWA's letter be read into the record.

Chairman Raine said we will in the next two seconds have public comment and if they don't read it he will, he said he will just read it now...but does not know why we need to read it as everybody on the Commission has read and has been entered into the record. If someone wants to use their three minutes to read it go ahead.

Paul Dixon, Clark CABMW, said Commissioner Lent spent one and one-half hour yesterday reading into the records items that had no meaning to what we were talking about, and this letter is directly important to our mule deer herds, and is astonished that Chairman Raine will not read something as important as this with science in it that basically challenges the science your group worked on for almost two years with the mule deer working group, and the letter concludes that you did not do your homework, or talk to the right people, and that you had predetermined notion of where you wanted to go. In the report they did not take on the attacks made on NDOW, WAFWA

did not deal with that. He said the letter should be read into the record and you know that no one can read the whole letter in three minutes unless each person here takes a segment. Mr. Dixon said the letter should have been read into the record.

Steve Kemp, Humboldt CABMW, said as a board they made a motion to not accept the document as no scientific basis behind it and needs to be looked at a little more.

Cory Lytle, Lincoln CABMW, said his board voted it down across the board too many loose ends and structure did not give clear detailed approach. He said relative to legalities requiring personnel to come up with numbers that are not determined and managing animals owned by the people of the state, cannot compare wildlife to private animals and this will get us bogged down in legal battles. Same for scientific data and he is a proponent that you don't have to do everything 100 percent of the time and we can go against or skirt scientific data in a lot of areas but some are under federal rules and policies, which have to be followed. Mr. Bunch mentioned that yesterday that you need to work with the feds and figure out better sources to channel our energy into other avenues and figure out better ways. Mr. Lytle said we need to work this in the right direction to make things better.

Ken Wellington, Elko CABMW, said his motion and intent was to support the concept of the Mule Deer Restoration Committee's report when it came to habitat, grazing, pinyon-juniper encroachment, weather, drought, predation, invasive weeds, feral horses, and wild fire, however; wanted to make sure when reviewed and looked at it further that the committee works with the Department and uses science for their next report.

Walt Gardner said representing himself that he read through the plan and though was a tremendous piece of work could find no flaws, is overdue as the Department has been running without a rudder for a while. Also the guides' association has asked him to relay that they believe in the plan and concept and is a great step in the right direction.

Paul Dixon, Clark CABMW, read summary of WAFWA letter into the record (support material/exhibit file).

Commissioner Lent said he read the document and noted this letter was not on official WAFWA stationary and you are not getting the full story here. Arizona had a 10 year study and chair of WAFWA Mule Deer Working group that was headed by Jim DeVoss who Mr. Heffelfinger replaced. Mr. Lent cited and read a section from a study written by Eric Rominger from New Mexico and another one and the bottom line is WAFWA is generalizations and WAFWA will not become involved in state issues and a director can get anyone in WAFWA to write a letter. He said members of WAFWA have never set forth in Elko County and does not think WAFWA knows more than ranchers or Cliff Gardner and ranchers spent more time in the field than biologists. Before we decide how we get there imperative to know where we want to go. This committee report

needs to be accepted and is a start and road map of how we are going to get there. He said this will go back to the committee to start the road map and that is a motion.

(Microphone not on until Jon Sjoberg speaks)

**COMMISSIONER LENT SAID HE WILL MAKE MOTION TO ACCEPT FINDINGS NBWC AND GET THIS ROAD MAP GOING. COMMISSIONER HOWELL SECONDED THE MOTION.**

Chairman Raine said set game production goals and need to do that to bring back mule deer populations and design organization to accomplish those goals. Bad science read letter from WAFWA and studies behind their documentation of findings based on fact. May be a few errors but has not found them.

**COMMISSIONERS IN FAVOR OF MOTION: LENT, CAPURRO, HOWELL, SHRUM, VOGLER. OPPOSED CAVIN, WALLACE AND MCBEATH. MOTION CARRIED 5 – 3.**

Commission Regulation (CR)

- 28 CR 09 – 09 Amendment #1, - Fisheries Biologist Jon Sjoberg – Action

(Microphone On)

Fisheries Biologist Sjoberg said the CR renames Carson City's Fujii Park Pond to Baily Fishing Pond. Part II of the CR is to close part of Clark County Wash to conform to Clark County park regulations that have been in effect since 2003.

**COMMISSIONER MCBEATH MOVED TO ACCEPT AS PROPOSED. COMMISSIONER CAPURRO SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLACE. MOTION CARRIED 8 – 0.**

(Microphone not on)

Chairman Raine said the informational reports on this agenda are deferred to the March meeting, and agenda items #9 and #10.

- 31 Nevada Department of Wildlife Director Selection/Recruitment Process – Chairman Raine – Informational

Chairman Raine said notice is out with deadline for applications in mid-March.

- 32 Future Commission Meeting – Acting Director Ken Mayer – Action

Acting Director Ken Mayer said the CABMW workshop is scheduled for March meeting.  
Meeting Adjourned at 4:40 p.m.

NBWC Las Vegas Meeting  
Feb. 4 and 5, 2011

**A videotape of the meeting is available for viewing on the NDOW website at [ndow.org](http://ndow.org).**

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