

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

**DRAFT Minutes**

Nevada Board of Wildlife Commissioners' Meeting  
Nevada Department of Wildlife  
1100 Valley Road  
Reno, NV 89512  
Amended Agenda – 3/1/11

Friday, March 11, 2011 – 9:30 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 Commissioner Appreciation – Acting Secretary Ken Mayer
- 3 Approval of Agenda – Action
- 4 Member Items/Announcements
- 5 County Advisory Boards to Manage Wildlife (CABMW) Member Items
- 6 Public Comment Period
- 7 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.
- 8 Master Guide License Appeals – Chief Game Warden Rob Buonamici - Action  
The Commission will hear appeals from six Master Guides requesting reinstatement by the Commission of their Master Guide licenses which have been suspended by the Department.  
  
Amended      A      Richard A. Hankins  
                         B      Ken W. Mallory  
                         C      Charles F. Marques  
                         D      Ervin W. Cronister
- 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.
- 10 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](http://huntnevada.com) website.
- 11 Legislative Committee Report and Actions - Commissioner Capurro
- A The Commission will hear a report from the Legislative Committee - Commissioner Capurro – Informational
- B The Commission may take action to support, not support, or take no action on bills reviewed at the Legislative Committee meeting - Commissioner Capurro - Action
- 12 Consideration of Disbanding *de facto* Committee to Meet with Governor Sandoval - Chairman Raine - Action  
At a prior meeting the Nevada Board of Wildlife Commissioners voted to send a two-member delegation to meet with Governor Sandoval concerning regulation changes being brought before the Board. Counsel advised that it is possible the previous vote technically created a *de facto* public body subject to the Nevada’s Open Meeting Law. The Board will consider taking action to disband the delegation.
- 13 Administrative Procedures, Regulations and Policy (APRC) Committee Report and Recommendations – Vice Chairman Lent – Action  
The Commission will hear a report from the APCR Committee and conduct a first reading of proposed changes to Commission Policy #10, “Wildlife Heritage Tags and Vendors”; and first readings on two new proposed Commission Policies, “Transparency” (policy number pending) and “Wolves” (policy number pending).
- 14 Commission General Regulation 394 Wolf Status, Temporary-T006-10 – Chairman Raine – Informational  
The Commission will discuss the concept of a temporary regulation revising the status of gray wolves (*Canis Lupis*) from a game mammal to unprotected mammal and other matters related thereto, however, no regulatory language will be proposed.
- 15 Management Bull Elk Definition – Chief of Game Larry Gilbertson - Informational  
The Department will report to the Commission on the concept of “management bull elk seasons,” however, no regulatory language will be proposed.
- A The Commission may give guidance, and provide guidelines to NDOW concerning, development of language for regulation establishing a management bull elk season – Chairman Raine – Action
- 16 Wayne E. Kirch Wildlife Conservation Award Judging Committee Report and Recommendations – Commissioner Howell – Informational  
The Commission will hear a report from the Wayne E. Kirch Wildlife Conservation Award Judging Committee on changes to Commission Policy #51, Wayne E. Kirch Nevada Wildlife Conservation Award, and the Commission will hear a first reading of those changes.

- 17 Report from Feral Horse Committee – Committee Member Floyd Rathbun –  
Amended Informational

Commission Regulation – Action

- 18 Commission Regulation Number 11- 09 – Black Bear Draw Application Deadline – Program Officer III Maureen Hullinger  
The Commission will consider adoption of the 2011 and 2012 black bear hunt online application deadline of the second Friday in May until 5 p.m. except as provided in LCB file R155-09, and the Wildlife Administrative Services Office will accept applications for the black bear hunt online only at [www.huntnevada.com](http://www.huntnevada.com).

19 Reports – Informational

- A Western Association of Fish and Wildlife Agencies (WAFWA) 2011 Mid-Winter Conference Report – Commissioner Capurro
- B Elk Damage and Incentive Committee Report – Commissioner Vogler
- C Ruby Mountain Deer Study – Chief of Game Larry Gilbertson
- D Wildlife Heritage Trust Fund Principal and Interest Fiscal Year 2012 – Deputy Director Patrick Cates
- E 2011 Legislative Session Update – Management Analyst III Kim Jolly
- F Local Bear Ordinances Update – Management Analyst III Kim Jolly
- G Gifts, Grants, Donations, and Bequests – Deputy Director Cates
- H Litigation Report – Deputy Attorney General David Newton
- I Department Activities/Leadership Team Notes – Acting Secretary Ken Mayer

Saturday, March 12, 2011 – 8 a.m.

- 20 Call to Order, Pledge of Allegiance, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Raine
- 21 Member Items/Announcements
- 22 Public Comment Period
- 23 Second Readings of Commission Policies – Vice Chairman Lent – Informational  
The Commission will conduct second readings of proposed changes to Commission Policy #10, “Wildlife Heritage Tags and Vendors”; and second readings on two new proposed Commission Policies, “Transparency” (policy number pending) and “Wolves” (policy number pending).
- 24 Revisions to Commission Policy #51 Wayne E. Kirch Nevada Wildlife Conservation Award – Commissioner Howell – Informational  
The Commission will hear a second reading of revisions to Commission Policy #51 Wayne E. Kirch Nevada Wildlife Conservation Award.

- 25 Future Commission Meeting – Acting Director Ken Mayer – Action  
The next Commission meeting is scheduled for April 15 and 16, 2011, in Reno. The Commission will review potential agenda items for the meeting. The Chairman may designate and adjust committee assignments as necessary.

2011 Biennial County Advisory Boards to Manage Wildlife Workshop  
The Boards and Commission will meet in a facilitated session for brief presentations and discussions. The Commission will not take formal action on any workshop items. However, the purpose of the workshop is that a common understanding of Board and Commission processes is achieved. The public is encouraged to attend and observe.

- Welcome and Opening Comments – Chairman Raine and Acting Secretary Ken Mayer
- CABMW Budgeting – Deputy Director Patrick Cates and Administrative Officers III
- Big Game Division Computer Model Process Demonstration – Big Game Division Chief Larry Gilbertson and Big Game Biologist Mike Cox
- Frequently Asked Questions for CABMW Manual – Management Analyst III Kim Jolly
- NDOW Website Demonstration – Website Coordinator Jake Sunderland
- The Regulatory Process – Chief Game Warden Rob Buonamici

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	Bryan L. Stockton, Deputy Attorney General
Suzanne Scourby, Recording Secretary	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	Game Warden Joe Maslach
Big Game Biologist Mike Cox	Chief of Operations Bob Haughian
Management Analyst III Kim Jolly	Program Officer III Maureen Hullinger
Acting Chief of Conservation Chief John McKay	

Others in Attendance/Two Day Meeting:

William S. Meyer, Lyon CABMW	Jim Jenne, Lyon CABMW
Walter Mandeville, Lyon CABMW	Glenn Bunch, Mineral CABMW
Joe Crim, Pershing CABMW	Justin Fricke, Nevada Subguide
Kevin Strozzi, Nye CABMW	Tom Cassinelli, Humboldt CABMW
John Reed, Washoe CABMW	Matt Deal, Deputy Attorney General – AG Office
Gil Yanuck, Carson CABMW	Don Sefton, Systems Consultants
Tom Reed, Systems Consultants	Wayne Whitten, Churchill CABMW
Randy Lytle, Lincoln County	Cory Lytle, Lincoln CABMW
Scott Torgerson, Lander CABMW	Philip Gray, Lander CABMW
Gary Sweeney, Lander CABMW	George Corner, Nevada Outfitters and Guides
Rex Flowers, Washoe CABMW	Floyd Rathbun, Feral Horse Committee
Frank Ely, Falconry	Lew Souder, Nevada Falconry
Corey Dalton, Nevada Falconers	

**Friday, March 11, 2011 – 9:30 a.m.**

- 1 Call to Order, Pledge of Allegiance, Introduction and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Raine

The meeting was called to order at 9:36 a.m. by Chairman Raine.

Commissioners Present for Roll Call: Chairman Scott Raine, Commissioners Lent, Capurro, Cavin, Howell, McBeath, Shrum, Vogler and Wallace.

CABMW Roll Call: Jim Jenne, Lyon; Walt Mandeville, Lyon; Bill Meyer, Lyon; Kevin Strozzi, Nye; Don Hanks, Elko; Gil Yanuck, Carson; John Reed, Washoe; Gary Sweeney, Lander; Scott Torgerson, Lander; Bill Gray, Lander; Tom Cassinelli, Humboldt; Glenn Bunch, Mineral; and Joe Crim, Pershing.

- 2 Commissioner Appreciation – Acting Secretary Ken Mayer

Chairman Raine said the Commissioner for the award is not present.

- 3 Approval of Agenda – Action

Commissioner Vogler said several issues of the Elk Damage and Incentive Committee and Wildlife Damage Management Committee are quite similar and as both are informational he would like to combine those two under agenda item #9, #19 B will be combined with #9 A.

Commissioner Cavin said for agenda item #13, Administrative Procedures, Regulations and Policy, is denoted as “action” and should be informational.

Chairman Raine agreed with Commissioner Cavin.

**COMMISSIONER HOWELL MOVED TO ACCEPT THE CHANGES. COMMISSIONER VOGLER SECONDED THE MOTION. COMMISSIONERS IN FAVOR OF THE MOTION: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLCE. MOTION PASSED 8 – 0. CHAIRMAN RAINE DID NOT VOTE.**

- 4 Member Items/Announcements

Commissioner Shrum said he has two items: He has a friend from White Pine County, Mr. Bob Trombley who is well known in Nevada and White Pine County, who is in hospice now and if anyone needs his daughter’s email address to send a card he will provide it. Secondly, the letter to Secretary Ken Salazar that was discussed at the last meeting was written, and has been signed by Chairman Raine. He read the letter (Attachment A). Commissioner Shrum said last week he and Commissioner Howell

attended a Bureau of Land Management (BLM) meeting in Las Vegas and learned a three year plan is underway that deals with travel management plans which will affect 3.4 million acres in Clark County. Clark is scheduled first, then Nye and Lincoln. He said what troubles him is that they have signage for road closures, and will have vast areas of land that they are trying to tell us how to use and they are taking away more by adding new program to old program. He said these problems started with the Taylor Grazing Act of 1933 when we invited the federal government to manage our lands.

Commissioner McBeath said that letter just read by Commissioner Shrum has not been before the Commission to date.

Chairman Raine said for clarification the Commission voted on and approved a letter at the last meeting based on guidelines expressed by Commissioner Shrum and that is what the final letter was based on and was drafted by Commissioner Shrum. That was the motion made and passed.

Commissioner McBeath said the actual letter never came before the whole Commission or NDOW for comment, and that is a problem he has with letter representing this body, and that the actual Commission had not seen the letter or voted on whether or not the letter should go out. This Commission acts as a board and matters out of this board need to be authorized and giving direction to one Commissioner to draft a letter and for that letter to be signed by chair without rest of board seeing the letter without Commission or CABMW comment is problematic to him. The Board needs to be involved as a Commission with these matters so when we have a communication that is represented to be from the Commission it must be certain that the Commission has actually seen the letter and voted on it before sending out. He said his question to the Deputy Attorney Generals (DAG), is whether the Commission is overstepping its bounds by sending out this particular letter, under these facts.

Deputy Attorney General (DAG) Stockton said he was not present at that meeting, but if Commission voted on concept and for Commissioner Shrum to draft the letter, the Commission has that discretion to let someone draft the letter. If that was voted on and approved, it is not illegal to have one member draft the letter, whether wiser to draft letter and have it come back is another issue.

DAG Newton said he would need to review the minutes.

Commissioner Lent said at the last Commission meeting in Las Vegas when the big game computer model agenda item was presented he had requested a live demonstration of the deer model in action with certain areas, and to date has not been notified of that. He would like the demonstration before the deer quota meeting, and also requested that all modeling information be given to the Commission with instructions and tapes from Wasley and Cox's presentations. Secondly for the April agenda he would like a work session before the quota setting meeting like Utah has and the information he

would like there, is to have the buck doe ratio for every unit in the state for last 10 years, and fawn doe ratio for every unit for 10 years, so they can look at trends so action can be taken if downward or upward trends. This will help the CABMWs and the Commission make good decisions, as deer are back bone of the budget, and want to be as active as we can. Thirdly, as chairman of the Heritage Committee he requested number of Heritage projects submitted and talked to NDOW staff to the Heritage Committee and was told by staff that no projects were submitted by mid-February and they would have the numbers by March 2, and he needs to have his committee meeting prior to May meeting and needs to get information to the CABMWs as soon as possible. He called staff on March 2 and he received email from staff which he read and will provide for the record telling him to go to the Deputy Directors. The email he received back which is for the record was a nasty response and he will read part of it, and would have liked a more friendly response as this response offended him. By law the Commission has time tables and last year the CABMWs did not get the projects timely and that may happen this year too. He ended up requesting the information under public records law. He said we may have to have a two day meeting in May as last time we had a lawsuit. He wants time to scrutinize the projects with a fine tooth comb as should the CABMWs. Commissioner Lent said due to his complaint he should receive the information within five days and will then schedule a Heritage Committee meeting.

Commissioner Vogler asked why in the world a Commissioner would need to do that and is the Commission that far apart from NDOW, and asked for an explanation.

Chairman Raine said there is a NRS stating that the reports will be provided by the Department.

Commissioner Lent said he is aware that the Department has an internal policy on interactions between the Commission and the Department and maybe we could get a copy of that by noon to review. They have a policy on how they react and support the Commission and knows that they have had it since a few years ago. It is critical to get the Heritage information out and we have to be careful due to the lawsuit and in his opinion the Committee will not accept projects that do not meet the legal requirements.

Chairman Raine said related to Heritage, he tried to schedule a meeting with Governor Sandoval as voted on at the last meeting and there is an agenda item to disband the de facto committee, and he and Commissioner Capurro spoke with the Governor's General Counsel, Lucas Folletta yesterday, and Mr. Folletta suggested that all communication with NDOW staff be copied specifically to the Director. He said he will attempt to do that and if he fails that is simply an oversight and would ask that staff correct his secretarial error and forward on to Acting Director Mayer.

Acting Director Mayer said he would appreciate being copied and that he objects to Commissioner Lent's abuse of staff over the last three years as that has created a hostile work environment, and that is why he is asking Chairman Raine to send communications

directly to him or Deputy Directors and staff have been instructed not to drop the things they have ongoing, and is dramatic and disingenuous to talk of delaying information to CABMWs when the deadline was March 1 and you asked for that information on March 2. He said we have legislation and other work and we want to make sure information provided is timely and accurate and last thing he wants is staff scurrying around as that makes it hard for staff to accomplish their work and provide accurate information. He thinks Commissioner Lent will have the information he needs by the end of this week, and staff is not Commissioner Lent's to direct.

Commissioner Capurro said additionally in meeting with Mr. Foletta they asked about Heritage language changes by regulation and their concerns as a result of the lawsuit that was basically thrown out which brought up issues which were reviewed by Deputy Director Cates and DAG Stockton who were concerned with Heritage projects. This year's deadline has passed and we will be dealing with the projects using old regulations and that was the purpose of having that agenda item on the last agenda. Mr. Foletta indicated accommodation that could be made and that he would talk to DAG Stockton about what he drafted. We did have Administrative Procedures Regulation Committee meeting, where Deputy Director Cates gave suggestions relative to the process, and believes his changes were incorporated, but need to take this up again.

Chairman Raine said good to hear opinion from Governor's staff regarding changes to regulations. Basically, the Department and Commission are tasked with reviewing all regulations, question is that anybody that has a regulation to change, the Governor's office is interested and wants to see obsolete adverse regulation changes eliminated. If CABMWs know of any that can be place on an agendas so long as you don't have proposed new language. He asked if the Department has a timeline to complete that or a list.

Acting Director Mayer said the Department has one year to do that, and probably sometime after the legislative session is done.

Commissioner Raine said he would like to see a list as soon as reasonably possible. Commissioner McBeath said we are still on Heritage list, and he had a recollection and he read NAC 501.310 that explains the Heritage Trust Account. The Department deadline is April 15 to submit to Heritage Trust Committee and the CABMWs. It is not a matter of this Commission or the Committee giving the packet to CABMWs and again the deadline is April 15.

Acting Director Mayer said that is correct.

Commissioner McBeath said why are we talking about this as we are one month from April 15.

Chairman Raine said we will be developing the Commission's April agenda in the coming week and that is why we are talking about it and the original question was how many projects.

Commissioner Capurro said his comment is this was a minimal request to request how many projects submitted and would like that request answered before April 15.

Deputy Attorney General (DAG) Stockton said he needs to stop the discussion here as we are starting debate.

Chairman Raine said at the last Commission there was a vote to post all the equations, the spread sheets, the deer models and variables on the NDOW website. He said he would like an email sent to the Commission with the link.

Acting Director Mayer said the information went up on Tuesday.

5 CABMW Member Items –

Gil Yanuck, Carson CABMW, said the Carson CABMW and Carson Parks and Recreation thank the Department for completing the first stocking of Baily Pond in Carson City which has much angler use already. The first kids fishing derby on Baily Pond is scheduled for Oct. 8. The Carson CABMW was somewhat concerned during the bear hearings here as some of the public had maligned the reputation of Biologist Carl Lackey and felt unfair comments made about Mr. Lackey and he read letter Carson CABMW sent to Acting Director Mayer denoting their support for Mr. Lackey and the information he has provided to their Board and others.

Commissioner Lent said he agrees with their commendation of Mr. Lackey and was interesting to see how bear people praised Carl Lackey at first and as we got closer to setting a season and as seen at yesterday's hearing they would hang him if they could. Thank you for your comments.

John Reed, Washoe CABMW, said his CABMW received a briefing from Mark Freese of NDOW and the Ruby Pipeline mitigation fund and opportunity to propose projects as they have five years to spend that money. He said the board discussed baiting regulations and would like to take that issue up, and lastly under agenda item #9, he and others spent hours looking for the Wildlife Damage Management Report and was found as Predator Management Report, and name of the report does not reflect the name of the committee's report.

Commissioner Lent said years ago "predator" was a bad name for some of the public and the Commission changed the name to "Wildlife Damage Management Committee" and 10 years ago was the Predator Committee.

Chairman Raine said he chaired the Wildlife Damage Management Committee and name change came up and focus of committee was damage done to wildlife whether by predation and the committee deals with predation management plan which is NDOWs plan.

Jim Jenne, Lyon CABMW, said this is just a comment and is not trying to start anything and he was not able to attend the last meeting and he tried to watch the video of the meeting and there is blank audio when Commissioners don't turn on their microphones and also the video would not proceed at certain points.

6 Public Comment –

George Corner of Nevada Outfitters and Guides Association (NOGA) said NOGA has been dealing with problems with the Nevada Administrative Code as it applies to guides and outfitters and these problems can be said to be brought on by selves as they did in 2004 convene a Commission Guide Committee who worked to make changes in Nevada Administrative Code and they will be coming back to the Commission to make changes in administrative code as issue has culminated with 10 master guides having their licenses suspended which for them is of significant economic impact to them. Those 10 guides could not put their clients in for the nonresident guided hunt draw and majority of deer hunting clients for a guide come through the nonresident guided hunt draw, for Ruby Mountain guides 100 percent of their clients last year and for many years allowed 30 clients for example, and individual outfitters financially affected by about \$75,000 on their gross income. He said hopefully will get started on this to rectify the problem.

Justin Fricke said his comments are a prelude to agenda item that is coming up. He said guidebook issues, all guides and subguides are required to have client record book, and he does not believe that book should be required or overseen by NDOW. NDOW has required return card questionnaires and guides have license and private contract and that should not be governed by NDOW with taking client record books. Also, on behalf of guides and outfitters issued citations and suspensions...

DAG Stockton said to Mr. Fricke that he would caution him from continuing comments as the Commission is the "trier" of facts for those appeals and do not comment on specific appeals before the board.

Mr. Fricke restated that guidebooks should not be required.

Chairman Raine said Deputy Director Cates may comment now.

Deputy Director Cates said he would like to respond to Commissioner Lent's comments and what he did not mention in his comments is that they had a phone conversation prior to his email and he told him the information would be sent today, and that was not good enough for him, and subsequently they both got animated and upset, and he called for removal of his staff and accused people of not doing things properly, that was

basis of context of that. He has report and there were 52 Heritage project proposals received which is a month before statutory deadline. He did state at end of that conversation that the information would be provided today, and Freedom of Information Act request unnecessary.

Commissioner Vogler said if you have 52 projects that is many projects to allow study if you have that type of interest and time is of the essence in receiving the projects for review.

Commissioner McBeath said in regard to the issue Mr. Corner brought up, he holds two professional licenses in Nevada, one is for accounting and is subjected to reporting requirements as a CPA, and the other as an attorney, and he can tell you that structure set-up for license reporting requirements and the potential for license suspension is not as draconian as what the guides have set up for themselves and would hope that guides look at that when they come back.

Chairman Raine said the petition process is available for changes.

7 Correspondence – Chairman Raine – Informational

Commissioner Howell said he has two sets of correspondence but will present them under agenda item #9.

Chairman Raine said he has received comments from the Western Association of Wildlife Agencies (WAFWA) Mule Deer Working Group regarding the findings by the Nevada Board of Wildlife Commissioners Mule Deer Committee and has list of responses to those particular items from that document, as he was approached by people in wildlife profession, and was interesting as they brought up good points and he summarized them as his comments, and while he finalized the draft they are not his ideas, and is interesting how many people are worried about the mule deer populations, which also occurred at the legislature yesterday.

Acting Director Mayer said for clarification is the letter you are referencing from WAFWA dated Feb. 21 as that letter was resent on letterhead due to comments made by Commissioner Lent that the original was not from WAFWA.

Commissioner Capurro said we all received email from Wildlife Services with a report on their projects – Heritage and predation management - and that should be part of the record as is a comprehensive report.

- 8 Master Guide License Appeals - Chief of Game Warden Rob Buonamici - Action
- A Richard A. Hankins

Commissioner Vogler disclosed that he knows Mr. Marques and Mr. Hankins as he resides in a very small community in Eastern Nevada and has no financial business with them and he does not believe that knowing them will affect his vote in this matter.

DAG Stockton swore the appellants and witnesses in as a group.

Chief Game Warden Rob Buonamici said the matter before the Commission is suspension of Richard Hankin's license. He said he will review the exhibit file containing the Department's evidence and that he will demonstrate that the Department's actions were reasonable. He started with Exhibit #1, NRS 501.385 which under (D) states that you are guilty of a misdemeanor if you violate provisions of Commission regulation unless otherwise specified, and wanted that information on the record. NAC 504.688 under (3) defines that guides enter records into record book and (4) that all master guides will submit to the Department original records and forms and those of subguide employed no later than Dec. 31. Dec. 31 is the delineated deadline by this board. Exhibit #2 NAC 504.671 is the Department's authority to suspend and lists the reasons. Chief Game Warden Buonamici said Exhibit #3 is the letter sent to Mr. Hankins on Jan. 6, 2010, regarding his 2009 master guide records which were late and this is an incident were this happened once before and he was warned and given an extension which he met at that time. On Jan. 8, 2010, is Exhibit #4 a letter sent to Mr. Hankins, on page 2 of the letter it is stated in (4) that master guide will submit to the Department all the original record forms for master guide and subguides no later than Dec. 31 of the year for which he is licensed. He said there was also verbal authorization extended by Captain Maslach to the guides that he would extend the deadline to Jan. 31, 2011. Exhibit #8 is certified letter suspending Mr. Hankins and confirmation that he received that letter on Feb. 8, 2011. Exhibit #9 is Mr. Hankins request for a stay of master guide license suspension. Exhibit 11 shows partial stay and not able to do full stay due to guided draw being in process and was a timing issue not intended as a punishment. Exhibit 12 is letter from Mr. Hankins to Acting Director Mayer stating he did not receive anything in writing until Feb. 8 and the last exhibit is the citation for non-submittal of client records. Chief Game Warden concluded review of NDOW exhibits.

Chairman Raine asked if Chief Buonamici had any witnesses.

Chief Buonamici called Captain Maslach to confirm verbal authorization of deadline.

Captain Maslach said the extension that he granted in his Dec. 1 letter was continued until Jan. 31, 2011, unfortunately the letter he sent on Jan. 31, 2011, stated wrong year - Jan. 31, 2010 - and if you read the letter in its entirety you would have seen letter applied to Dec. 31, 2010 deadline - Exhibit #6, clerical error.

Cross-Examine by Mr. Hankins of Captain Maslach and Chief Game Warden Buonamici.

Mr. Richard Hankins said he is an outfitter from Ely and asked Chief Buonamici that dealing with citation for failure to submit client record books on Dec. 31, where there other guides who submitted client records after Dec. 31 in Jan. who did not receive citations or were suspended. He asked why they were not cited or suspended until Jan. 31.

Chief Game Warden Buonamici said he believes so as told them they were granted grace period and extended deadline until Jan. 31, 2011, and would not charge or penalize anyone who honored the extension.

Mr. Hankins said he never was notified of the verbal extension to January and that is where he has the problem.

Commissioner Vogler asked if provision or law to extend deadline.

Chief Buonamici said no provision to extend deadline and the extension was a courtesy and may be should not have not been done.

Commissioner Vogler asked since not known who did not submit records were letters sent, and when Captain Maslach reviewed he noticed clerical error and how do you figure out from that.

Chief Buonamici said in 2009 had nine master guides who missed Dec. 31 deadline and we extended deadline and they all met that extension. In 2010 license year with 96 licensed master guides, 10 failed to meet the extension of Jan. 31, of the 10 all were treated identical and issued citations. Seven of the 10 contacted him and stated to the effect that was their fault and they apologized and acknowledged their mistake and staff reinstated them.

Commissioner Vogler cited NAC 501.385 (2) and asked if the fine is paid what does that have to do with putting in for draw.

Chief Buonamici said there are two parts one is administrative and the other is criminal. If you go back to Exhibit #2 under NAC 504.671 (6) the Department may deny or revoke for the following under (6), and that tells us that anyone involved or familiar with legal system, knows there are plea deals as part of the system. He said they can plead however they want, but from practical standpoint the Department does not know and how people take care of it is their business and those that did were reinstated.

Commissioner Vogler asked if Mr. Hankins had on Feb. 4 paid his fine, he could have participated in the nonresident guided hunt draw.

Chief Buonamici said potentially he could have.

Commissioner Capurro asked about the extensions, and if Mr. Hankins was one of the persons who did not file his report previously.

Chief Buonamici said yes he was one of the guides.

Commissioner Lent asked if other issues with Mr. Hankins then being late two times, and in NAC 504.671, the Department may deny which means discretionary and asked if "may" used where you did not take license for this same type of offense.

Chief Buonamici said these are the only issues with Mr. Hankins, and he believes this is the first time we have taken the license for this offense and the reason is this is an ongoing problem and staff sent several letters to remind them of the deadline and feel staff went above and beyond and the Commission may disagree that the Department is heavy-handed.

Commissioner Lent said could have used wording instead of "forced" it could have been "cause for revocation." His notes state exhibit 6 was for a one month extension even though the date was off and Exhibit 7 that letter was mailed Feb. 2 two days after, and on Exhibit 11 the "restricted stay," he asked if the Department has authority to do that.

DAG Stockton confirmed the Department does.

Chief Buonamici clarified the "restricted stay" and said that if we had allowed these guides to enter into the nonresident guided deer hunt draw that would have jeopardized the draw clients from out of state that applied as would have been reasonable for those nonresidents to assume that NDOW had given its stamp of approval to guides, and had we not done this, they would then have come to Commission and if they had been suspended or revoked we would have had successful applicants in guided draw. Than we would be between a rock and hard spot with them looking at NDOW as the authority of the guide list and that would have been bad.

Commissioner Lent said in Exhibit 12 the letter to Acting Director Mayer from Mr. Hankins stating the deadline for their book is not realistic as you cannot complete book if your are still hunting until the end of December and he also noted that Mr. Hankins stated he did not receive any notifications prior to the one letter.

Chief Buonamici said that is one reason Captain Maslach had the extension and his statement that he did not receive notification is wrong.

DAG Stockton said the Commission set the deadline of Dec. 31 not the Department per NAC.

Chief Buonamici said that would be an incorrect statement as to no notification.

Commissioner McBeath said the Jan. 31 deadline in the Dec. 1 letter was missed by 10 guides, and he asked approximately how many guides missed the Dec. 31 deadline. and an approximate number.

Captain Maslach said we don't know, the Administrative Assistant Feliz does that, and since we did the exception she did not note those until Jan. 31 deadline.

Ms. Laura Feliz was asked if she knew how many and she answered no.

Commissioner McBeath said with regard to the 10 who missed the Jan. 31 deadline and were cited, did any of those 10 guides immediately deal with the Department, and do anything to get their license back to meet the deadline for the guided draw.

Chief Buonamici said all 10 missed the guided draw, and of the 10, eight were fully reinstated.

Commissioner Cavin said in relation to this Dec. 31 deadline was 2009 the first year.

Chief Buonamici said 2005 was first year of the Dec. 31 deadline.

Commissioner Capurro said perhaps this was covered but he wants to make sure he is straight on this and asked if any of the eight made the draw and if there is anything Mr. Hankins could have done, to have his license restored, or avoided not being able to participate.

Chief Buonamici said because of the timing all eight missed the deadline and to avoid the situation Mr. Hankins could have turned his records in.

Chairman Raine asked the Department for an explanation as to why such a high percentage of guides missed the deadline.

Chief Buonamici said 86 guides got it right and the Department went to bat for them on this regulation which is theirs and he understands in the real world things don't always work out and he understands that the guides now want to change the regulation, and NDOW has no problem with that. NDOW does as much as we can to stretch deadlines and have to draw a line in the sand at some point.

Commissioner Vogler asked citation issued Feb. 1 and deadline was Jan. 31, and then NDOW received Hankins documents Feb. 4 which is same day letter issued, NDOW must have received it and Mr. Hankins had until Feb. 15 and would have made him okay for the guide draw.

Captain Maslach said the citation was written on Feb. 1 the guides live all over the state, and citation mailed to warden to be served. Although written on Feb. 1 may not have been signed until Feb. 7 or 8.

Chief Buonamici said the NDOW letter went out that morning, and Mr. Hankins letter came in that afternoon. Commissioner Vogler is right that he could have been okay for the draw.

Commissioner McBeath asked directly if there is anyway Mr. Hankins could get in guided draw today.

Chief Buonamici said no.

Mr. Hankins provided a copy to each Commissioner of the documentation sent to him. He said he is a full-time outfitter in Nevada and Idaho, he takes 40 to 80 clients per year on all types of trips. Spends 300 and some days in the field, and is not the best guy with paperwork, and he is not an attorney or CPA and has to keep up with BLM/USFS regulations and has not had time to read every document that comes to him. In regard to the verbal extension of Jan. 31 to get our stuff in, he never heard of that from Maslach or Buonamici or anyone from the Department. What he had was one mailing that came with suspension, page 1 of his exhibits, received Feb. 8. He had sent his stuff in and it was ready and he did not know deadline was Jan. 31. He attended sport shows and left mailing with wife to mail with subguides books while at sport shows and had hunts booked. He said last year it was stated by Chief Buonamici that he missed the deadline too and to explain said he had clients booked through Jan. 4 and he can't complete the book on Dec. 31 due to the way the hunts cross deadlines. He said in the past the Department allowed guides to send books whenever we had a chance to send them in. He said since 2004 different dates for renewals and many other changes to the system and some of the deadlines have put people out of business. He admitted his paperwork was not in and apologized for taking up the Commission's time. Subguides also have to turn in books and he is responsible for them as the master guide and causes him to have a wildlife violation for a clerical mistake. This will probably hurt him the most with not being allowed to participate as he has between 30 to 40 applicants per year which brings in tourists to Nevada. It has been a real burden as a business person. His exhibit with the wrong date may have caused him to believe it was for last year which may be why he did not. Cited email from Captain Maslach and nowhere in that communication did it lead him to believe that he would be cited or suspended and even uses wording "soon after." Mr. Hankins said he spoke to other guides who said they sent their book in January and they were not cited and is unfair and he feels this sets you up to fail. Constant changes, and for 2011 guide books are due Dec. 1 now, has been hard to follow and may be a poor excuse and he apologized. Citation issued Feb. 1 and is separate issue from this and he still has to deal with that. Felt that NDOW was to help them with their business and would not have put himself or the Commission through this.

Cross Examination by Department:

Chief Game Warden Buonamici said to Mr. Hankins you stated in your verbal testimony that you did not receive the Dec. 1 letter.

Mr. Hankins stated in his letter that he did not receive letter stating Jan. 31, 2011, as the letter he has states 2010, and looks old like from 2009. He received that letter with his suspension packet.

Chief Buonamici said during your testimony you stated that letter confused you, but if you did not receive the letter how could you be confused unless you received it.

Mr. Hankins said he may have received it and can't honestly say if he did or did not, or if he read them.

Chief Buonamici said NDOW sends you mail and you don't read it and your contention is that NDOW is who failed to notify you.

Mr. Hankins said a citation on a clerical error, that he is not a machine and he made an error as did the Department and apologized, and deadlines confusing and cannot find anywhere that it is written that punishment is not participating in the guided draw hunt for missing the Dec. 31 deadline.

Chief Buonamici asked Mr. Hankins of the four letters sent in 2010 how many did you read.

Mr. Hankins said he does not know that he read any of them to his fullest.

Commissioner Vogler said that a whole bunch about timelines here and first of all, the ticket written on Feb. 1 and Captain Maslach testified that you may have received it around Feb 7 and you sent your information on Feb. 4 the same day they sent the citation. None of these letters were certified. Chief Buonamici said if you had paid your ticket in the amount of \$192 before the 15<sup>th</sup> you would have been able to participate in the draw.

Mr. Hankins said that was not conveyed to him he was told to appear before the Commission and be reinstated.

DAG Stockton said need to keep this separate as citation in district court and out of NDOW hands. Chief Buonamici's testimony was speculative as dependent on District Court decision.

Commissioner Capurro brought up the point that this has happened to Mr. Hankins before. He asked Mr Hankins if were aware of the possible consequences and if he had paid or taken care of the citation.

Mr. Hankins said the date is March 16 and he asked that if he could have paid it and was not addressed back by the Department until Feb. 14 or 15 which was too late for internal deadline.

Commissioner McBeath said that he wanted to make sure that Mr. Hankins was aware of the deadline and licensing requires knowledge of regulations. Main position is that in the past Department was lax with deadline and did not get those calls this time.

Mr. Hankins said that he expected courtesy calls and did send stuff without anyone asking or sending a mailing.

Commissioner Lent asked again about the Dec. 1 deadline?

Mr. Hankins said there is a Dec. 1 deadline and now is aware and this is very confusing.

Chairman Raine said to Mr. Hankins that from that you felt the punishment of being late did not fit the crime.

Mr. Hankins said keeping him out of the nonguided draw has hurt him substantially not counting the demerits.

Chairman Raine asked how much money would Mr. Hankins lose due to this suspension.

Mr. Hankins said he would lose gross revenues of \$20,000 to \$30,000 which is close to one-half of yearly income in some years. Mr. Hankins called Mr. Justin Fricke as a witness, and said he is an employee who is a top guide.

Mr. Fricke said he was told by Rick Hankins that his book was needed fairly soon but gone on hunting trips and was unaware of any actual deadline and did not see as a grave concern and turned his book in late at the end of January. The book arrived at Mr. Hankin's house on Feb. 2.

Mr. Hankins said he did not notify his subguides of the deadline.

Commissioner Shrum asked Mr. Fricke how many subguides will be affected monetarily by this and if they have families.

Mr. Fricke said about five or six of them and most have families.

Closing Arguments from NDOW:

Chief Buonamici said in closing to let's not forget that the regulations are a result of working with the Guide's Association and adoption by the Commission with assistance from the Department, and is clear per NAC that the deadline is Dec. 31, 2011, and feel that was reasonable with the extensions which were the right thing to do. He said the confusing part here to some extent is confusion with punishment and time frames. Being precluded from nonresident guided draw is not a punishment rather a time frame issue caused by Mr. Hankins who openly admitted he does not read his mail. NDOW went the extra mile and again 86 master guides got it right. The licensed master guides take following the rules as serious as their business and you have someone who did not follow the rules for whatever reason and the other guides who complied will believe that to be unfair. Ten individuals were suspended, seven openly stated it was their fault and apologized for their lateness. Sent out notice to Hankins in 2009 that records were late, and was not the first time, it is not NDOW's fault that Mr. Hankins did not read his mail. Letters were also attached to books and he states he did not get letter but he got the books, another letter. We heard earlier that there is a Heritage deadline that needs to be abided with and same with license agents and there are provisions to deal with license agents if they do not comply. He would submit to the Commission that Cabela's, Wal-Mart, etc... do a tremendous amount of business and they are not treated differently. Heard argument about clerical error and we are all human and make mistakes and we understand that but after multiple notifications that goes beyond clerical error, and could be compared to not punching deer tag as clerical error. Constant change of regulations was cited by Mr. Hankins and we already heard that they want a deadline change and will hear the same again. In closing the Department did its part reasonably and guide business is a serious industry and they should take it as such, this is not a matter of agreeing with the regulation as Law Enforcement is charged with enforcing regulations and would challenge anyone to do that better as four warning letters were provided. Chief Buonamici concluded his closing arguments.

Closing Argument Mr. Hankins:

Mr. Hankins said thinks it unfair to say everyone had verbal extension to Jan. 31 and does not know where that came from. As far as new regulations, new this year was subguides carrying their own book and that set-up master guide to potentially have more violations has been very confusing and difficult to keep up with paperwork without getting caught. The system has set them up to fail. He said portions from email from Captain Maslach was saying okay to get paperwork in and understand you are all still hunting, and stated 86 other guys got stuff in, but he himself is one six to eight guides active through lion season. He said he is not making excuses but he probably spends more time in the field than those that were able to comply. Mr. Hankins said new license for 2011 license states deadline of Dec. 1 which he will have to ask about. Will need clarification on that and apologized for taking up the Commission's time and does not want to go through this again, just wants to stay in business and keep his family going.

Commission Questions, Deliberations, Findings of Fact and Conclusions of Law:

Chairman Raine said one finding of fact, is due notice was given to Mr. Hankins; determination of fault, is it the Commission's fault for having NAC to get someone in this situation for a reason this questionable. A clerical error should not result in suspension or revocation of his license, and yes, the Department should penalize him. However, is Commission's fault for NAC, while allowable under NAC, it is not mandatory. He was cited is just and that is fair but taking away one-half of his income and of many sub-guides, may not be equitable. To him a fine is equitable but taking away his license is not just. After Jan. 31, 2011, deadline no way he could have gotten back in nonresident guided draw from testimony he heard, and that is his interpretation of equity.

DAG Stockton said the Commission has no authority to enact a fine rather a late fee, and that is the difference.

Commissioner Vogler said to Chief Buonamici that he may have misunderstood his comment, but if Mr. Hankins had paid \$192 fine by Feb. 15, could he have been in draw.

Chief Buonamici said for clarification and context that he could not and is not willing to call people and tell them how to handle the citation as that could be seen as coercion.

Commissioner Capurro said the issue of whether there is an administrative penalty we cannot consider as that is not in the regulation. Rather we have to consider what is in regulation and how it should apply to the problems it is causing guides and their families. He said it is up to us to follow laws. Troubled by fact Mr. Hankins indicated he did not read letters and letter with clerical error troubles him and that there is more than one clerical error and is clear it applies to year of 2010. Does not know if Maslach email was to every guide in the state and reads it as forewarning to all guides and the fact of the matter is emailed Dec. 15, 2010, and therefore with understanding that deadline was and is in regulation of Dec. 31. Mr. Hankins admitted guilt that he did not do what he was supposed to and problem with severity of punishment and caveat that we all need to take under NAC that the Dept. may deny....for the following. Says "may" and there was room within regulation for something less than suspension.

Commissioner Lent said tough issue and problem with guides and regulations. Looks like presentencing before going to a judge, and his impression is he is an honest guide trying to make a living, and do have recourse with a late fee not a fine. As far as subguides you cannot delegate responsibility as license is in your name. Sees law enforcement as doing a good job here and you are both right here as there is a lot of confusion and mistakes. Any recourse we can do at this time he is for doing that as governor stated he does not want us to do anything that deters or loses business from Nevada. Always extenuating situations and hate to see someone lose their livelihood but same token as a guide you need to get forms in and still leaning toward not taking away livelihood but need to get

their attention to not ignore the law. Really bothers him that you would let these important dates go.

Commissioner McBeath said NDOW has made case and more than substantial evidence for what NDOW has done in this case with all of the notices not required by statute and has no problem with license suspension and absolutely agreed with Commission comments made so far to possibly enact new regulations in the future. He said we need to work for remedy here and would like to see same thing happen here as for other eight guides and would like the Commission to approve suspension from date of suspension of license through today and reinstate license effective today. All of the consequences whether we call them a penalty or not have already occurred and is more than enough, need to move forward, and let Mr. Hankins get back to his business, and hope he learned what is important in a business such as having record keeping in order. Ultimate reason and clear from evidence that violation occurred and Department acted in accordance with regulation. And everyone made big deal that Department can "deny" an application at their discretion and had just cause and is the end of that, and the "may" allows them to move forward when they have just cause. Remedy of reinstatement for today but acknowledge period of suspension from Feb 4 and all of the consequences from that suspension are validated and in the future move forward to take a look at changing the regulations.

Commissioner Wallace said he agreed with Commissioner McBeath as obvious there were errors and on the Dec. 1, 2010, letter has a statement at the bottom of the letter stating to give a call if confused and this could have all been avoided. He said it is a clear case presented by the Department.

Commissioner Cavin said clear by time spent on this how complex this is and is everybody's fault as we make rules and something like this happens. We had a deadline, we extended it, and Department trying to work with guides, this has been in place for five years. The case made by Department was well done and agreed with Commissioner McBeath that case came forward and the Department may revoke or suspend and that is what they did. Mr. Hankins has his sympathy for being two days late but that does not change the law and does not know remedy as can't fix what happened since suspension and that stands, and would agree with reinstatement, as we can't do anything about the citation.

Commissioner Shrum concurred with Commissioner McBeath's comments to get him back to work as soon as we can.

Commissioner Capurro could go with recommendation Commissioner McBeath provided if tied to fact that if pays fine he will be reinstated.

DAG Stockton advised Commissioner Capurro that this is administrative/civil matter and can't as that is criminal and extortion.

Commissioner Capurro said he brought that up so when he goes to court he could say Commission did not see as serious and lifted suspension and citation should not be processed.

DAG Stockton said he has never done criminal cases and cannot answer.

DAG Newton said you are recognizing the suspension up through today and not matter of dismissing citation or consequences you are setting limit on penalty that should be invoked on penalty if you find one.

DAG Stockton said you can't premise your findings on a case based on what might happen with those findings.

**COMMISSIONER HOWELL MOVED TO REINSTATE HIS LICENSE EFFECTIVE TODAY WITH FINDING OF FACT THAT NDOW ACTED 100 PERCENT PROPERLY; THE MAN ADMITTED GUILT. COMMISSIONER CAPURRO SECONDED. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLACE. CHAIRMAN RAINE DID NOT VOTE. MOTION PASSED 8 – 0.**

B Ken W. Mallory – Withdrew Appeal

C Charles F. Marques –

**THE COMMISSION STIPULATED SAME FINDING OF FACT AND CONCLUSION OF LAW FOR MR. MARQUES AS MR. HANKINS.**

D Ervin W. Cronister – Withdrew Appeal

9 Wildlife Damage Management Fiscal Year 2011 Plan report – Chief of Game Larry Gilbertson – Informational

Chief of Game Larry Gilbertson said the subcommittee met recently and found that the table in the plan on the last page had math errors on Department budget and that has been updated. The table is accurate but the predictions are not as the Wildlife Damage Management position has been vacant for a while and the Department will probably not expend funds as projected.

Commissioner Capurro asked Chief Gilbertson if he had received and reviewed a copy of Wildlife Services' project update for Heritage and the predator fee projects (exhibit file) that was submitted by Mark Jensen.

Chief Gilbertson said he reviewed the document and activities, and Wildlife Services also reported to the subcommittee that work is ongoing with predator management and looks like they are active and doing well.

Commissioner Lent said on Project 18, page 16, we don't have any of Wildlife Services data on here, and is astonishing to him that data isn't there and no mention or credit to Wildlife Services or predation problems. As numbers from Wildlife Services note 53 percent increase in mule deer herd since wildlife management control initiated in 2004 for Project 18 and in adjacent hunt unit with no treatment had 35 percent loss attributed to wildfire and that can't be substantiated, and again no credit given to Wildlife Services. He is not saying all due to predation, but all of the numbers from Wildlife Services' predation results were omitted and should have been included as a possible factor in conclusion section of the report as to bringing the deer back.

Chief Gilbertson said the authors of the plan are not present today and he did read in the plan that Mr. Wasley mentioned predator control as being definitely a causative factor.

Acting Director Mayer said Mr. Wasley has an analysis of some of the documents written by Wildlife Services, and he will provide an example of why we have a problem with their biological analysis, and frankly they are not biologists. He said for example in Unit 015 those deer spend most of their life in California and when you survey Nevada and the deer did not come across the border as is the case in many years and then say that the decline is attributed to lack of predator management is not on this planet. He said there are problems with their biological analysis, and we are not going to carte blanche move their information into this, and he is drafting a letter to State Director Jensen outlining the problems NDOW has with Wildlife Services analysis.

Commissioner Lent said last year Mr. Wasley said it was weather, and he still does not buy that, and might be migration but that was not brought up at that time. Need to bring up statistics of 014 which is a treated area and asked how you explain some of the numbers in 014, and migration could be a contributing factor and if so that should be in this report.

Chairman Raine said personally if he were to comment that Wildlife Services biologists are not wildlife biologists and did not have their degrees he would have them laughing at him and showing him their degrees, as the four he has talked about all have titles such as supervising wildlife biologist and some have advanced degrees.

Commissioner Capurro said he would agree with the comments about 015 as that unit is heavily influenced by the Susanville herd migration but decrease noted in 033 which is not a herd impacted by migration, and that decrease was 33 percent, and in 014 which is influenced by California migration increased. Other factors involved are wildfire and lack of water and 014 has been impacted by Wildlife Services work.

Acting Director Mayer said staff agree that predator control work in 014 has had an effect.

Chief Gilbertson said in the report Mr. Wasley mentioned on page 22 Project 18 which has had ongoing predator control since 2004, that since then the population of 014 has increased by 53 percent however 30 percent of that increase occurred before appreciable predator removal and predators removed is noted on page 16.

Commissioner Lent read sentences from “Predation and the Ecology of Fear” authored by Charles Kay, and said you can have the best habitat in the world but if animals are afraid of being killed or having their young killed they won’t use it, and that habitat is of little practical value. Most biologists do not realize what is happening or what it means. The landscape of fear can on the surface, manifest itself as habitat problem when real issue is predation. He said when someone tells him it is habitat, habitat, habitat, it may not always be.

Chairman Raine asked the question for 2012’s report and assumes this is developmental stage of next report and what is the timeline for that and how will this transition into following report.

Game Division Chief Larry Gilbertson said he understands that in the past in late spring and early summer that a draft was prepared for status of existing projects and the report was provided in August as numbers are finalized by Fiscal Services Staff. He said previous plans had projections and if we hold off longer should be able to have final numbers.

9 A Wildlife Damage Management Committee Report – Commissioner Vogler

19 B Chairman Raine said we will have this report and have also combined with agenda item #19 B, Elk Damage and Incentive Committee Report.

Commissioner Vogler reported both committees met on the same day. He said they discussed at length a plan for contingency spending to allow that when we have a year like this, with certain areas of the state receiving large amounts of snow, and to have more bang for the buck to go after coyotes as snow pushes wildlife down. Another item talked about was other people have been saying they can complete fly and do flights for one-half the cost that Wildlife Services can. He said they talked about predator issues and interest in crows, as U.S. Fish and Wildlife Service has warned that if sage grouse are listed they will be dictating agriculture and hunting and everything else in state. The NDOW permit for ravens is a low number, 1,500 and Wildlife Services permit is for 1,500 too, which is a total of 3,000 which does not do much to affect the raven population and that needs to be addressed.

Chief Gilbertson said that NDOW can ask Wildlife Services to increase the permit if needed and he plans to ask Mr. Jensen to keep the Department apprized and if needed will ask.

Acting Director Mayer said to the chairman that a change this year is that Wildlife Services has lost their wildlife raven permit for 1,500, and NDOW has the permit for wildlife. They have a permit for agriculture/livestock.

Chairman Raine reported that he, Commissioners Capurro and Lent, attended a hearing of the subcommittee of the legislature and they expressed interest in sage grouse and why protecting the raven and that the Commission had no authority to “unprotect” the raven. He said they expressed the desire to protect sage grouse and prevent a listing.

Commissioner Howell said at the meeting they discussed Heritage projects and has a report from Mike Stremmer who is doing lion control. He read letter from Mr. Stremmer (exhibit file) reporting on status of lion control – 11 lions taken in control area, and additionally four lions killed in 046. Seeing more lions in project area and are confident that they will complete project by June deadline as stated in contract.

19 B Elk Damage and Incentive Committee Report – Commissioner Vogler

Commissioner Vogler said to the CABMW members to listen carefully and that he is trying to be proactive instead of reactive on this situation and he provided copies of his elk incentive worksheets for the last few years and gave examples of elk usage. He said there is no money left to build fences as it has been spent and the elk herds have really expanded. In Elko County ranchers may qualify for 20 tags; however, the CABMWs voted to not give two bull tags on those projects as they did not want the big bulls taken, and animals need to move back and forth. His solution is to start a NAC. He disclosed that he does receive one tag, and that somehow need to keep the value of individual bull elk tags and may have to placate with one valuable tag instead of one-half of the available tags for a unit. As is in mule deer and antelope this may or may not help value of the tags and would like the value of the tags increased by allowing hunters to hunt any season. He said he does not know how to solve the problem. Commissioner Vogler said he would like to work with Chief Gilbertson on a formula that is more workable and he reviewed information as to how his tags were issued and the elk numbers as the tags are for incentive for improving your lands by cutting timber, developing springs and planting grass for elk use, and the ranchers where they have big numbers will not do this and will want fencing. He said for the CABMWs to help and try to get value up of the single elk tag. If hunters buy that tag they have to declare which season they are going to hunt. Asking for CABMW members to help with definition of incentive and if ranches don't have incentive the ranches could be divided up into ranchettes which no one wants to see.

Chairman Raine asked Chief Gilbertson to provide an overview on how tags are distributed.

Chief Gilbertson said specifically to Commissioner Vogler who did state he received one tag, Commissioner Vogler has six parcels that were evaluated and Commissioner Vogler has qualified for a tag every year. He said six parcels were evaluated and on one elk use lower but due to use on others he still qualified for tags. He has completed habitat improvement projects and north of that parcel was a fire in the P-J that created grasses, and elk are in there but not the whole time. He said we go out to evaluate elk use on the land, and they try to figure out elk use per month and a baseline number of usage by the elk, and after several years you sort of know. The landowners are supposed to call the Department when the elk leave and if it increases by 50 percent staff would like to come out and evaluate that, and if count is challenged they want to be able to be accurate and in agreement, as sportsmen also have to trust the program because they see someone getting elk tags every year, which is why biologists insure accuracy in the counts. They can also use pellet counts to determine elk use accurately.

9 B Wildlife Damage Management Fiscal Year 2011 Plan – Commissioner Vogler – Action

Chairman Raine said we have already discussed this somewhat and will ask for public comment at this time on 2011 plan and upcoming 2012 plan.

Public Comment - None

Commissioner Lent asked what is the population goal for Project 18 in 014 and when will the project be finished. We have taken 50 lions out and increasing deer population and have the objectives for the unit been met. He asked if anyone can answer that.

Chief Gilbertson said basically he is not familiar with that country but as close as it is to the California border we will probably always have lions moving in so you could continually remove lions in there because as you remove one a new one comes in. From standpoint of desert bighorn sheep removing lions is good and maybe should call it a desert bighorn sheep project. He said we do not have population objectives for any species except elk.

Chairman Raine asked Chief Gilbertson why there are no population goals for mule deer, and we need to know when is when, and that is the quantitative portion.

Chief Gilbertson and Acting Director Mayer both said they know of no western state that has population goals for mule deer rather target goals are buck and fawn ratios. Commissioner Shrum said it doesn't matter if other states have goals what matters to us is our deer herds. We do need to set up goals as you don't get anyplace, the deer herd is our bread and butter and pay for other programs, we can look to other states for guidance or reference but we need to have goals.

Commissioner McBeath said Clark County had a question on a specific project of \$90,000 being spent by dedicated specialist on one project and wanted to know if continual or if a goal. The other was on Overton Wildlife Management Area they noted only \$2,000 allocated for ravens and wondered if that would be enough.

Chief Gilbertson said they received the numbers from Wildlife Services and they thought that would be enough. The Delamar control effort is an ongoing project and every year staff evaluate projects on case by case basis and received a report that they removed a lion and 50 coyotes.

10 Additional Application Hunt System Report Format – Chief of Operations Bob Haughian  
– Action

Chief of Operations Bob Haughian said in December Commissioner Cavin requested that the alphabetical list of successful draw applicants also list hunt units. Staff received a cost estimate from Systems Consultants for \$1,700.

Public Comment - None

Commissioner Cavin said the idea is to be more user friendly and that for example when he drew an elk tag years ago he reviewed the alphabetical list to find who the other hunters were and to be friendly and work together on sharing information and that is where the request is coming from. There is money in the account to make the change which is not expensive at \$1,700.

Commissioner Capurro said he and Commissioner Lent attended the Washoe CABMW meeting and discussed this with them and from CABMW reports he read he believes some CABMWs did not understand the item. As basically the list would show who else is in your unit and you could contact them to exchange information and also information could be used for law enforcement purposes if someone hunting that is in that unit not on the list.

Commissioner Lent said he thinks it will help catch poachers as you will know who is in the unit.

Commissioner Cavin said he does not think it is necessary to post this list within 48 hours and could be posted after true deadline date.

**COMMISSIONER CAVIN MOVED THAT IN ADDITION TO ALPHA LISTING ON WEBSITE THAT APPLICANTS BE LISTED BY UNIT NUMBER. COMMISSIONER LENT SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLACE. MOTION CARRIED 8 – 0.**

11 Legislative Committee Report and Actions – Commissioner Capurro

Management Assistant (MA) 3 Jolly said that committee met in February and the results of the committee's action were sent to the CABMWs. Since that meeting only one Bill Draft Request became a bill, which was significant and that was the trapping bill. The Department is in line with the positions taken by the committee. She said she also has the report to distribute in conjunction with agenda item #19 E.

**COMMISSIONER CAPURRO MOVED TO SUSPEND RULES TO MOVE AGENDA ITEM #19 E 2011 LEGISLATIVE SESSION UPDATE AND MOVED THAT TO BE DONE IN CONJUNCTION WITH 11 A. COMMISSIONER CAVIN SECONDED THE MOTION. COMMISSIONERS IN FAVOR: LENT, CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER AND WALLACE. MOTION PASSED 8 – 0.**

19 E 2011 Legislative Session Update – Management Analyst 3 Kim Jolly

MA Jolly updated the Commission on status of legislation that the Legislative Committee had a position on and the Department's tracking for the 2011 Legislative Session (exhibit file). She said a hearing is scheduled tentatively for March 30 at 3:30 p.m. for Senate Bill (SB) 226, the trapping bill, in Senate Natural Resources.

Chairman Raine said when the Commission takes action on this item to keep in mind that SB 102 and 108 have been changed since the committee voted. He concluded the report.

11 B The Commission May Take Action to Support, Not Support, or Take No Action on Bills Reviewed at the Legislative Committee Meeting – Commissioner Capurro – Action

**COMMISSIONER CAPURRO MOVED TO ACCEPT THE REPORT. COMMISSIONER HOWELL SECONDED THE MOTION.**

Commissioner Lent said he can't support the motion due to SB 56.

**COMMISSIONERS IN FAVOR: CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM, VOGLER, AND WALLACE. MOTION CARRIED 7 – 0. COMMISSIONER LENT ABSTAINED. MOTION PASSED 7 – 0. CHAIRMAN RAINE DID NOT VOTE AND ONE ABSTENTION.**

11 A Reopened Agenda Item at Commissioner McBeath's Request – The Commission will Hear a Report from the Legislative Committee – Commissioner Capurro – Informational

Commissioner McBeath said instead of a regulation that we can change, we now have SB 226 legislation, which will substantially impact trapping. He said we have no one to blame but this Commission. He said this shows what can happen because of not listening to public. He said even the trappers supported it and after promising Trail Safe

to bring it back and get something in place, we did not do that, and if that is the strategy of the Commission we can expect an erosion of our base. And he is most worried, that in effect we are teaching these groups how to deal with an unreasonable Commission, and that is something we need to deal with.

- 12 Consideration of Disbanding *de facto* Committee to meet with Governor Sandoval – Chairman Raine – Action

Chairman Raine said this item was suggested by DAG Stockton.

Public Comment – None

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

- 13 Administrative Procedures, Regulations and Policy (APRC) Committee Report and Recommendations – Vice Chairman Lent – Action

Commissioner Lent said he is the chair of the APCR committee, they met and discussed three policies: One policy will assist for the time when wolves come into Nevada; the second policy is a transparency policy to insure that the CABMWs have as much information as they need to make recommendations for game seasons which ultimately will help the Commission in their decision-making process; and the third policy “Wildlife Heritage Tags and Vendors” was pulled from consideration. He said Pat McLaughlin attended the committee meeting and he provided data and he was opposed to the wolf policy.

Commissioner Capurro said he understands the Heritage policy was removed because DAG Stockton’s office indicated that was not something the Commission could act on.

DAG Stockton said the proposal was to put in policy that when they auction their tag there was a buyer’s premium, and the Commission does not have the authority as what they do between themselves is none of our business, the full bid price must go into the Heritage Account.

DAG Newton subsequent to that discussion he is reviewing the legislative intent behind the buyer’s premium and if he finds anything different he will advise DAG Stockton.

Chairman Raine provided edits to staff on the policies: It states policy of this Commission, when it should state policy of the “Department of Wildlife and the Commission” as that is who we set policy for.

DAG Stockton said this is a Commission Policy and you set policy by writing regulations, and policies are not laws, and that would not be appropriate.

Chairman Raine provided clean-up edits to the Transparency Policy.

Commissioner Cavin said on Wolf Policy on #1 there is language in the Constitution that all wildlife belongs to the people of the state of Nevada and that should be inserted instead of creating our own language. Another change is for the Transparency Policy on #1, we have the Department will post on website all survey data without modifications and thinks we need to remove "without modifications" as that is already covered under #2 and is redundant.

Commissioner McBeath said with respect to transparency, the data that includes geographical information should not go on the website as that can be too much, and has no problem with transparency but need to use common sense. Commissioner McBeath said on #7 in the Wolf Policy he would like to hear comment from the Department on its position.

Acting Director Mayer said the USFWS is not going to support introducing wolves in Nevada as wolves were never present in Nevada. His professional opinion is that by removing wolves from the protected list just inflames the situation with the Center for Biological Diversity and the letter he sent to USFWS asked for a separate Distinct Population Segment for Nevada, and we could manage accordingly, but that will not happen if wolves are unprotected. He said that USFWS State Director Bob Williams told the Commission it is a disservice to the public to tell them that they can take a wolf with no consequences as the fact of the matter is they will go to jail. Acting Director Mayer said they are still on Endangered Species list and he will be seeing USFWS officials next week at the North American and will press them to respond to the letter sent.

Commissioner McBeath said his comment is we are going down this path again with animal rights groups and is not good policy as we are inflaming the public, and at Clark CABMW's meeting they had comments and representatives from the Humane Society in attendance. He said the sentence should end after Nevada and not list anything. Commissioner McBeath said to #4 he would add after "people" add "and businesses."

Commissioner Capurro said he would suggest placing a period after #7 on Nevada, and strike the sentence "by listing them as unprotected species."

Commissioner Vogler read an article from Western Livestock journal.

Commissioner Howell said at a previous Commission meeting the Commission already voted to list the wolf as unprotected effective April 1, and directed staff to bring forth regulatory changes and wants to know why that has not been done.

DAG Stockton answered Commissioner Howell that when the Commission voted on this last September it was to start the regulatory process and subsequently the governor issued his directive for a freeze on regulations. Because they are in unprotected status, there is no way to justify this as you cannot take one, because they are federally protected. His advice is not to move forward and the next item states no regulatory action can be taken.

14 Commission General Regulation 394 Wolf Status, Temporary – Chairman Raine – Informational

Commissioner Capurro said discussion of this agenda item #14 is moot as the Commission has been told by Governor Sandoval that no regulatory language can be proposed.

Chairman Raine said only thing that can be done is a Commissioner can get all the information to support the idea and present the information to the Governor's Office for an exception.

15 Management Bull Elk Definition – Chief of Game Larry Gilbertson – Informational

Chairman Raine said this issue had been discussed before and the Commission is asking for the Department's opinion.

Chief Gilbertson said he has information and graphs provided by Big Game Biologist Mike Cox which have distribution of point class. The spike bull hunt was discussed years ago and he took an area and put in data to have spikes killed instead of mature bulls and can run an exercise with the model. Mr. Cox did that with the management bull elk hunt which is a pay me now or pay me later, as you don't know if that spike will be your next 300 point bull as you cannot tell. Six to nine years later you will reduce older age cohorts. Original model you might have 80 bulls left but if you shifted harvest earlier you would have 30 or 40 as that cuts number of bulls down considerably. People will complain that there are no big elk again as we reduced the number of bulls carried through the age classes. That is how a bell curve works in a population and if you change harvest they won't be there eight or nine years later.

Chairman Raine asked if this could be used later as it takes time to get a regulation done, and need to get regulation in effect, as biology will change by time, and asked if Mr. Gilbertson sees this as a valuable tool, and if so pass a regulation which could be useful in certain circumstances in the future.

Chief Gilbertson said that is only the biology part and there is a law enforcement component to this as well.

Chief Buonamici said they have many instances of hunters harvesting wrong animals and that will happen with the point restriction and he is concerned with having to cite law abiding citizens.

Cory Lytle, Lincoln CABMW, said what is happening is age class of bulls being harvested is getting younger and if we let this happen three or four more years it will get worse and currently have an out of whack bull to cow ratio which makes hunt quality go down. Commissioner Vogler mentioned that landowner tags worth less and there are many reasons. He knows science is lacking and would suggest doing this type of hunt for a few years in one unit as a guinea pig to get data.

Chairman Raine said Mr. Lytle can be in charge of the committee for the regulatory change and obtain consent from the Governor's office.

16 Wayne E. Kirch Wildlife Conservation Award Judging Committee Report and Recommendations – Commissioner Howell - Informational

Commissioner Howell said the award name needs to be changed and the language changed in the award will be to remove Wayne E. Kirch name, and the new award will be the Commission Lifetime Commitment to Wildlife award, and he read the recommendations for the policy (exhibit file) for its first reading.

17 Report from Feral Horse Committee – Committee Member Floyd Rathbun – Informational

Mr. Floyd Rathbun said he is a committee member and he provided a Feral Committee Horse Committee Report (exhibit file). He said the committee needs clear direction from the Commission on the policy relative to horses and may need to meet one more time to finish up on letter to State Water Engineer. The Wild Horse and Burro Act has been amended and the amendments has specific language as to roles state wildlife agencies play in relation to federal government. Mr. Rathbun suggested that an opinion from the Attorney General's Office be obtained on the recent allocation of water to BLM for water rights for these horses is lawful which is gist of their letter or is the committee completely in left field and would like that discussed. He suspects that we are at a point where if we need to we could build a case for thriving ecological balance, is multiple use and horses that deprive access to springs and water or access to forage by different species of wildlife, and should be strong partnership of wildlife agency and ranchers.

**Commission Regulation – Action**

- 18 CR 11 -09 - Black Bear Draw Application Deadline – Program Officer III Maureen Hullinger

Chief of Operations Haughian said in February the Commission approved the Commission Regulation 11 – 04 for the application deadline period and his office and Systems Consultants had different challenges with the new hunt and therefore the Department is requesting to move the application period for the black bear hunt out of the big game draw.

Commissioner Lent said he wants pop-up tag lines to come up and remind applicants to apply for bear hunt.

Commissioner Cavin said he would like to see this change just for this year as he wants the bear hunt to be in the main draw.

**COMMISSIONER LENT MOVED TO APPROVE CR 11 -09 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER HOWELL SECONDED THE MOTION.**

**COMMISSIONER CAVIN MOVED TO AMEND THE MOTION TO HAVE IT JUST THIS YEAR FOR 2011. COMMISSIONER CAPURRO SECONDED THE AMENDMENT TO STRIKE 2012. COMMISSIONERS IN FAVOR OF AMENDMENT: CAPURRO, CAVIN, HOWELL, MCBEATH, SHRUM AND WALLACE. OPPOSED COMMISSIONERS LENT AND VOGLER. AMENDMENT CARRIED 6 – 2. CHAIRMAN RAINE DID NOT VOTE.**

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

DAG Stockton departed the meeting.

- 19 **Reports – Informational**

- A Western Association of Fish and Wildlife Agencies (WAFWA) Mid-Winter Report – Commissioner Capurro

Commissioner Capurro reported that the WAFWA meeting for the mid-winter is a shorter meeting than the summer meeting. He said there was discussion by himself and other state commissions about bear hunts; the Rocky Mountain DPS regarding wolves and wolf management and federal delisting legislation; and networked with other Commissioners on other issues.

Meeting Adjourned at 6:10 p.m.

Saturday, March 12, 2011 – 8 a.m.

20 Call to Order, Pledge of Allegiance, Introduction and Roll Call of CABMW Members –  
Chairman Raine

Chairman Raine called the meeting to order at 8:09 a.m. and asked for roll call of the Commission - all nine Commission members are present: Raine, Lent, Capurro, Cavin, Howell, McBeath, Shrum, Wallace and Vogler.

CABMW Roll Call: John Reed, Washoe CABMW; Elko CABMW; Glenn Bunch, Mineral; Joe Crim, Pershing; Mike Turnipseed, Douglas; Bill Meyer, Lyon; Willis Lamm, Lyon; Jim Jenne, Lyon; Rex Flowers, Washoe; Eric Scheetz, Douglas; Walt Mandeville, Lyon; and Gil Yanuck, Carson.

21 Member Items/Announcements –

Commissioner Lent requested a copy on tape or cd of Big Game Biologist Mike Cox's presentation and formulas that were presented at the February Commission meeting. He said he would also like the buck/doe fawn ratio for the last 10 years before the May Commission meeting to look at trends.

Commissioner Cavin said last year the Heritage projects support material was sent in binders to the chairs of the CABMWs and the Commission, and he would like to request a binder be sent to him.

Deputy Director Cates said the information will be available online too.

Commissioner Lent said for CABMW members not present yesterday, 42 Heritage projects were submitted which is over \$2.5 million requested.

22 Public Comment Period –

Mr. Corey Dalton said he loosely represents falconers in Nevada, and at a previous Commission meeting last December, NDOW staff discussed raptor take and then one-half way through the agenda item, staff started to talk about changes to the falconry federal framework. Mr. Dalton said if the falconers had known that discussion was occurring the meeting room would have been packed with falconers as that is a big topic among falconers - the adoption of federal falconry laws before 2014. He said falconers have been reaching out to NDOW since early 2009 to participate in the NDOW/federal regulatory change project and asked to be included to provide input at the outset. They have been told in various emails from NDOW that they would be included in the process and workshops would be held but to date they have not been notified of any workshop. He said he was under that impression until two weeks ago that no update had been done and then he watched the video of that previous meeting online and was shocked

to hear that there is a proposed framework that NDOW had since June 2010, and just wanted to be part of the process as federal laws are forever. He said they were wondering how the framework was put together as the falconers were in the dark for the last two years. Staff said that project goal of 2010 of community outreach to the stakeholders failed and he is confused by that statement as his group tried to reach out to NDOW for last two years to participate. He said the falconers were upset as a group that framework coming out in May and are asking to be part of framework before it is sent out for public comment. He said he and Frank Ely sent information regarding this matter to 65 falconers in the state, and 42 falconers responded back to survey he sent out, and they were in favor of simplification and items such as five year license instead of three year license. Mr. Dalton requested this item to be on the April agenda and want to see the proposed framework before these meetings in May.

Commissioner McBeath asked for comment from NDOW, as sounds like federal government is backing out of regulating falconry, and he asked what is the Department doing.

Deputy Director Haskins said he spoke to Chief of Wildlife Diversity Richards and confirmed what Mr. Dalton has said and that Chief Richards said they had intended to hold workshops and due to workload issues and with a deadline of 2014 they have not yet engaged with stakeholders. Deputy Director Haskins said Chief Richards can make a presentation at the next meeting and the whole idea was to have transparency in the process. The Director's office will work with Chief Richards to get started.

Chief Game Warden Buonamici said Mr. Dalton is correct that the federal government is turning over the regulatory process to the states and process has been slow and where we are at now in the process is we have formed a committee of staff from the License Office, Law Enforcement, and Wildlife Diversity, and are looking at current regulations and have come up with a mock-up of a starting point which was needed before starting to meet with falconers. A draft has been put together and staff will be scheduling a meeting before month's end so that they may comment and be involved.

Mr. Dalton said they have also been in communication with other states that adopted federal laws and even though they are pulling out, the federal government still needs to approve the regulations. The first of the states that started out used 14 months for federal approval, and to be safe you need to take off five months for finalization and that 2014 is not realistically the deadline. If you miss that deadline you are done. He talked to Chief Richards and she was unaware that was going on at federal level.

Rex Flowers, Washoe CABMW, said speaking as a member of the public, that Policy 51 has so many changes, that he would suggest that Policy 51 be deleted or held back, as Wayne E. Kirch award is very prestigious award that has been bestowed on many people who put in much volunteer time and would not like the award deleted. He asked that new policy be written, rename the committee to allow Marlene Kirch to still have the

award named for her father and the rich heritage of the Kirch Award would be preserved.

Mr. Willis Lamm, Lyon CABMW, said Kevin Baily was at their last meeting and he presented information to board on trout in classroom, Mr. Baily is a recipient of the Kirch award and he stated how prestigious the award is and everyone with an opinion asked that the Kirch award be restored and need to solve problems and fix items that divide us and hang onto what unites us.

Commissioner Vogler said we are still at same problem and would like to keep on front burner changing elk regulation to where you can hunt any season same as deer and elk and he requested that the regulation be changed if an action item could be done.

Chairman Raine agreed that the idea is worth discussing.

19 C Ruby Mountain Deer Study – Chief of Game Larry Gilbertson

Chief of Game Gilbertson said the mule deer staff specialist position was created to put emphasis and attention on mule deer management, options, and opportunities and Tony Wasley is in that position and due to other obligations could not attend today. He covered deer activities associated with the position, and noted that the projects are ongoing throughout the state and are funded by Pittman-Robertson monies matched by non-federal funds such as donations from NGOs and Nevada Mining Association. He reviewed the statewide projects.

19 D Wildlife Heritage Trust Fund Principal and Interest Fiscal Year 2012 – Deputy Director Cates

Deputy Director Cates said this item is a carryover from the February Commission meeting and the spreadsheet from that meeting is the same for this meeting (exhibit file).

19 F Local Bear Ordinances Update – MA III Jolly

MA III Jolly reviewed the support material submitted for this item (exhibit file).

19 G Gifts, Grants, Donations, and Bequests – Deputy Director Cates

Deputy Director Cates this is a carryover item from the February meeting and he reviewed the support material (exhibit file) from the February meeting.

19 H Litigation Report – DAG Newton

DAG Newton - report was sent (exhibit file).

23 Second Readings of Commission Policies – Vice Chairman Lent – Informational

The Commission had second readings of revisions to two new policies, “Transparency” and “Wolves.” Management Assistant III Jolly inserted the changes on the screen for review at the next reading.

24 Revisions to Commission Policy #51 Wayne E. Kirch Nevada Wildlife Conservation Award - Commissioner Howell – Informational

Commissioner Howell said the award will be the new Commission Lifetime Commitment to Wildlife Award and he read the changes to the policy (exhibit file).

Chairman Raine said one change may be regarding the award being made of “wood and bronze.”

Commissioner Cavin said he would like the policy number of Kirch left in place for historical purposes as Washoe CABMW suggested and create new policy.

25 Future Commission Meeting – Acting Director Mayer – Action

Chairman Raine changed committee name of Kirch Committee to Commission Lifetime Commitment to Wildlife Award Committee.

Chairman Raine adjourned the regular meeting, and commenced the workshop. Chairman Raine welcomed the CABMW members to the workshop and Commissioner Lent made the opening remarks.

County Advisory Boards to Manage Wildlife Workshop

The Boards and Commission met in a facilitated session for brief presentations and discussions. The Commission did not take formal action on any workshop items. The purpose of the workshop is that a common understanding of Board and Commission processes is achieved. The public was encouraged to attend and observe.

- Welcome and Opening Comments – Chairman Raine and Acting Secretary Ken Mayer
- CABMW Budgeting – Deputy Director Patrick Cates and Administrative Officers III
- Big Game Division Computer Model Process Demonstration – Big Game Division Chief Larry Gilbertson and Big Game Biologist Mike Cox
- Frequently Asked Questions for CABMW Manual – Management Analyst III Kim Jolly
- NDOW Website Demonstration – Website Coordinator Jake Sunderland
- The Regulatory Process – Chief Game Warden Rob Buonamici

**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.