Approved Minutes
Nevada Board of Wildlife Commissioners' Meeting
Agenda *Amended* Jan. 17, 2018*

Washoe County Commission Chambers
1001 E 9th Street, Building A
Reno, Nevada 89512

Video Streaming and Teleconferencing available at:

Nevada Department of Wildlife
Southern Region Office
4747 Vegas Dr.
Las Vegas, Nevada 89108

Public comment will be taken on every action item and regulation workshop item after discussion but before action on each item, and at the end of each day's meeting. Public comment is limited to three minutes per person. The chairman, in his discretion, may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. Persons are invited to submit written comments on items or attend and make comment during the meeting and are asked to complete a speaker card and present it to the Recording Secretary. To ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments in order to avoid the appearance of deliberation on topics not listed for action on the agenda. Forum restrictions and orderly business: The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks that antagonize or incite others are examples of public comment that may be reasonably limited.

Please provide the Board of Wildlife Commissioners ("Commission") with the complete electronic or written copies of testimony and visual presentations to include as exhibits with the minutes. Minutes of the meeting will be produced in summary format.

***The amended agenda change is rescheduling Agenda Item #14 A, CGR 473 Safe Hunting Distances, to the March meeting.**

Nevada Board of Wildlife Commissioners present for meeting:

Chairman Grant Wallace	Vice Chairman Brad Johnston	Commissioner John Almberg
Commissioner Tom Barnes	Commissioner East	Commissioner Kerstan Hubbs*
Commissioner David McNinch	Commissioner Paul E. Valentine	

*Commissioners Hubbs and Young – Absent Jan. 26, 2018 Commissioner Young - Absent Jan. 27, 2018

Secretary Tony Wasley
Recording Secretary Suzanne Scourby

Senior Deputy Attorney General Bryan Stockton
Deputy Attorney General Joshua Woodbury

Nevada Department of Wildlife personnel in attendance during the two days at the Reno Location:

Deputy Director Jack Robb	Deputy Director Liz O'Brien
Wildlife Diversity Administrator Jennifer Newmark	Administrative Assistant IV Katie Simper
Administrative Assistant 3 Kailey Taylor	Management Analyst 2 Jordan Neubauer
Chief Game Warden Tyler Turnipseed	Staff Game Warden Mike Maynard
Fisheries Division Administrator Jon Sjöberg	Habitat Division Administrator Alan Jenne
DATS Administrator Chet Van Dellen	Conservation Education Administrator Chris Vasey
Wildlife Staff Biologist Cody McKee	Game Division Administrator Brian Wakeling

Others in Attendance at the Reno Location:

Paul Dixon, Clark CABMW	Carl Erquiaga, self
Elaine Carrick, self	Glenn Bunch, Mineral County Advisory Board to Manage Wildlife*
Cory Lytle, Lincoln CABMW	Gerald Lent, Nevada Hunters Association
Mike Turnipseed, Douglas CABMW	Rex Flowers
Monty C. Martin, Systems Consultants	Steve Marquez, White Pine CABMW
Rob Boehmer, Carson CABMW	Joe Crim, Pershing CABMW
Jesse Weller, Lyon CABM	Scott Torgerson, Lander CABMW
Steve Robinson, Washoe CABMW	Gene Green, Carson CABMW
Gary Coleman, Pershing CABMW	Keith Montes, self
Mike Cassiday, self	Greg Smith, Nevada Bighorns Unlimited (NBU)
Mel Belding, self	Genelle Richards, self
Lloyd Peake, self	Jennifer Simeo
Becky Couture, Nevada Sporting Dog Alliance	Kathryn Bricker, No Bear Hunt Nevada
Sean Shea, Washoe CABMW/self	Jason Graham, Nevada Sporting Dog Alliance
Miller Cassiday, general public	Andrea Emnas, self
Audrey Slobe, self	Brent Slobe, self
Jonathan Lesperance, NSDA/self	Tom Cassinelli, Humboldt CABMW

Fred Voltz, recreationist
Rachel Buzzetti, Nevada Outfitters and Guide Association
Elaine Proffitt
CABMW*
Bobbie McCollum, self
Mitch Buzzetti, self, Nevada High Desert Outfitters
Jeff Hudson, self
Kyle Davis, Backcountry Hunters and Anglers

Nevada Department of Wildlife personnel and public in attendance during the two days at the Las Vegas location:
Jana Wright
Stephanie Myers
Mark Edgel
NDOW Administrative Assistant IV Kathleen Teligades
Gregory T. Anderson Sr., Moapa Band of Paiutes
David S. Dixon, personal sportsman

Friday, Jan. 26, 2018 – 9:30 a.m.

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

Meeting called to order by Chairman Wallace. Commissioners present for roll call on Friday, Jan. 26, 2018 were Chairman Wallace, Vice Chairman Johnston, Commissioners Almberg, Barnes, East, McNinch and Valentine. Commissioners Hubbs and Young were absent.

CABMW Roll Call: Paul Dixon, Clark; Steve Robinson, Washoe; Mike Turnipseed, Douglas; Gary Coleman, Pershing; Steve Marquez, White Pine; Glenn Bunch, Mineral; Rob Boehmer, Carson; Gene Green, Carson; Joe Crim, Pershing; Scott Torgerson, Lander; Shawn Mariluch, Lander; Jessie Weller, Lyon; and Cory Lytle, Lincoln

2 Approval of Agenda – Chairman Wallace – For Possible Action
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

Public Comment on Agenda – None

COMMISSIONER MCNINCH MOVED TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER VALENTINE SECONDED THE MOTION. MOTION CARRIED 7 – 0. COMMISSIONER HUBBS AND YOUNG WERE ABSENT.

3 Member Items/Announcements and Correspondence – Chairman Wallace – Informational
Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. 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 Secretary Wasley may also be discussed.

Chairman Wallace said he received multiple emails regarding the clean-up of the Walker River; emails were forwarded to the Department and Commission members.

4 County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational
CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.

Paul Dixon, Clark CABMW, said he wants his CABMW, NDOW and Mr. Donnelly, to work together on allowing use of muzzleloader handguns as a legal weapon for hunting.

Shawn Mariluch, Lander CABMW, said his CABMW wants to bring to the Commission's attention that Nevada's deer population and deer herd need to be brought back. The last two years we have talked about cutting tags. He said they feel like they aren't listened to. They have ideas to bring forth such as splitting youth tags into one-half deer and one-half antelope, and closing doe seasons completely.

5 Approval of Minutes – Chairman Wallace – For Possible Action
Commission minutes may be approved from the Nov. 3 and 4, 2017, meeting.

Public Comment Reno Location –

Rex Flowers, Reno, said that he looked last night on the NDOW website to read the minutes and only one page was available.

DAG Stockton and Chairman Wallace decided that the Commission table approval of the November 2017 minutes to its March meeting in Laughlin.

6 License Appeal – Timothy D. Sutton – For Possible Action
Mr. Sutton is appealing his hunting license suspension.

Mr. Sutton was not present.

7 Commission Policy 26, Re-establishing, Introducing, Transplanting and Managing Pioneering Rocky Mountain Elk, Second Reading – Commissioner and Administrative Procedures, Regulations and Policy (APRP) Committee Chairman David McNinch – For Possible Action
The Commission will conduct a second reading of Commission Policy 26 and may take action to officially revise and adopt the policy.

Commission and Public Comment – None

COMMISSIONER MCNINCH MOVED TO APPROVE POLICY 26 AS PRESENTED. COMMISSIONER ALMBERG SECONDED THE MOTION. MOTION CARRIED 7 – 0. COMMISSIONERS HUBBS AND YOUNG WERE ABSENT.

8 Commission Policy 3, Appeals, Second Reading – Commissioner and APRP Committee Chairman David McNinch – For Possible Action
The Commission will conduct a second reading of Commission Policy 3 and may take action to officially revise and adopt the policy.

Commissioner McNinch said the committee recommended clean-up of a few items with the committee reaffirming adoption.

Commission and Public Comment – None

COMMISSIONER MCNINCH MOVED TO APPROVE POLICY 3, APPEALS, AS PRESENTED. COMMISSIONER JOHNSTON SECONDED THE MOTION. MOTION CARRIED 7 – 0. COMMISSIONERS HUBBS AND YOUNG WERE ABSENT.

9 Commission Policy 66, Management and Use of Wildlife Management Areas, Second Reading – Commission and APRP Committee Chairman David McNinch – For Possible Action
The Commission will conduct a second reading of Commission Policy 66 and may take action to officially revise and adopt the policy.

Commission and Public Comment – None

COMMISSIONER MCNINCH MOVED TO APPROVE POLICY 66, MANAGEMENT AND USE OF WILDLIFE MANAGEMENT AREAS, AS PRESENTED. COMMISSIONER VALENTINE SECONDED THE MOTION. MOTION CARRIED 7 – 0. COMMISSIONERS HUBBS AND YOUNG WERE ABSENT.

10 Commission Policy 51, Wayne E. Kirch Conservation Award, First Reading – Commissioner and APRP Committee Chairman David McNinch – For Possible Action
The Commission will conduct a first reading of Commission Policy 51 and may take action to revise the policy. The Commission may advance the policy to a second reading for possible adoption at a future meeting.

Commissioner McNinch said updated language was inserted and the policy was updated for consistency. He said there will be an effort to expand solicitation of award nominations.

Commissioner Valentine said this year had the most nominations since he has participated on the committee.

Public Comment Reno Location –

Paul Dixon Clark CABMW said a Clark CABMW member brought up that the nominations are more along the line of lifetime award than the year the award is presented. The Clark CABMW recommendation is to make the nominators aware of that, or change Kirch award to lifetime award.

Las Vegas Public Comment – None

COMMISSIONER MCNINCH MOVED THAT COMMISSION POLICY 51 HAVE A SECOND READING IN MARCH AS PRESENTED. COMMISSIONER BARNES SECONDED THE MOTION. MOTION CARRIED 7 – 0. COMMISSIONERS HUBBS AND YOUNG WERE ABSENT.

11 Reports – Informational

A Wildlife Heritage Account Report – Deputy Director Liz O'Brien
A report will be provided on the funds available (interest and principal) for expenditure from the Wildlife Heritage account in the upcoming year.

Deputy Director Liz O'Brien reported that the Wildlife Heritage Account has $887,474 for distribution to projects this year. Last year $785,913.92 was available, there is an increase of $101,560.09 in funds available. This year's amount is the highest in 10 years.

B Western Association of Fish and Wildlife Agencies Mid-Winter Conference – Secretary Wasley and Commissioner McNinch
A report from the conference held in San Diego, California, will be provided by the attendees.

Commissioner McNinch reported that he, Director Wasley and Deputy Director Robb attended WAFWA. He said Utah took heat from all of its neighboring states for closing their shed antler season last year. Commissioner McNinch suggested that the Department provide future presentations to the Commission from WAFWA discussion topics such as Chronic Wasting

Disease (CWD). He said there is new information from CWD studies of transmission of disease to humans. For fisheries, scientists are testing a process where they use genetics in breeding of fish to get rid of fish from stream environments. Typically agencies get rid of those fish through chemical means. This new method is breeding the fish to be sterile to be removed out of the population. The process would result in cost efficiencies and a healthier way to remove undesired fish. There was much discussion about Recovering America's Wildlife Act and the potential amount of money which will broaden funding to support wildlife management and conservation. The legislation was re-introduced in mid-December and has broad bi-partisan support with clarifications made that the intent is to supplement funding not supplant funding. Nevada would receive an estimated $27 million each year. The bill is a new and improved version. There is optimism that the bill will pass.

Deputy Director Robb said WAFWA conference provides networking opportunities between states. In the future a coordination meeting will be scheduled between NDOW and California Department of Wildlife. WAFWA also holds a "Recruitment, Retention and Reactivation" conference (R3) at the end of the mid-winter WAFWA conference. The R3 provided state agency's tools to reach license holders.

C Department Activity Report – Secretary Wasley

A report will be provided on Nevada Department of Wildlife activities.

The Game Division provided data to the Nevada Department of Transportation for incorporation into their ongoing assessment of highway safety hazards involving vehicle collisions. The Department of Transportation has developed mathematical models using collision data, and the Game Division provided 272,000 radio telemetry locations that occur within one mile of a highway to assist in validating the risk models. A lack of telemetry locations in some areas corresponds with a lack of marked animals, but areas with many telemetry locations may be useful in identifying suitable future crossings or exclusionary features.

Over 1,000 sage-grouse wings were analyzed during the annual sage-grouse wing bee held in Winnemucca on December 7, 2017. Production values were estimated at 1.05 chicks per hen, which is considered low and well below the long term average of 1.58 chicks per hen. Male attendance at leks is expected to decrease in 2018 and potentially 2019.

Staff continue working with the Colville Confederated Tribes in Washington to acquire Merriam's turkeys for translocation to the Toiyabe Range in central Nevada. Twenty-two birds have been moved so far this winter, and another 50–100 more are expected. Releases are targeting Iowa and Boone Canyons in this mountain range to augment turkeys released in the Toiyabe Range last year.

The Colville Tribe in Washington reported on the most recent movements and survival of pronghorn that were translocated from Nevada in early fall 2017. There have been three mortalities since translocation including one that had to be euthanized upon arrival. Over two-thirds of the translocated pronghorn have remained on the land managed by the tribe, although the remaining 30 percent have made forays off of the reservation to adjacent public and private lands surrounding the Colville Tribal lands.

Additional translocations of turkeys and quail are also in planning or implementation this winter. Fifty turkeys are also expected to be provided by the state of Utah within the next week, which will be released at Doc's Pass in Lincoln County. This release is designed to augment a release of turkeys from two years ago. This winter 150 mountain quail were obtained from Oregon for release in Nevada, with 100 quail to be released at Mason Valley and another 50 will be released in Jersey Canyon within the Fish Creek Mountains.

Through the end of 2017 the Department's statewide AIS program has completed over 26,000 watercraft inspections and approximately 950 decontaminations, the majority of those on watercraft exiting the Colorado River system. With the end of the boating season, watercraft inspection stations in northern Nevada are closed but the Alamo roadside station on US Highway 93 and inspection stations at Lake Mead and Lake Mohave will continue to operate through the winter months. NDOW used approximately 35 contract staff including seasonal stations to supplement Department personnel in 2017.

Willow Creek Reservoir in Elko County suffered a catastrophic failure of one of the outlet valves in early November which resulted in rapid dewatering of the entire reservoir. Eastern Region staff attempted fish salvage but the sudden drop in elevation made the shoreline inaccessible because of muddy conditions. The dam is owned by Barrick and we recently met with them for an update. They hope to begin repairs by early February which will require replacing the entire outlet works, repairs to the outlet tunnel and possibly resurfacing the dam face and abutments with shotcrete. Whether the reservoir can be restocked this spring is dependent on both the speed of repairs and runoff conditions from what is shaping up to be a pretty poor winter.

Monitoring after the draining of Willow Creek Reservoir found live fish in the outflow stream below the dam and we were able to salvage 4,000 crappie and a handful of channel catfish and largemouth bass. Staff were able to move 1,100 crappie to Rye Patch and 2,900 to Wildhorse. There were additional sport fish below the reservoir but freezing conditions prevented any additional salvage.

A number of habitat projects for fisheries improvement have been completed in the Western Region this winter including at Sparks Marina, Rye Patch and Chimney reservoirs. Work at both Topaz Lake and Lahontan Reservoir is ongoing. These projects were funded through the Habitat Conservation Fee program.

Construction has been completed on a wetland enhancement project at the Key Pittman WMA. NDOW partnered with Ducks Unlimited on this project to improve water delivery and rehabilitate portions of the north units to create more uniform wetland depths. This project enhanced approximately 40 acres of wetland and upland habitat on the WMA.

Habitat Division staff have been working with land management agencies and partnering sportsman organizations to pool resources to address 2017 fire rehabilitation demands. While greater information will supplied in the project update PowerPoint we are expecting that all seeding will be completed by mid-February.

Over the past year, the Habitat Division has worked with stakeholders and partners in wildlife and wildland conservation in an initiative to develop a framework for guiding future habitat management efforts. The results of this effort are captured in a Strategic Habitat Framework document that will assist in depicting and selecting priority habitat projects in Nevada.

The Sierra Front Winter Mule Deer Habitat Improvement project, funded through heritage account funds, has supported 5 different volunteer projects on recent wildfire sites in proximity to Reno. The projects have resulted in approximately 78 acres being planted with bitterbrush and pine tree seedlings, as well as the dispersal of bitterbrush, grass, wildflower and sagebrush seeds.

The Habitat Division continues our involvement as a cooperating agency in Nevada Test and Training Range Withdrawal, Renewal and Expansion Legislative EIS (LEIS) in the Southern Region as well as the Fallon Naval Air Station Withdrawal, Renewal and Expansion LEIS in the North. Throughout the processes we have provided comment and recommendations in consideration of wildlife habitat values, infrastructure investments and associated recreational impacts.

Numbers are still being compiled for the 2017 boating season, but preliminarily Nevada saw 39 boat accidents in 2017, involving 56 vessels. Fourteen people were injured, with three fatalities. This number will be updated as final reports are submitted, and these numbers do not include a large number of

accidents that NDOW game wardens responded to and investigated on the Arizona side of the Colorado River, Lake Mead and Lake Mohave.

Eastern Region game wardens recently travelled to Twin Falls, Idaho on two separate big game poaching investigations. This trip resulted in complete confessions in both cases. One involved the illegal killing of a mountain lion near Jarbidge without a tag or license. The other involved the killing of a deer in far northeast Nevada by a juvenile with a Utah tag. Suspects in both cases are Idaho residents.

A moose was found illegally killed in the Jarbidge area right after Christmas. We had moose killed illegally in both 2015 and 2016, but both were accidental kills that were self-reported by cow elk hunters. In this more recent case, the moose appears to have been killed intentionally with the head and some portions of meat removed. Several sportsmen organizations and individuals have stepped up with donations to raise reward money to $10,000 for information about the poaching. Nevada has a very small but growing moose population, primarily in Elko County. Poaching incidents like this can have a profound negative effect on such a small population.

A California man pled guilty Nov. 14 to conspiracy to possess an unlawfully killed big game animal without a valid tag. Alan Edward Berryessa of Grass Valley, California, was subsequently sentenced on Jan. 9 in the 6th District Court in Winnemucca to pay a $5,000 civil penalty in addition to administrative fines. Berryessa had been the subject of a residency fraud investigation after applying for Nevada tags for many years. Berryessa drew tags for and killed a California bighorn in Humboldt County, and a desert bighorn in Mineral County. Charges similar to the Humboldt County charges are also pending in Mineral County. Beryessa will also face license revocation and he forfeited both sheep heads. This case came from our Wildlife Investigations Program, which recently saw the filling of two regional investigator positions so that we now have a wildlife investigator in each of our three regions.

The Law Enforcement Division will be conducting another recruitment and general hiring process in upcoming weeks. Recruitment and retention continue to be a problem with two new wardens recently resigning to pursue other law enforcement jobs. The Division has seven vacancies out of a field force of 31 field wardens.

Wildlife Diversity staff continue to work with the Bureau of Land Management (BLM) on removal of illegal pitfall traps in southern Nevada. By our estimates, approximately 400 traps have been destroyed or removed by NDOW in Nye and Clark Counties. The Bentz family has self-reported to the BLM that they have removed all of their traps from Amargosa Valley, estimated at about 700 according to previous statements. BLM is hiring a temporary crew for four weeks from mid-February through mid-March to verify trap removal and to search for other traps and remove them. The Nature Conservancy has also offered volunteer support.

January is the time of the year when the annual winter raptor survey is conducted. Diversity biologists and volunteers surveyed approximately 70 road and boating routes from Jan. 3 through Jan. 17, with re-survey opportunities later in the month. This time frame coincides with the U.S. Army Corp of Engineers National Midwinter Bald Eagle Survey, ensuring that Nevada is able to contribute data to that effort as well. There are preliminary reports of increased observations, with some routes detecting as many as 100 birds.

Christmas bird counts were conducted by staff in Steptoe and Snake valleys. There were 1,940 birds representing 43 species recorded in Steptoe Valley while Snake Valley produced 3,274 birds, comprising 59 species.

Conservation Education Staff has been front and center working on the roll out of the new license system, website and vendor support. Customer service calls, emails and social media posts have all been of huge importance in improving the customer experience.

NDOW partnered with the Wild Sheep Foundation to hold the annual Youth Wildlife Conservation Experience (YWCE) and Career Day. NDOW staff presented to 444 students on careers in wildlife related fields, and coordinated volunteer instructors to run stations designed to excite and inspire youth from any age to get excited about wildlife, the outdoors, and conservation. The Wild Sheep Foundation funded buses from several western Nevada schools including Swope Middle School, Jessie Beck Elementary, Alpine High School, Donner Springs Elementary and Academy of Arts Careers and Technology High School. The Saturday event of the YWCE was open to the public and 956 youth came through the stations for a total exceeding 1,400 youth in attendance over the three days.

Southern Region wildlife education completed an interpretive display at the Clark County Wetlands Park. An interpretive program about owls at Doral Academy Red Rock Canyon Elementary GATE Program was a huge success. Staff also conducted a Desert Wildlife Outreach Program at the Lake Mead National Recreation Area Visitor Center to a full class of 50 students.

Headquarters and Western Region staff coordinated numerous media stories with local news stations about increased bear activity in the late fall and winter, giving Nevada residents tips on what they can do to keep bears away.

Western Region wildlife education and urban wildlife coordinators presented at the January Sierra Nevada Forum in Carson City to 185 people. The excitement for this presentation led to upcoming presentation requests and media coverage.

Statewide angler education has been productive with tank set-ups for the upcoming Trout in the Classroom season. A new aquatic education aquarium is up and running in Verdi Library and we will be adding trout to that tank very soon.

NDOW rolled out its new Agency Management System (AMS) on Jan. 1, 2018, and has been working around the clock with contractor, Kalkomey Enterprises, to ensure the system operates correctly. Although some technical issues from the transition still remain, both NDOW and Kalkomey are dealing with these lingering issues as quickly as possible. Online and in-person licensing and vessel registration transactions are taking place as expected.

NDOW and Kalkomey visited nearly all of our license agents to deliver and install the new point-of-sale system. Although some technical difficulties were reported regarding the new license printers, those issues have been resolved and license sales are taking place. Kalkomey is working on developing additional training materials to ensure our agents can operate the system effectively.

NDOW is working to provide additional phone and email support to customers with questions regarding the new system as we continue to manage the transition to AMS.

The spring turkey hunt application period opened as scheduled on Jan. 19 through the online system. Applications are proceeding as expected and we look forward to opening the non-resident guided deer hunt application period as scheduled.

The Director's Office continues to provide guidance and support to the roll out of our new system and the license simplification efforts.

The Legislative Commission met Dec. 19, 2017, and approved Commission General Regulation (CGR) 472 License Simplification. The regulation implements the hunting and fishing license simplification structure approved during the 79th Legislative Session in Senate Bill 511. It revises provisions relating to governing the operation, ownership, registration, and numbering of vessels; and the issuance and renewal of licenses, tags, and permits to engage in hunting and fishing and the payment of fees for those licenses, tags, and permits. The regulation became effective Dec. 19, 2017.

The Department held a Leadership Conference this month. Employees were provided professional development training about sound governance, polarity, human dimensions, communication and customer service, and law enforcement emotional survival.

The Western Governors' Association Sage-Grouse Task Force has increased its meetings due to the notice of intent around land use plan amendments and secretarial orders dealing with mitigation.

D Litigation Report – Deputy Attorney General Joshua Woodbury

DAG Stockton said there is an update to the Smith vs. Wakeling case. The case was filed in California, and there is a part of the case at issue, whether a case concerning a Nevada state agency can be tried in California. The matter resides in the California Supreme Court. Because it is a U.S. Supreme Court case it must go there to be reversed.

Commissioner McNinch asked in regard to the Truckee Carson Irrigation District (TCID) case why with the amount of water received last year couldn't that amount of water been provided and end the case.

DAG Stockton said NDOW is only involved in the case to a limited degree. The over-diversions were from TCID, and NDOW is only involved is because NDOW owns the water that mostly goes to Carson Lake and Pasture, NDOW did not want the Court to use NDOW's water to pay back the water debt of TCID. DAG Stockton said generally flood waters are not considered anyone's water. TCID would have to find water to payback diversion of water to Pyramid Lake. He said it is just the way water is considered.

12 Nevada Department of Wildlife Project Updates – Secretary Wasley – Informational
The Commission has requested that the Department provide regular project updates for ongoing projects and programs as appropriate based on geography and timing of meetings. These updates are intended to provide additional detail in addition to the summaries provided as part of the regular Department Activity Report and are intended to educate the Commission and public as to the Department's ongoing duties and responsibilities

An update on the 2017 wildfire season was provided by Habitat Division Administrator Alan Jenne, Game Division Administrator Brian Wakeling, and Wildlife Staff Specialist Lee Turner. Three areas were covered in the PowerPoint presentation: Nevada's acreage lost to wildfires in 2017 (1.2 million acres burned); the effect of wildfire on game species and sage-grouse; and the 2017 fire rehabilitation effort that is underway.

http://staging.nv.gov/uploadedFiles/ndoworg/Content/Public_Meetings/Com/12%20-%20Wildfire%20Update%20final.pdf

13 Commission General Regulations – Adoption – For Possible Action – Public Comment Allowed – Persons Wishing to Provide Comment on Regulations are Requested to Complete a Speaker's Card and Present it to the Recording Secretary

A Commission General Regulation 475, Shed Antlers, LCB File No. R134-17 – Chief Game Warden Tyler Turnipseed – Adoption/Public Comment Allowed
The Commission will consider adopting a regulation relating to amending Chapter 503 of the Nevada Administrative Code (NAC). This regulation would prohibit a person from collecting shed antlers at any time during a year unless the shed antlers are collected by the person from the field from April 15 to Dec. 31, inclusive, of that year.

> A workshop was held in Carson City on Nov. 3, 2017. The Commission directed the Department to amend the antler season closure to run from Jan. 1 through March 31, inclusive. The Commission also directed the Department to include an hour's limitation for the months of April and May to be open from 10 a.m. to sunset. All of these restrictions would apply to public lands in Elko, Eureka, Lander, Lincoln, Nye, and White Pine Counties.

Chief Game Warden Tyler Turnipseed reminded the Commission that this past November, the Commission changed the regulation to include the three counties where the impacts from Utah fell. The regulation is currently drafted to include Elko, Eureka, Lander, Lincoln, Nye and White Pine Counties. He said he believes that the Commission still wanted to hear from Lander, Lincoln and Nye Counties.

Commissioner Johnston said they wanted to hear from the CABMWs that were included in the regulation and those that were not. There was some concern that maybe counties which were not included might want to be.

Commissioner East asked why the month of March was included.

Chief Game Warden Turnipseed explained that usually the critical months on the winter range are January, February and March. There was a lot of conversation about whether it should include January because of late cow elk seasons and chukar hunts.

Reno Public Comment –

Paul Dixon, Clark CABMW, said that shed antlers have imbibed a lot of discussion. The Clark CABMW has spent at least one hour at one meeting and one half-hour at this last meeting. He explained there was a split vote of 4-2-1. The Clark CABMW thought it would be beneficial to add that only those with valid Nevada hunting licenses are able to hunt sheds. The reason is that they would be paying to take a resource from our state. Grandparents or parents with children would have to have the license but the children would not. He also asked why the restriction starts Jan. 1.

Commissioner Johnston asked what the vote was for exactly.

Mr. Dixon said the vote was to change Section 1 to say "only a person with a valid Nevada hunting license." The dissenting opinions believed that there was no scientific evidence to say that shed antler collecting is impacting the herds and they believe current wildlife harassment laws apply to this.

Cory Lytle, Lincoln CABMW, said that Lincoln CABMW supports the regulation. The change that Lincoln CABMW would want to make would be to take the original language back to April 15 as the end date. The April 1 day would then change to April 16 for the time restrictions. It is understood that there is no actual science behind this, but most of it is common sense, and displacement does have an impact. It may not impact herds and sage-grouse right now but it will. By the time studies are done, four years will go by and the impacts will be worse.

Rob Boehmer, Carson CABMW, said that the Carson CABMW recognizes that they are not part of the counties that have this restriction, but there were three fathers who make it a point to go into these counties during their children's spring break to engage in shed hunting. Those three families were just concerned they could no longer go out and do this with their families, but they understand where the Department is going with this. As was mentioned earlier, there are

multiple states enacting regulations on shed antler hunting. Colorado created a license for shed hunting and the Carson CABMW would support making it mandatory to have a license. The Carson CABMW did unanimously support this.

Jesse Weller, Lyon CABMW, said that as a county, they understand there is an issue. They do not consider themselves directly affected. They also understand there is a need for change due to abuse of wildlife, primarily regarding off-road vehicles and regulating that. Lyon CABMW voted unanimously to restrict shed antler hunting from January to March and no restrictions as far as hours.

Steve Marquez, White Pine CABMW, said they had a lot of input and their meeting went well. White Pine CABMW went with the recommendation of the Commission, however, they did want to change the date of the April 15 instead of March 31. Deer have been dropping antlers and there are already people shed hunting.

Public Comment in Las Vegas –

Mark Edgel, private citizen, mentioned that the hunters picking up antlers during late hunts would be breaking the law. He said the regulation is vague and needs to be tightened up. He would endorse the hunting license.

Public comment concluded and discussion returned to the Commission.

Commissioner Barnes said this came up at a Nevada Cattlemen's Board meeting. It was brought forward for two reasons. The primary reason was that the ground was getting torn up by shed hunters. He explained that he wanted a May 1 date so that the ground has a chance to firm up. Mule deer does are pregnant after a hard winter and that date would give them time to strengthen up and move off the winter ranges. The end of March is way too soon. He said he also had concerns over the hours, but did not know if that would be setting a precedent to some other recreational users.

Chairman Wallace asked if the Commission can require a license.

DAG Stockton explained that would be a significant change to the regulation and the regulation would have to go to the Legislative Counsel Bureau and then be brought back for the Commission to review again.

Chairman Wallace asked if the date was changed to April 15 would that alleviate sage-grouse problems.

Chief Game Warden Turnipseed said he believed so.

Upland Game Staff Specialist Shawn Espinosa explained that the sage-grouse nesting season extends through the month of April. You would not have to consider a timing restriction after May 1.

Commissioner Johnston said he received a telephone call from former Commissioner Mori who shared his concern over the 10 a.m. time restriction and how that would play into when people drive on various roads. One way to eliminate this factor would be to just have the closure from Jan. 1 to April 30, which would address the sage-grouse issue and the disturbance issue. Not many hunting seasons go into January.

Commissioner Almberg asked if the proposed seasons on cow elk hunts would affect this.

Commissioner Valentine agreed with Commissioner Johnston and asked when this regulation would go into effect.

Chief Game Warden Turnipseed explained that it will not officially go into effect until the Legislative Commission meets. It is possible to roll this out in the middle of a closure time and come out softly.

COMMISSIONER BARNES MOVED TO ACCEPT COMMISSION GENERAL REGULATION 475 SHED ANTLERS LCB FILE NO. R134-17 TO READ: A PERSON SHALL NOT TAKE OR GATHER SHED ANTLERS FROM OR ON ANY PUBLIC LAND LOCATED IN ELKO, EUREKA, LANDER, LINCOLN, NYE OR WHITE PINE COUNTIES AT ANY TIME FROM JAN. 1 TO APRIL 30. COMMISSIONER JOHNSTON SECONDED THE MOTION. MOTION PASSED 7 – 0. COMMISSIONERS HUBBS AND YOUNG WERE ABSENT.

B Commission General Regulation 440, Trail Cameras and Other Devices, LCB File No. R012-16 – Chief Game Warden Tyler Turnipseed – Adoption/Public Comment Allowed

The Commission will consider adopting a regulation relating to amending Chapter 503 of the Nevada Administrative Code. The proposed regulation change is intended to restrict the use of motion and heat sensing cameras that are left for a period of time, and not held in the hand. The proposed language would prohibit (with certain exemptions) the use of trail cameras within 200 feet of a spring, water hole, or artificial basin from Aug. 1 to Dec. 31 of each year. The proposed language would further prohibit the use of transmitting trail cameras at any location from Aug. 1 to Dec. 31 of each year.

The Commission held a workshop on March 25, 2016, and directed the Department to remove previously drafted language prohibiting the use of trail cameras only for the purposes of scouting or hunting. A second workshop was held in Carson City on Nov. 3, 2017. The Commission directed the Department to prohibit the use of transmitting trail cameras at any time during the year, to prohibit the use of trail cameras within 300 feet of a water source from Jan. 1 through July 31, and to prohibit the use of any trail camera from Aug. 1 through Dec. 31.

Chief Game Warden Turnipseed presented a PowerPoint (exhibit file). Chief Turnipseed presented a summary of how the regulation's language changed: At the November workshop there was a lot of discussion, and the Commission came up with language that went a lot further. A caveat was placed on the mining exception that those cameras would need to be marked. The language regarding the consultation with the Department came from the non-governmental organizations in the past which used trail cameras to monitor wildlife, which seemed vague. Next, the private landowners have an exemption. Cameras used to monitor livestock have that exemption as well.

Commissioner Johnston said he had the same concern over the consultation language.

Chief Game Warden Turnipseed agreed that the term consultation seems vague but he hates to say that everything should require a permit. He would like to see some written documentation.

Reno Public Comment –

Joe Crim, Pershing CABMW, said that Pershing CABMW voted not to support this regulation as written. They do not believe this is a problem for the whole state. They would rather see the regulation focused on the problem areas. He would like to see some consensus where someone can still do a project without being limited.

Rob Boehmer, Carson CABMW, said the Carson CABMW voted unanimously to support this regulation but would like the Commission to consider testimony from the Clear Creek Bowman to petition the Commission to revise the regulation to include the month of July. They gave multiple accounts of guides and rifle hunters come in to set up cameras while their hunt is going on and disrupting their hunt. Mr. Boehmer thinks the archery group is sometimes disregarded because they are small but lose sight of the fact that the tools they are using are short range tools.

Paul Dixon, Clark CABMW, said that the Clark CABMW supported this regulation in a 6-1 vote. He asked why the Commission is worried about a fair chase issue outside of the hunting season. If the Commission does decide to go with permits, there will have to be some way of identifying cameras with or without permit numbers.

Cory Lytle, Lincoln CABMW, said that the Lincoln CABMW recommended to remove “in consultation with” and replace it with “with written consent from.” Lincoln CABMW appreciates the counties that are not affected by this and those that have concerns with dates.

Mel Belding, Washoe CABMW, began by saying he appreciates Chief Game Warden Turnipseed’s comments on the non-governmental organizations (NGOs) and what we have learned from these cameras. Mr. Belding explained that he has never set a camera for hunting purposes but he has set them. He does not understand why he needs the permission to set a camera that can educate and help find animals for people. He believes this regulation should be looked at per region or county.

Jesse Weller, Lyon CABMW, said they voted unanimously to restrict the use of trail cameras during the hunt season regardless of distance. He noted that a perimeter could still be stacked with cameras. Lyon CABMW also voted unanimously to allow the use of trail cameras on water during the non-hunting season.

Rex Flowers, private citizen, said he would like to see this be more county specific. He stated that the Commission is outlawing cameras anywhere for any use, five months of the year, which says that the Commission believes they must be detrimental to wildlife. However, this regulation has made it so that no one is able to use that camera to look at pika or bobcats. He believes this is an over reach. He asked why people are allowed to hunt on those water holes if the cameras are detrimental to wildlife.

Carl Erquiaga, private citizen, said he uses trail cameras as a hobby. He also sometimes uses them for hunting. Mostly, he uses them with his granddaughters. They are home schooled and their mother believes it is a good idea for them to learn about wildlife. It is a fun hobby. He agreed that there is a problem, but he does not think it is a hunting problem, he thinks it is an ethics problem. He does not believe trail cameras affect wildlife unless there are 30 or so. Also, it would be legal to physically sit on a water hole to take pictures. He wanted to know what authority the Department has to make it illegal to place trail cameras on federal public land.

Mike Cassidy, private citizen, said he is part of the mining industry. Trail cameras placed to monitor people tampering with equipment or dumping trash is very helpful. He believes the Commission is overstepping their bounds.

Tom Cassinelli, Humboldt CABMW, said that Humboldt County supported this recommendation with a vote of 3-1. Everyone at the meeting has trail cameras and brought up the fact that maybe some counties should be excluded. In the long run, Humboldt CABMW supports this. One of the members has a pilot license and asked the difference between him flying a plane to look for animals and using a trail camera for hunting.

Gerald Lent, Nevada Hunters Association, said that the Nevada Hunters Association is opposed to trail cameras used by hunting. He brought up some changes to the regulation including removing the consultation term. He suggested replacing that with the language “except for organizations that auction big game tags and based upon written request and written approval.” There should be a paper trail to avoid the appearance of favoritism. There should also be language that the owner should be a beneficiary of landowner tags. Ranchers monitor game at water holes because they sell their landowner tags for large dollars and could abuse this regulation. Dr. Lent then discussed a handout (exhibit file). Trail Cameras are the key to locating big animals. He supports this trail camera regulation with exceptions.

Keith Montes, private citizen, said he has been running trail cameras for over 20 years. Hunting will always be a business; there is too much money in it. He believes he should be able to put a trail camera on a watering hole. He would never put 50 on there. When people who hike into the guzzlers to check their cameras see that they are ruined, they go fix them. Outfitters and the Department should be working together. Most of the Department’s employees hunt, but they are allowed to put trail cameras out. He suggested there are too many ways to work around the exemptions in this regulation.

Jeff Howden, private citizen, said he is an avid hunter and is against this regulation. Cameras are used for hunting and monitoring land. If there are issues in certain counties, those certain counties should be the ones looked at. There are no elk in Reno, on Peavine or in Lovelock, elk are only on the eastern side of the state. He believes that there should be a limit for the cameras on the guzzlers and IDs should be required. There should be no exemptions or everyone should have an exemption. The 300 foot set back will still put a camera on a trail and it will not matter because every problem occurring at the water hole will just happen 300 feet back. There should not be set dates because these cameras are used for other things such as school projects.

Gary Coleman, self and Pershing CABMW, said that people buying Heritage Tags are spending a lot of money to raise money for wildlife. This regulation is restricting their use of the cameras. This is going against the whole point of the tag.

Kyle Davis, Back Country Hunters and Anglers, said his organization supports the regulation partly and are requesting modifications. There has been a lot of discussion about time periods. The Back Country Hunters and Anglers Board voted to prohibit transmitting cameras and the proposal of a 300 foot restriction. He said they also support the shed antler regulation.

Steve Marquez, White Pine CABMW, said this was a major topic at their meeting. They are in support of the limitations on the cameras. People from Utah come in and sell coordinates online. It is not just water holes; it is other things too, such as the people damage private property. The issue with the “in consultation” language is that it should be a one year restriction. Everyone at

the White Pine CABMW meeting was in total agreement with this. There were six sub-guides there and three master guides that expressed their support for restrictions.

Greg Smith, private citizen, said his only issue is the last exemption and how law enforcement will determine whether cameras on a private watering hole will actually belong to that landowner.

Public Comment Las Vegas location –

David Dixon, private citizen, said that this meeting has been very educational. He is opposed to the trail camera regulation. One of his concerns is the rationale for banning cameras. The notice of intent states that the reason for using this is to improve the reputation of the guiding industry. This means that it is not due to scientific facts. He also had concerns over the enforcement. Lastly, if there are a certain number of tags issued for a particular area, how does the use of cameras impact the numbers taken? He suggested restricting the number of trail cameras.

Jana Wright, private citizen, said she is speaking in support with the following changes: delete Section 2, Subsection (a), Paragraph (4) and delete Section 2, Subsection (c).

Mark Edgel, private citizen, said he is a long time Nevada resident, and he owns a whole two cameras. As pointed out earlier, it could be a real challenge getting millennials outside but these trail cameras prove to be a lot of fun. You have taken away an opportunity for people to enjoy their children and grandchildren. He said that to openly ban trail cameras would break his four-year-old's heart. Mr. Edgel believes this regulation is very vague.

Public comment concluded.

Commissioner Valentine said it sounds like this issue is an area-wide issue but he does not know how the rest of the Commission feels about making this a county-wide restriction.

Commissioner Johnston said it would be difficult to only allow trail cameras in part of the state. He said that public testimony showed there is a problem but no one wanted it to interfere with their rights because everyone else is the problem. No one is denying that something needs to be done. He said there are a lot of laws out there that are nearly impossible to enforce but the Commission and Department rely on voluntary compliance. There needs to be trust and faith in the Department. He said he would like to change the word "consultation."

Commissioner Almberg agreed with Commissioner Johnston. Many of the CABMWs agree and have been part of the discussion. In general, most of the CABMWs support this. Parents and grandparents can still take their kids out the rest of the year. There are still exceptions for industries. It may be worse in Lincoln and White Pine Counties, but commercialization of wildlife needs to be addressed.

Commissioner East said she supports this regulation.

Commissioner McNinch wanted to review Section 2. He asked who the "any other person" would be. He wanted to know if grandparents taking their grandchildren out for learning purposes would need to get written approval for that.

Chief Game Warden Turnipseed believes this language does allow for those people doing projects. It could be any person or organization. There are twenty or thirty permits already, another one could be added.

Commissioner Johnston agreed that Commissioner McNinch brought up a good point about individuals doing it within consultation with the Department. He suggested that Section 2, Subsection (a), Paragraph (4) should be its own Subsection (b). An official duties section is needed because they will already be in consultation with the Department. A person doing a project has no official duty.

Chief Game Warden Turnipseed clarified whether an employee of any industry would stay in Paragraph (4).

Commissioner Johnston said the best way would be to split of “any other person...” making that be an employee of industry. However, right now, hunting guides are an industry. Section 2, Subsection (a) is really talking about government employees. Mining companies would be in consultation with the Department. A new Subsection (b) could read an employee of an industry or any other person in consultation with department.

Chief Game Warden Turnipseed asked if the Commission wanted to change the consultation language.

Commissioner Johnston said he would be fine with the word “approval.”

Commissioner Almberg asked if there was any scientific data that supports this. He asked if there was any way of doing a study for this.

Chief Game Warden Turnipseed said it would be hard to study because it would be cameras monitoring the effect of cameras. This is a two-pronged argument; one aspect is the issue of fair chase and the other is disturbance of wildlife. This regulation is focusing on fair chase. You could focus more on the fair chase issue by taking out the reference to 300 feet, you could focus on the Aug. 1 to Dec. 31 part which would focus on fair chase and less on disturbance of wildlife. If Subsections (c) and (d) were taken out, there is less of an argument to our cameras disturbing wildlife.

Commissioner Barnes said he liked the idea of removing Subsections (c) and (d).

Chairman Wallace agreed.

Chief Game Warden Turnipseed said there has been a lot of discussion about the exemptions, specifically, the exemption for monitoring livestock use. He asked Commissioner Barnes if this is a potential problem for cattlemen.

Commissioner Barnes said that the cameras do make it easier to check stock tanks but that is an issue of ethics when it comes to landowner compensation tags.

Commissioner McNinch brought up that if the thought is to remove Subsections (c) and (d), the date under Section 1, Subsection (a) would need to be moved back to July 1.

Chief Game Warden Turnipseed responded that you could move it back a few days or so.

Commissioner Valentine asked if it would be clearer language if it read: at any time from July 1 to Dec. 1 if the camera transmits.

Commissioner Johnston agreed that may be clearer.

COMMISSIONER JOHNSTON MOVED TO APPROVE CGR 440 TRAIL CAMERAS AND OTHER DEVICES LCB FILE R012-16 AS PRESENTED WITH THE FOLLOWING CHANGES: THE INTRODUCTORY LANGUAGE OF SECTION 1 REMAINS THE SAME; SECTION 1(A) REMAINS THE SAME. SECTION 1(B) REMAINS THE SAME; SECTION 1(C) WOULD READ AT ANY TIME DURING THE PERIOD BEGINNING JULY 1 ENDING DEC. 31 IF THE TRAIL CAMERA OR SIMILAR DEVICE TRANSMITS OR IS CAPABLE OF TRANSMITTING IMAGES, VIDEO, OR LOCATION DATA OF WILDLIFE; SUBSECTION 1(D) WOULD BE OMITTED; SECTION 2(A) REMAINS THE SAME; SECTION 1, SUBSECTION 2, PARAGRAPH (1) REMAINS THE SAME; SECTION 2, SUBSECTION (A), PARAGRAPH (2) ADD "OR" AT THE END; SECTION 2 SUBSECTION (A) PARAGRAPH (3) DELETE "OR"; SECTION 2, SUBSECTION (A), PARAGRAPH (4) WOULD BECOME SECTION 2, SUBSECTION (B); RE-LETTER SUBSECTIONS (B) AND (C) TO SUBSECTIONS (C) AND (D); AND THE NEW SECTION 2, SUBSECTION (B) WOULD READ "ANY EMPLOYEE OF ANY INDUSTRY OR ANY OTHER PERSON WHO USES THE TRAIL CAMERA OR SIMILAR DEVICE WITH APPROVAL FROM THE DEPARTMENT." COMMISSIONER MCNINCH SECONDED THE MOTION.

Chief Game Warden Turnipseed asked if it was necessary to formalize with written approval or approval by permit.

DAG Stockton responded that would be more clear, but also would limit the Department.

MOTION PASSED 7 – 0. COMMISSIONERS HUBBS AND YOUNG WERE ABSENT.

14 Commission General Regulations – Workshop – Public Comment Allowed – Persons Wishing to Provide Comment on Regulations are Requested to Complete a Speaker's Card and Present it to the Recording Secretary

A Agenda Item #14 A rescheduled for workshop at the March Commission meeting.*

B Commission General Regulation 476, Processing Fees, LCB File No. R142-17 – Data and Technology Services Division Administrator Chet Van Dellen – Workshop/Public Comment Allowed
The Commission will hold a workshop to consider amending Chapter 502.118 of the Nevada Administrative Code (NAC). This regulation reduces the current convenience fee of $2 for residents and $3.50 for non-residents per item purchased online to a processing fee of $1 per item purchased regardless of residency and method of purchase. This fee change will reduce fees to individual customers while preserving the necessary means of paying the Department's credit card processing charges.

Data and Technology Division Administrator Chet Van Dellen explained that customers are currently pay $2 for online application fees if they are a resident or applying for any product that is not a game tag application. Non-resident customers are paying $3.50 if they are applying for a game tag application. This fee was only imposed for online transactions. Now, with moving into an online dominated sales workflow, the Department wanted to make that more fair to everyone. With everyone forced to go online the Department does not want to charge more for that fee. The Department wants to reduce the fee to $1 for all customers and apply that fee to

any transaction the system provides whether it is at the counter, at a license agent, or online. More customers will be affected by the new fee, but the fee goes down one-half for residents, from $2 to $1, and more than one-third for non-residents. This is intended to be revenue neutral. The Department has one requested change to the regulation of making the fee non-refundable. The processing fee has to be paid whether the transaction is reversed or not.

Chairman Wallace asked where the Department would like to insert the word “non-refundable.”

Data and Technology Division Administrator Van Dellen said that he is requesting the language read “The Department may charge and collect a non-refundable fee of $1.”

Public Comment - None

Deputy Director Robb said the Department is requesting action on the regulation at a Feb. 9, 2018, Commission meeting after today’s workshop in order for the regulation to be implemented prior to the draw. Implementation also requires approval from the Legislative Commission.

Chairman Wallace said that the regulation will move forward with the insertion of “non-refundable” as requested by the Department.

15 Public Comment Period

Public Comment Reno Location **–**

Rob Boehmer, Carson CABMW, apologized to the Commission/Department staff for providing the wrong information on the trail camera issue. He said the archers who attended their CABMW meeting have an issue with Aug. 1, because the archery hunters are in their stands and setting up days before, and if persons are in there removing their trail cameras on Aug. 1, that would scare wildlife off the water holes.

Gerald Lent, Nevada Hunters, said the proposed trail camera regulation does not go far enough; existing regulation states you cannot camp within 300 feet of a water development so why allow cameras within 300 feet. The purpose of no camping is to not disturb wildlife, yet cameras disturb wildlife. Taking that out is a big mistake. Also, if no paper trail of permission from the Commission for the exceptions, there is no transparency for the public. Mr. Lent said with the continuing commercialization of wildlife and selling GPS coordinates, his group is considering introducing a bill similar to one in Wyoming. He said Wyoming has taken a stand against commercialization of wildlife. Mr. Lent read a section from Wyoming’s bill regarding GPS coordinates: No person shall advertise or provide to a hunter for remuneration the location and identification information of any previously scouted big game or trophy game animal for the purpose of aiding the hunter in the taking of that specific previously scouted big game or trophy game animal. For purposes of this subsection, "location and identification information" means: The geographical coordinates of the location of the animal or any maps, drawings, illustrations or other documents which show the location of the animal; and photographs, drawings, descriptions or other information which identify the animal.

Rex Flowers said at the Washoe CABMW meeting he learned that the Application Hunt successful draw list will not be available online for the 2017 draw because certain groups may or may not harass individuals who are successful in certain draws. Mr. Flowers said that will not stop that harassment, if that harassment exists, harassment could continue because of freedom of information. The decision to do that was made solely by the Department. He requested the

Commission give direction to the Department to look at reinstating having draw information online in keeping with what we have done in the past.

Cathy Brandhorst comments.

Mel Belding said he had the same comment as Mr. Flowers. He still would like to be able to view the results of the draw as in the past.

Robert Young, Churchill County, said for clarification of the Commission's motion on the trail camera regulation whether the Commission approved using "transmitting trail cameras, Dec. 31 through July 15;" as transmitting trail cameras are one thing that we all agree, shouldn't be allowed, including Boone & Crockett." Mr. Turnipseed had Boone & Crockett's quotes up there earlier, and Boone & Crockett's only position taken is on live transmit trail cameras.

Jeff Houghton said he is a bow hunter and he disagreed with archery reason given to limit trail cameras. He said more restrictions on trail cameras will impact wildlife more as people will be driving roads and pushing animals off water holes constantly before their hunt. He said if any more regulations on trail cameras instead of replacing cameras he will be driving to the water holes.

Las Vegas Public Comment –

Tribal Chairman Gregory Tanderson Sr., Moapa Band of Paiutes, said speaking on behalf of his tribe, he wants to get their hunting rights returned. In 1874 his tribe had 2.3 million acres which was reduced to 1,000 acres and removal of hunting rights. In 1970 or thereabouts they got an additional 70,000 acres. Bighorn sheep are highly prized by his people and legend. His tribe is out of balance and they would like 10 tags for bighorn sheep and deer in their ancestral area. Mr. Tanderson asked what they need to do get tags.

Mark Edgel said his suggestion for muzzleloader hunts is that he purchased a .50 caliber Scout pistol which has the same muzzle velocity as a rifle. He asked if he can use that pistol to hunt.

Commission Meeting recessed.

Saturday, Jan. 27, 2018 – 8:30 a.m.

16 Call to Order, Pledge of Allegiance, Roll Call of Commission and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Wallace

The meeting was called to order by Chairman Wallace. Commissioner Bill Young was absent on Saturday, Jan. 27, 2018, due to a family emergency. The other eight Commissioners were present.

CABMW Roll Call: Paul Dixon, Clark; Glenn Bunch, Mineral; Steve Robinson, Washoe; Joe Crim, Pershing; Cory Lytle, Lincoln; Steve Marquez, White Pine; Sean Shea, Washoe; and Mike Turnipseed, Douglas.

17 Approval of Agenda – Chairman Wallace – For Possible Action
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

COMMISSIONER JOHNSTON MOVED TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION PASSED 8 – 0. COMMISSIONER YOUNG ABSENT.

18 Member Items/Announcements and Correspondence – Chairman Wallace and Secretary Wasley – Informational
Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. 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 Secretary Wasley may also be discussed.

Secretary Wasley said his absence yesterday was due to his attendance at the Sage-grouse Task Force meeting in Denver at the request of staff from the Governor's office. Secretary Wasley said he knows that Commissioner McNinch briefed the Commission yesterday discussions at WAFWA on Recovering America's Wildlife Act (RAWA). He said he wanted to further update the Commission because in the past we have talked of the Blue Ribbon Panel assembled through the Association of Fish and Wildlife Agencies and the recommendations that came forth from the Blue Ribbon Panel. That panel then became the Alliance for America's Fish and Wildlife. Secretary Wasley said there is still a national campaign around the Alliance for America's Fish and Wildlife, a product from that was recently introduced legislation named Recovering America's Wildlife Act (RAWA). RAWA is co-sponsored by Republican Congressman Fortenberry from Nebraska and Democratic Congresswoman Debbie Dingell. RAWA has broad bi-partisan support. If enacted the program would be administered similar to Pittman-Robertson Federal Aid which Nevada currently receives. There are differences to be aware of such as the total amount that could be available to Nevada would be in excess of $35 million per year. The money could be used in unlimited capacity for law enforcement of any species covered under the state's Wildlife Action Plan, and for conservation education of which up to 10 percent could be used for recreation. The money would double NDOW's annual budget, although early on there were concerns from sportsmen that the bill would not allow tag and license revenues to be used as match. The burden to the state budget will be to come up with somewhere between $8 - $9 million annually for the match, due to that, the bill sponsors are working on language to allow for use of federal funds outside of Departments of Agriculture and Interior, so the state could use Department of Energy and Department of Defense funds as the match which would be significant. There is optimism and there will be press releases and language surrounding the RAWA out to the public.

19 County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational
CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.

Glenn Bunch, Mineral CABMW, said he tried to register his boat on Jan. 23 and had problems. He sent a message to the program administrator, received an auto reply; has heard nothing since.

20 Draft Fiscal Year 2019 Predation Management Plan – Wildlife Staff Specialist Pat Jackson – For Possible Action
The draft Fiscal Year 2019 Predation Management Plan will be presented to the Commission for initial review. Following this review, the draft plan will be updated and shared with the State Predatory Animal and Rodent Committee (PARC). All comments from the PARC, County Advisory Boards to Manage Wildlife, and any other interested entity will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at their March

2018 meeting. The Commission will receive an update at the March 2018 meeting from the Wildlife Damage Management Committee and may provide additional direction at that time.

Wildlife Staff Specialist Pat Jackson presented a PowerPoint (PP) presentation (exhibit file and website). Mr. Jackson said this is the first draft of the FY 2019 Predator Management Plan. He said $643,233 in predator fee revenue was generated last fiscal year.

Link to PowerPoint:
http://staging.nv.gov/uploadedFiles/ndoworg/Content/Public_Meetings/Com/PP-20-predator-plan-presentation-draft-1.pdf

Commissioner Johnston said he has a question about Project 37: Big Game Protection - Mountain Lions. The comments in the plan from FY 17 on page 17, second to last box, states that the focus of the project will continue until local bighorn sheep populations become viable. He asked if that is something that goes back to 2017 or should that be changed that the parameters of the program are broader than bighorn sheep.

Mr. Jackson said you could go “either or.” He said he would be happy to include all big game populations. During FY 17 staff only used Project 37 to remove lions for the primary protection of bighorn sheep but that does not mean that mule deer didn’t benefit from that removal.

Commissioner Johnston said that comment is related back to what project was in FY 17, but now moving into later fiscal years is a broader program, defined by the parameters set forth for all big game. He said he has the same comment for Project 38. He said from Project 41: Common Raven Management and Experimentation, Mr. Coates said the study shows more information on densities could then result in the ability to increase raven take in Nevada which is one of the justifications for the study.

Mr. Jackson said Commissioner Johnston is correct.

Commissioner McNinch said Project 32: Mountain Lion, Black Bear, and Mule Deer Interactions are recommended for discontinuation; however the plan states that the project direction is to fund through 2020.

Mr. Jackson said that “2020” is a typographical error.

Commissioner Hubbs said her question is regarding Project 45: Passive Survey Estimate of Black Bears in Nevada. She said the justification for the project was to better understand the recolonization of black bear into Nevada to provide a better estimate of abundance and densities. Commissioner Hubbs asked how NDOW had been doing that in the past and now.

Staff Game Biologist Jackson said Nevada’s wildland black bear population has traditionally been a summer season capture that Biologist Lackey was doing with GPS collars on the bears, which is a traditional mark and recapture program. That is still a valuable method and has worked; however the Department wants the ability to estimate the black bear population without capture. He said there is always a risk to animals when captured and immobilized. The new method is genetic mark and recapture. A small corral of barbed wire is constructed with a bear attractant which lures the black bear so their hair is caught in a single-strand of barbed wire, after which the technician takes that sample and the animals are identified by their genetics.

Commissioner Hubbs said another question is assessing mountain lion removal. Is the purpose to see if there is an interaction between lethal removals of mountain lions taken through a hunt?

Staff Game Biologist Jackson said that is a portion of the study. He said an integrated population model is a very dynamic model that takes any and all available data on mountain lions enabling understanding of mountain lion densities to increase the understanding of lion populations.

Public Comment Reno –

Paul Dixon, Clark CABMW, said he has taken an active role in evaluating the predator plan and there has been back and forth with the Department that pre-dates Mr. Jackson. He said the Clark CABMW has had continual problems with: Summary project results not provided; technical editor needs to be used as plan was poorly written and confusing in its wording in certain areas; for multi-year projects have a running total of how much money spent; and the three raven control projects have had $4 million invested in them since their inception. He said have we spent enough and learned enough that a new NEPA analysis with the federal government to increase the raven removal permit numbers. Also, on Project 44: Lethal Removal and Monitoring of Mountain Lions in Area 24, there is a map with one area for collared and one area for lethal removal. He said males and female lions have ranges of 10 to 15 miles and to have an area that small and say one part is lethal and the other is not may not work as every lion will travel through the lethal area in that zone at some point. Lastly, for the sixth year in a row, Clark CABMW has asked for a summary of accomplishments/results in the plan and a status of whether we are meeting the projects objectives.

Rex Flowers said his comments are relative to Projects 37: Big Game Protection - Mountain Lions and Project 38: Big Game Protection - Coyotes, but will use Project 40, Coyote Removal to Complement Multi-faceted Management in Eureka County, as a base. In Project 40, the fawn survival rate in Area 14 is 40 fawns per 100 does. The goal of the project is 50 fawns per 100 does. He has no problem with the project, just the base they used. Now, in Projects 37 and 38 we have sheep, antelope, and deer, the threshold is 40 per 100 females, survival rate on female's threshold is to have at least 90 percent survival. Deer are at 80 percent survival for females. Mr. Flowers realizes they are different species but for him there is an inequity there as the deer herds have been declining over last 10 years, dropping 22,000 deer last year in statewide population. The statewide population is under 100,000 deer for the last three years a historical low. Mr. Flowers said for the Commission to ask proponents of the plan to review that as far as survival rates, the thresholds to where we would institute this, and possibly put more money into Projects 37 and 38.

John Lesperance, speaking for himself, said he would request that Project 32: Mountain Lion, Black Bear, and Mule Deer Interactions, not be discontinued as two years shy of project goal. He asked the Commission for the project to be reconsidered even if for one year.

Public Comment – Las Vegas

Jana Wright said the plan continues to be very vague. Ms. Wright appreciated Mr. Jackson's PowerPoint presentation as it filled in blanks. Ms. Wright said she is of the opinion that this Predation Management Plan can be a blend of project reports and what the Department is proposing for the next FY. Ms. Wright said if Commission wanted to add more information in baby steps as suggested by Clark CABMW that at the end of each year's report that there be a running total of monies spent. She appreciates the report but still work in progress.

Commissioner Valentine said to Mr. Jackson that the comments were heard from Clark CABMW and he asked if that information Clark CABMW requested could be provided in advance of the March meeting for the CABMWs to have.

Commissioner Hubbs asked if the Commission should provide direction as to what data should be compiled. She said each plan has results, such as how many lethal removals were made, with some plans more research based and we understand that. But looking strictly at predation, we will have abundance estimates, or we are removing predators to meet a ratio or whatever the objective is, and for the next year the Department has to marry that data to know what the ratio was in the area to know whether you meet the objective or not. She knows the Department has that information before they put together their numbers for the draw and asked for that data to be included (predators taken) to determine if realistic objectives are being met.

Staff Game Biologist Pat Jackson said in response to Commissioner Hubbs that depending upon the project, that area biologists conduct big game surveys based on a unit. With predators the predator removal is not done on an entire unit basis, so surveys that work for the management of big game species have a unit wide level, more often than not is coarse enough so we can't definitively say it worked. With focus on removal we don't always have someone on the ground looking at those prey species to determine exactly what happened.

Game Division Administrator Wakeling said on Project 37 and Project 38 the thresholds allow us to prioritize on an annual basis those areas that the Department believes would benefit most from a predator management response initiating lethal removal. As part of the report we could report on what the fawn to doe ratio were to be in that unit, as well as number of animals removed in the unit; however, it may not be a consistent unit or a consistent response. Also, some of the direction that the Wildlife Damage Management Committee has provided to the Department with support from the Commission, is when we do find ourselves in a situation where we are conducting routine removal in an area, that is where a new project would be initiated such as Project 46, and it would be appropriate to give an annual report of number of animals removed and response of bighorn sheep in area of removal. He said a detailed reporting from the year can be appended in the plan.

Commissioner Valentine said that should assist with Clark CABMW request which is all they are asking for is a running tabulation of the money expended and the results of the expenditure. Such as number of lions removed, number of coyotes removed, etc...

Commissioner Hubbs said the removal is for a reason, and shouldn't the Commission know if the objectives are being reached.

Biologist Jackson said at the beginning of his presentation he outlined the three levels of monitoring: standard, intermediate, and rigorous. He said many of the predator removal projects are standard monitoring and as highlighted may not measure response variable, and many times we won't have data as detailed surveys were not used in follow-up.

Commissioner Hubbs said the projects with higher levels of survey work could be used as a start versus the standard projects.

Mr. Jackson said he would take the information from Project 40 and compile the data from that project.

Chairman Wallace said a motion is not necessary at this point.

21 Landowner Deer and Antelope Compensation Tag Program – Game Division Administrator Brian F. Wakeling – For Possible Action
The Department will provide a briefing to the Commission on ideas generated by stakeholders regarding processes by which compensation tags might be equitably distributed should the allocation of tags reach the statutory limit as amended during the 2017 legislative session. The Commission will discuss and may direct the Department to develop a draft Commission General Regulation regarding the general concepts presented.

Game Division Administrator Brian Wakeling said this agenda item is the result of what transpired during the 2017 quota setting because during that time the number of landowner compensation tags for antelope and mule deer exceed the cap. The numbers exceeded the statutory cap based on proposed quotas and the Department communicated the problem with program participants which caused anxiety for many people. With an open bill in the legislature at the time, and with work from the Nevada Farm Bureau, the Commission, and the Department, the cap was amended successfully as part of Senate Bill 511 to increase the cap from 1.5 percent to 2.5 percent. From that situation came the realization that there is no way to reallocate tags should the cap be reached. Subsequently he has presented several presentations to the Commission, most recently at the August meeting. The support material contains ideas from the statewide stakeholder meetings where methods to reduce tag allocation if the counts exceed statutory limits were discussed. Administrator Wakeling said he would like the Commission to agree on one solution that could be considered for rule-making to address the problem should it occur again. Administrator Wakeling explained how NDOW administers the landowner compensation tag program (10:24 a.m.). He said until last year the cap was applied at the count that had occurred, that became challenging for the landowner as oftentimes the landowner is in negotiations with someone who wants to buy the tag, but the landowner would not know if they had a tag until May. One of the changes the Commission chose to do last May was establish the quota in May for upcoming year so that the counts and NDOW surveys were conducted during the same year. That solved one problem, as quota is known going into upcoming year, but still no method if cap is hit again. The stakeholder meetings were scheduled, and as a result below is the resulting document, which was sent back to the participants. There are seven ideas with how to deal with the problem.

IDEAS FROM STAKEHOLDER MEETINGS ON METHODS TO REDUCE TAG ALLOCATION SHOULD COUNTS EXCEED STATUTORY LIMIT

Regulations that address avoiding statutory cap.

1) All cooperators should receive a single compensation tag, and then the cooperators that have more than one compensation tag will be entered into a random drawing to see who will give up a single tag. No cooperator will be required to give up more than one tag (or two tags, if the number is great enough).
   a) Benefits: All cooperators get at least one tag, no cooperator is affected too much.
   b) Challenges: The cooperators that receive the greatest number of tags are the ones that receive the greatest economic impact and may deserve greater compensation.
      i) If there is a proportional reduction, have a single-tag-qualifying operator awarded one tag proportionally across years, such as award tag 9 out of 10 years.
2) When reducing tags, reduce tags proportionally more in those areas with greater average tag values to protect the compensation received by those who receive less revenue.
   a) Benefits: Attempts to equalize compensation according to actual value (compensation tags have differing value depending on areas of state).
   b) Challenges: Currently, the Department does not monitor compensation tag sale prices and this would increase reporting requirements for cooperators. Compensation tag sales vary even within units, and some cooperators do not sell them and simply use them among friends and family. May be difficult to establish fair market value quantitatively, although most individuals involved in the system understand generally relative value.
3) Issue tags on a first-come, first-served basis, but ensure any cooperators that were denied a tag during one year are not denied in the following year.
   a) Benefits: Because the Commission determines the statutory limit before the counts occur, it will be reasonably simple to determine when the limit is reached.
   b) Challenges: Not all counts occur at the same time of the year because use occurs in differing seasons.
4) Use the first-come, first-served approach, but when you reach 75% allocation of the statutory limit, then change the number of animals you need to count to qualify for a tag to a higher number, perhaps 75.
   a) Benefits: Because the Commission determines the statutory limit before the counts occur, it will be reasonably simple to determine when the limit is reached and when the 75% level is being approached.
   b) Challenges: Compensation is not equitable throughout year (later use is weighted less heavily than early use), the limit may still be reached, and there is no current method by which use counts may be carried across years. An individual excluded one year may be excluded during the next year if the count does not occur early enough.
5) Cooperators with the most damage should receive their tags first; if a reduction must occur, eliminate the tags for those with the fewest first.
   a) Benefits: Because the Commission determines the statutory limit before the counts occur, it will be reasonably simple to determine the number of tags available. If insufficient tags are available, a random draw may be used to see who would not receive tags during a given year.

b) Challenges: Individuals that qualify for a damage compensation tag may not be compensated

6) Increase the minimum count needed to receive a voucher for a tag when the limit is reached.
   a) Benefits: This would be simple to implement and is essentially the same as proportionally reducing the tags available to all cooperators.
   b) Challenges: The cooperators that receive the greatest number of tags are the ones that receive the greatest economic impact and may deserve greater compensation.
7) Increase the overall tag quota on mule deer and antelope.
   a) Benefits: This approach would not require amending or adopting new regulation and could be implemented simply by adjusting quotas during the tag setting meeting.
   b) Challenges: It is unknown how many compensation tags are needed during the quota setting meeting, and the number of additional standard tags are rather dramatic to increase compensation tags (1000 increase in quota to obtain 25 more compensation tags). Quotas are established based on independent biological data and these increases could have negative biological implications.

Administrator Wakeling said in 2017 there were 360 landowner compensation tags that were qualified for issuance. For 2018 there are 327, and if this was done a year ago, the situation would still be tenuous, as the 2018 statutory limit is 527 tags. Every year the interest in the program increases, and the Department sees the need to identify a method before we are in the same situation again. Administrator Wakeling answered questions from the Commission regarding the process.

Commissioner Barnes said he attended the Elko meeting and opinions and ideas presented were very random from one extreme to other. Attendance at the meeting was low. He checked with persons who participate in the program and the feedback he received from them was that they felt if animals are on their private ground in cultivate crops that they should get tag regardless if less than 50 animals. Commissioner Barnes said right now he is not comfortable selecting one of the options. His preference would be to keep working on the program and wants the program to be successful.

Chairman Wallace said he agreed with Commissioner Barnes, but he sees when you have that low level of participation in the meetings that most people feel the program must be successful. Chairman Wallace said he did not receive anything from Nevada Farm Bureau even discussing this although is sure they knew it was on the agenda. He said he sees nothing today in the options that will solve a potential problem down the road. He agreed with Commissioner Barnes that we need to keep a watch on the program as no option will solve the issue.

Commissioner McNinch said he does not see a path forward with the options as all have their challenges. He said at some point sportsmen may need to be engaged, and appreciates the Department being proactive with this.

Chairman Wallace said different factors should be looked at for prioritization of tags such as how long a landowner participated in the program. He said this is similar to trail camera issue; everyone wants option that benefits them.

Commissioner Johnston said he thinks that with tags issued in 2019 based on the count that occurred in 2018, and quota setting in 2018, that the Commission should do what we are doing now. At every January/February Commission meeting the Department can report to the Commission on the number of landowner compensation tags that qualified and this is the

statutory cap. If no problem there is no problem. If a problem were to arise, the Department could start working on the problem.

Chairman Wallace asked if Commissioner Johnston's comment would be amenable to the Department.

Administrator Wakeling confirmed that NDOW could provide an annual report on how close we are to the statutory limit. The statute provides the Commission with authority to develop additional regulations.

Chairman Wallace asked Mr. Wakeling when NDOW knew that the number of tags is 327 for 2018.

Administrator Wakeling said he knew 327 tags about three weeks ago. He said in the future he will request earlier delivery of information from field staff in time for the Commission's January meeting.

Commissioner Hubbs said she is glad we are noting the program is for damage, as Commissioner McNinch mentioned that some see the program for tolerance not damage, because NDOW is not boots on the ground assessing if wildlife is causing damage, rather just doing rough surveys. Commissioner Hubbs said if the Commission were to select option #5 she would condition that to either look at duration for how long wildlife is on land, or that some type of assessment of damage happens. She said if that effort is not put into the program then the Commission should select option #1.

Administrator Wakeling said he did not hear Commissioner Hubbs, but if he understood her question, she is concerned with how well NDOW confirmed the degree of damage present.

Commissioner Hubbs confirmed that option #5 is her top preference, but what was found in the past is that NDOW is not assessing damage, that the program is more of a tolerance type model, or has heard argument of that, because NDOW is not doing much in assessment of damage rather the mere counting of wildlife at a certain period of time, and if there are 50 deer on someone's parcel of land, they qualify for one tag. If that is the case that is not a damage issue it is just the landowner tolerating more deer, on their land. To tie the actual damage to the land we should see how long the deer are on the land which would require more survey effort or at least assess damage in a different qualifying way, if we don't do that, again, revert to option #1.

Administrator Wakeling said those points were discussed during the stakeholder meetings. Some of the challenges with documenting the actual damage led to discussion of counting animals more frequently, and important to recognize that each of the counts requires the biologist to spend the night out, oftentimes it is more than one night, as the cooperator can tell the biologist they don't want the count done requiring the biologist to return. There are two biologists spending 200 or more nights per year conducting the counts. Any increase in monitoring will come at an increased personnel cost to the agency. Also, trying to assess the monetary damage can be variable as can be anything from soil compaction to fence damage, to actual marketability of the loss of the crop. There are challenges to the agency to try implementing more intense monitoring.

Chairman Wallace said he understands Commissioner Hubbs' point. He said in regard to monitoring and how long the animals may be on the land and not having experienced that, he could see where you could have 100 deer come through in one night and do more damage than 50 deer that are there for one month. The damage is so variable, that if you assess by days, does not necessarily equate to how much damage occurred on the farm or ranch. He said that is where he sees the issue with tying it to that, and one reason for preference for people who have participated longer, is they have had issues for that time period as opposed to someone new to the program. Chairman Wallace said he has no input from constituents goes, and he is disappointed with what was returned from the exercise. He said he feels we need to have something in place and essentially to reach the cap we would have double where we are at, and does not see that happening in one year. Next year we may have 400 instead of 327 but still a huge window and may get a better response from cooperators at that point. Right now he does not feel inclined to pick an option due to the low response from cooperators. Chairman Wallace prefers to have a report from the Game Division to the Commission in January. The Commission will at that point know if close to the cap.

Commissioner McNinch concurred with the approach that Chairman Wallace outlined. He said one of the commitments to the legislature in the 2017 session was to look into the program which the Department has done which is how we are reaching a conclusion today. Commissioner McNinch agreed with January as a reasonable timeframe because if urgency arose there would be time to correct the situation.

Chairman Wallace said if the stakeholder comments are kept and participation does not increase, when the point is reached for action, then that is the time to choose one of those options, or another option.

Commissioner Barnes said the 527 tag number will change as quotas change. Last year tag quotas were cut, the number will not be set, the number will fluctuate due to number of tags issued.

Public Comment Reno –

Paul Dixon, Clark CABMW, said Nevada has had declining mule deer numbers on public lands for a number of years. We also see an increasing number of deer and antelope going into irrigated/agricultural areas that provide food and forage. He said his point is we will see increasing usage of agricultural lands by deer and antelope. Mr. Dixon agreed that not a problem right now, but the problem will resurface. There will come a point when NDOW is giving out 500 or so tags, sportsmen will become more interested to weigh-in, as the tag numbers increase. Mr. Dixon said one thing talked about when the emergency fix was done this past year is that always an option that NDOW could go out assess the number of tags based on quota and run a lottery system to sell the tags, take that funding and build a compensation program where landowners would come back based on assessments of damage. Coming back to the difficulty Administrator Wakeling said of assessing damage. There are things to do, and he believes numbers will continue to increase and in future should look at methods to evaluate damage as arbitrary nature of counts is currently going on where the guy says don't count tonight because animals may not be there.

Tom Cassinelli, Humboldt CABMW, said this is getting mired up in everything. He said this compensation tag started in Humboldt County. Humboldt County went to the legislature and put in a simple program. Humboldt County wants the program to stay simple, because if you start doing all these things we are talking about, we will lose the whole program, and it won't work.

Program does really not work to compensate landowner right now; it buys tolerance, and has been working good that way. At the Winnemucca meeting those attending agreed something is needed if cap met again. They don't think the program should meet the cap though as other things could be done to prevent that. If cap met, their preference is first come, first served. Anybody counted after that, they would be first in line for tags the following year. That would allow time as to how to address it. He said this program is different than the Elk Incentive Program, as there is no fencing involved with this program, there are laws to provide for an emergency hunt to occur, which is how this program came together and started working, as we went through that which was a nightmare for the press.

Commissioner Almberg (microphone turned on) said he has friends with fields that are always under the count, and they were told to fence it but does not believe they are paying for the fence. Commissioner Almberg said the landowner has pivots with animals coming in and he does not qualify on the count, and is just under it, and his friend has gotten tired of the animals so he requested a fence. There are honor camps out there fencing his property and does not know who is.

Administrator Wakeling said the Department does have some programs in place where the Department has the ability to pay for some fences under certain circumstances such as elk damage because the Department has legal and statutory authority to do so to preclude elk from accessing private lands. The Department does not have the same legal or statutory authority for deer or antelope damage.

Commissioner Almberg said that is probably exactly it, as the landowner he referenced, has a few elk, a few antelope, and a few deer.

Tom Cassinelli, Humboldt CABMW, said a Nevada Farm Bureau representative was at their meeting, and again, they want to keep the program simple. Another issue they had is that they would like NDOW to have a supervising biologist over whole statewide program to insure consistency with program. Mr. Cassinelli said he works with the NDOW biologist who oversees everything now, and if he calls the biologist and tells him to be at his place for a count tomorrow night, he comes and that is when the count is done. The biologist does not come back, and he has never seen that in Humboldt County or heard of anyone getting away with that. That is one reason for a program supervising biologist overall the regions would help as he would run the program, trains his staff who are doing the counts and if they come up with a lower tag number and the landowner gets mad, you don't get away with that as there would be a supervising biologist. It is inconsistent now with all these people doing the count without someone overseeing them to insure consistency.

Mel Belding, Washoe County, said Mr. Johnston brought up a good point that we have 10,000 more animals with the current program and those tags can be allocated to 527. His concern is 527 is lumped together as deer and antelope. Are we going to compensate someone with an antelope tag if not enough deer tags, or vice versa. He said option 5 states cooperators with most damage would receive tags first, and then it states if reduction must occur eliminate the tags for those with fewest first. He said if no explanation, does that mean "fewest deer" or "least damage," also, possible for damage to be higher for landowners with small acreage. Option 5 is not a good option. He does not want to return to the time before the program was started as bad experience in northern Washoe County.

Cory Lytle, Lincoln CABMW, said this is a good problem and these are good problems to have. There are issues that need to be looked at for sure. They discussed the program at their CABMW meeting and he said there are different dynamics across the state. He thinks we need to look at internal policy changes that would allow a supervisory biologist to have the final say, they want to keep the integrity of the program as quality control measures that need to be put in place. Internally NDOW needs a checklist through regulation, primarily operations that receive tags need to have a harvestable crop, should be a minimum acreage or a set of parameters that qualify this individual to be in the program, as there are people cheating the system due to the money involved. If those measures are done there will be even more of a cushion until the cap is reached.

Public Comment Las Vegas – None

Discussion returned to the Commission.

Commissioner Hubbs asked if size of acreage is considered in assessing damage.

Secretary Wasley said there is presently no requirement in size of land that is not included in the statute. His understanding is that would require a NRS change. He said it is very simple that for every 50 animals of either deer or antelope, qualifies that landowner for a tag, completely independent of the size of land. The land must be irrigated, cultivated, or manipulated, for the purpose of producing a crop. That is the only qualifier, completely independent of size. Secretary Wasley said there are situations where 45 deer are on a small irrigated area in the growing season, we have other instances where we may have 500 or 600 animals move through private farmlands at a time where it may not be growing and the animals may move through in the course of days, and resulting tags were completely different. Those are some of the challenges that brought about this discussion, and there is a lot of concern what the outcome might be if this was opened up in the legislature. But a lot of the solutions may require those kinds of changes. Assessing damage was brought up, and he said it is important to point out the personnel resources, and the simplicity of this program as envisioned. The program was not to be a burden on the landowner or the Department, but to provide some form of compensation and be administered in a straightforward transparent manner. There is responsibility on the Department to manage wildlife on those private lands, as we can quickly get to the point where the biologists are spending all their time trying to measure damage to more accurately distribute compensation which equals less time in their job of surveying and modeling populations. Creating a scenario where sportsmen that fund our activities are subsidizing that loss of opportunities. There is a balance there that the Department tries to maintain. As far as the urgency issue, the solution that came from the legislature was not ideal but provided the opportunity and necessity for a solution. He said we just don't to find ourselves in the same situation and there a lot of different directions to go, the Department will work on this. He said the Department would also welcome guidance from the Commission.

Commissioner Johnston agreed with Mr. Cassinelli that simple is good. He said when he thinks about the program, which exists based upon a count, and when the count is done, those results, are the tag number. If we run into the statutory cap we have to have a similarly simple solution to address the statutory cap based upon the information obtained through the count. He said if average participant who qualifies receives a minimum of one, and we adjust number of animals required for remaining tags so you fit under the statutory cap. That way every participant gets at least one tag, satisfy statutory requirement, and be fair proportional adjustment. Commissioner Johnston said the lengthy discussion in Douglas County which said it is not truly about

compensation because the money obtained for the tag does not truly compensate them for the damage, it buys tolerance, and very important to have agricultural community working with sportsmen and supporting wildlife. After hearing the public comment he would like to see the Commission moving in direction of keeping it simple, some type of pro-rata adjustment of remaining tags available after each person who is qualified gets one tag gets one tag. He said there is a way to craft a regulation as to what would happen when you reach that point.

Commissioner Barnes said after public comment and ideas presented there are good ideas coming forward and at given time a small group/committee could be convened to bring forth the ideas for solutions.

Commissioner Hubbs said option #1 is similar to what Commissioner Johnston stated. She read option #1.

Commissioner Johnston's said he prefers mathematical formula based on data and counts on the land, and adjust proportionately, after each person gets one tag. Takes the randomness out of it, and is fair. Also, he is not sure a committee is needed, would prefer for the idea to go out to participants to obtain feedback.

Chairman Wallace said he agreed with Commissioner Johnston on not having a committee, and liked the idea of everyone who qualified getting a tag and change number to 75, that still gives the person at the top of the list a few more tags and scales it down, and is fair.

Commissioner Almberg spoke (microphone not turned on.)

Chairman Wallace said the Commission can direct the Department to put in writing what Commissioner Johnston said and will start the process of receiving input. We may not have anything come back as before.

Commissioner Hubbs asked for clarification if we take out "random drawing" the Commission will direct the Department to come up with factors that they may already assess when out there doing their surveys that will be used in a formula?

Commissioner Johnston said to him it is just the count. For example the landowner has 75 deer at the count which qualifies him for one tag. Then the next person has 110 animals qualifying for two tags, but we have reached the statutory cap, they will get the one and then how does the 50, have to increase to meet the statutory cap for the remaining number of available tags. No more factors have to be taken into account, it is the way the count is being done, you are just going to adjust the numbers and adjust every tag after the first one as needed to meet the statutory cap on a pro-rata basis.

Secretary Wasley asked if the actual number counted were between 50 and 100 would that have some bearing on subsequent decisions if the cap were met. If he were to go out to do a count and landowner knows they don't have a 100 animals, but knows they frequently count over 50, once we get to 50, that count stops.

Commissioner Johnston said the total number needs to be counted.

Secretary Wasley said that is not happening now. If you look at data sheets they just count to 50, counting all animals introduces a challenge.

Commissioner Johnston said there may be challenges and that is “the devil in the details.” For the idea of pro-rata you need the actual count. The count comes into play when you are getting close to that next interval of 50, if people have 52 or 55 animals it could work, but to make it work completely you need to conduct the full count to get the exact number at that time. He thought that was occurring, and thinks it should occur, because that is what is supposed to be happening.

Secretary Wasley said the counts occur usually with landowner present on the part of their land that they know the deer or antelope are causing damage. Some of the counts are at night or during the day, and the responsibility is given back to the landowner to verify the count. NDOW does not want to be in position of counting without landowner who may say they don’t believe them.

Commissioner Johnston said if a regulation is adopted stating these changes; he suspects that when they are out there, the landowners will say to complete the count in the event the statutory cap is reached.

Commissioner East said comes down to ethics like discussions yesterday as to when counts being done. She can support Commissioner Johnston’s suggestion.

Commissioner Almberg spoke microphone not on (11:45 a.m.)

Commissioner Johnston responded that if the count is 103, and there is another 20 in the field, and the landowner completes the count so that if there is any type of adjustment, it is on pro-rata basis. He asked what is next, are we going the regulatory route or just push this out to the public and Farm Bureau.

Chairman Wallace said that is up to the Commission to decide, but at this point he sees nothing wrong with getting wording together to start the regulatory process, which provides the public with the direction that we are heading to have more discussion. Chairman Wallace asked Secretary Wallace if the biologists are already out there counting, he does not think he is adding that much more burden to the job to count.

Secretary Wasley said in some instances no, and would like to dispel the notion, that you are standing in daylight in a center pivot and counting animals. Oftentimes you are on a quad in the middle of the night meandering between irrigated native hay meadows separated by stringers of willow and the biologist counts to 50 knowing that they never have counted more than 65, you have reached a point of diminishing returns in a hurry that could cost the landowner should the cap be reached. It is a trade-off and thinks from the Department personnel point he does not know if the trade-off is in the agency’s best interest in terms of time and money for personnel to make a complete count in the scenario he provided. He said those types of discussions would be welcome through the whole Commission or a sub-committee. Those are the points that need to be discussed with NDOW staff and the recipients of the tag, to reach an amicable solution which takes into account fairness and just administration of the program as well as the Department’s resources.

Commissioner Barnes said he supports Commissioner Johnston’s proposal and would like to see the idea in writing. He said he is a past participant in the program and every animal was counted.

Chairman Wallace said there is no harm in describing what the program would look like and bringing something back for discussion not necessarily action. He suggested having one more discussion with something written out that could go forward as a regulation, which will keep the process moving forward.

Further Commission discussion ensued prior to Commissioner Johnston's motion.

COMMISSIONER JOHNSTON MOVED THAT THE COMMISSION GIVE NDOW DIRECTION TO COMMUNICATE TO PUBLIC, PARTICIPANTS IN LANDOWNER DEER AND ANTELOPE COMPENSATION TAG PROGRAM ALONG WITH CABMWS AND VARIOUS NON-GOVERNMENTAL ORGANIZATIONS, THAT THE COMMISSION IS CONSIDERING A PROPOSAL WHERE IF STATUTORY CAP WAS MET THEN ALL PARTICIPANTS IN THE PROGRAM WOULD QUALIFY FOR A MINIMUM OF ONE TAG, AND TO MEET THE STATUTORY CAP THE REMAINING TAGS WOULD BE ALLOCATED AMONGST THE PARTICIPANTS ON A PRO-RATA BASIS, BASED UPON THE COUNT NUMBERS THAT WERE CONDUCTED. COMMISSIONER MCNINCH SECONDED MOTION. MOTION PASSED 8 – 0. COMMISSIONER YOUNG WAS ABSENT.

Administrator Wakeling said in regard to the Department biologists' conduct during the counts, he reviewed the program in all three regions, and all counts have been done professionally and ethically.

Chairman Wallace said before moving on he would like to know what meeting another discussion would fit, as today's discussion was lengthy.

Administrator Wakeling said he could undertake notification of the groups quickly and have draft language for the Commission's consideration at the March meeting.

22 Commission Regulations – For Possible Adoption – Public Comment Allowed

A Commission Regulation 18 - 02, 2018 Black Bear Seasons – Wildlife Staff Specialist Pat Jackson – For Possible Action
The Commission will consider adopting 2018 hunting season dates, open management units, hunting hours, special regulations, animal sex, legal weapon requirements, hunt boundary restrictions, and dates and times for indoctrination courses for black bear.

Wildlife Staff Specialist Pat Jackson presented a PowerPoint presentation (exhibit file). The season dates and locations are the same as last year. The Department recommends the same three hunt units. Harvest quotas will be determined in May. In the 2017 black bear season, there were nine males and four females harvested. The mean male age was five years and the mean female age averaged eight years. A harvest limit was reached in Area 19 on Oct. 25 and the area was closed Oct. 26. Wildlife Staff Specialist Jackson said he personally contacted every sportsman to let them know the area was closed. Throughout the entire season there were specific female harvest reached. It is important to note that during 2017 there was a reduction in female harvest and an increase in mean age.

Commissioner East asked the number of tags purchased last year, and how many bears were killed.

Wildlife Staff Specialist Jackson answered that there were 45 resident and five nonresident tags available but that he was unsure of the number of applicants and13 bears were killed.

Commissioner Johnston noted that the Eureka CABMW has made a recommendation to see Unit 203 added to the hunt. That would be to the east of Unit 291; part of Douglas and Western Lyon County. He asked if the Department considered that request.

Wildlife Staff Specialist Jackson said the Department had not discussed that.

Commissioner Valentine said he would like the Commission to consider moving the closing to one-half hour after sunset on all upcoming CRs with the exception of the mountain lion season.

Public Comment –

Paul Dixon, Clark CABMW, said that the Clark CABMW supported the recommendations.

Mike Turnipseed, Douglas CABMW, said that he received one email asking to not have a black bear season but that is not the position of the CABMW.

Doug Martin, Carson CABMW, said that the Carson CABMW supports these seasons as recommended.

Steve Robinson, Washoe CABMW, said they support the proposal as written.

Jason Graham, Nevada Sporting Dog Alliance, said that they support the season as is. He also pointed out that it was not three males and three females in Area 19; it was five males and one female according to the bear data.

Rebecca Couture, Nevada Sporting Dog Alliance, said she is in support of both bear and lion seasons. She wanted to thank the Commission for following through with science-based management regardless of emotions and focusing on what is best for the wildlife.

Fred Voltz, private citizen, said he fully supports every comment made by No Bear Hunt Nevada that has been submitted (exhibit file). There is another point that makes this somewhat of a travesty that we have this hunt. There are no consistent estimates about bear populations. To be basing a killing cycle on fluctuating numbers is not scientific, not responsible, and not fair to the wildlife population.

Elaine Carrick, private citizen, said this is the eighth year the Commission is considering to approve hunting Nevada's tiny population of black bears, estimated by NDOW to be in the 450 - 550 range. The hunt was approved in 2011 by the Wildlife Commissioners after two hours of comments by the public against the hunt. Speakers repeatedly asked the question "why hunt black bears" when they've not been hunted for 82 years? That question was never answered. Please consider the following points before you approve another bear hunt. There has never been any "management" reason given by NDOW's biologists to have a black bear hunt. Does our tiny population need "management?" There has never been a sound scientific reason given for the hunt. The NDOW biologist has stated that we have some of the best scientific data on bears in the country that has been collected over the years. Also – today it was mentioned that there would be an option of snagging hair samples for the bears to get more data, so we should not need to kill bears to get any more data. This past year, 13 bears were killed in the hunt. Is this because there are fewer bears to be killed or do fewer hunters want to hunt bears? The bear hunt does not prevent bears getting into garbage in urban areas. The problem is human caused and can only be corrected by humans acting responsibly and storing their garbage properly. The "slippery slope" argument is really worn out and over used. The public simply

doesn't want their bears killed. Since the hunt began, thousands of signatures have been collected on petitions at Earth Day events in Reno & Incline Village and also on-line. They have been presented to this Board over the past seven years. All petitions are part of the record confirming the public is opposed to hunting its black bears. The Native Americans have come to Commission meetings and testified their opposition to killing bears as the bear is an important spiritual animal in their culture. The public opposes trophy hunting. Saying the meat is saved doesn't change that. The dead bear is a trophy to be used as a rug or wall hanging. Do we really need another bear hunt this year? She asked the Commission to not approve this regulation and to put the harvest quota at zero or close all hunt units to bear hunting.

Jennifer Simeo, private citizen, said she wanted to urge the Commission to vote against the bear hunt for 2019.

Katherine Bricker, No Bear Hunt Nevada, said the Nevada bear hunt serves no management purpose such as population control or human bear conflict. According to the 2014 published findings of the NDOW bear committee, the hunt was instituted for the sole purpose of providing a recreational hunt opportunity. Since the inception, the hunt has become the leading source of bear mortality in Nevada, outpacing previous sources such as being hit by cars, executions for public safety, and so forth. While NDOW is educating the public about how to avoid harm to bears through better trash management, caution while driving, and so forth, the source of greatest harm to bears has come not from the public, but from this Commission's policies in instituting and continuing an unnecessary and vastly unpopular hunt. It is no wonder that under such leadership, the level of disenfranchisement and litigation between members of the public and the Wildlife Commission and Agency over bear management has grown to be what we see today. The fact that the bear hunt provides recreation for the number of hunters who draw a tag each year underscores the Commission's focus on the satisfaction of hunters over the ethical concerns of other Nevadans. Sound wildlife policy must include ethical considerations. Just because there might be enough of a wildlife population to exploit it lethally, does not mean we need to or ought to hunt the population. This is especially true for animals hunted primarily for trophies and not identified as being tradition. The last time the Commission voted not to conduct a bear hunt was in February 2008. Minutes from that meeting state that the Chief of Conservation Education, Kelly Clark, provided the Commission with a summary of studies from other states. She said the human dimensions data shows that people are not supportive of bears being hunted and the exception is hunters who support hunting bears. This same trend is being observed more generally such as when the Government of British Columbia just recently banned grizzly bear hunting stating that it was no longer socially acceptable. The Florida Wildlife Commission has voted not to conduct a bear hunt for the past two years, as a direct result of public opposition. New Jersey just elected a governor who campaigned on the promise to end the New Jersey bear hunt.

Bobbie McCollum, private citizen, asked what the current Nevada bear population is. If the primary reason for continuing this hunt is population control wouldn't the actual population be a major factor in making the decision. Regarding the females that were killed, were there any cubs involved? The supplement memorandum that was prepared for this does not address any of these questions and it should. In past meetings, it has been noted that a majority of the public is opposed to the bear hunt. The comment was made that these emails and letters contain the same language. Well, not everyone has the time to sit down and write a heartfelt letter to the Commission. It should not be disregarded.

Genelle Richards, self, said she will finish reading the comments from No Bear Hunt Nevada. A 2017 survey conducted by Remington Research Group showed that only 19 percent of Americans support killing an animal for the purpose of saving its head, hide, or parts, while 69 percent opposes such trophy hunting. This Commission's decision to continue the bear hunt could be driving the downtrend in hunter recruitment by supporting policies that stigmatize hunters and hunting in general. No Bear Hunt Nevada asks that you restore traditional values to a time when Nevada did not hunt its bears by voting to disallow hounding, close all hunt units, and end this disgraceful event. Home means Nevada to our bears too. She also added that she is sick of being here and that the Commission is sick of hearing from her. She does not understand why the Commission cannot understand that most of Nevada does not want the bears killed and that it should certainly not be a trophy hunt. There is no scientific data to harvest this species when it is unknown how many there are. She said she has long wondered why the Department's name is not changed to the Nevada Department of Hunters. She said they do not care about the animals, they care about the hunters. Ms. Richards said many of the Commissioners have either hunted bears in the past or will be in the future and that is a conflict of interest.

Steve Marquez, White Pine CABMW, said the White Pine CABMW is in full support of NDOW and the bear season as it stands. They would like to see it continue. He also added that personally, he supports the recommendation as well.

Rex Flowers, private citizen, said he supports the Department's recommendations. He said that he knows they are based on good science and believes they will recommend not having a bear hunt when the science supports it.

Jonathan Lesperance, Nevada Sporting Dog Alliance, said that they recently did an interview with Staff Specialist Pat Jackson that addressed a number of the concerns that were mentioned previously from a scientific data base and biological standpoint. Speaking on behalf of himself, he said that black bears are a natural resource that should be managed for multiple uses. Water is pumped out of the ground is a natural resource managed for mixed beneficial use. A public safety concern is not needed to hunt black bears if that population is sustainable. The meat is consumed. Over 80 percent of last year's harvest was consumed. He would like to see this Commission move to make it mandatory. The latest estimate was 500 to 700 bears which is part of a larger metapopulation which estimates 40,000 bears consisting of California and Nevada. The Wildlife Conservation Society recently did a study where it showed we are repatriating the Great Basin with black bears.

Mike Cassidy, private citizen, said he supports the bear hunt and wild harvest of our protein. He supports the concept of harvesting his own meat to put on his table. He said he does not believe that the bear hunt is a trophy hunt or that laws or regulations in Nevada restrict it to a trophy hunt. He also added that he thinks it mandates that meat should be consumed.

Sean Shea, private citizen, said that Mr. Lesperance took the words right out of his mouth. He is in full support of this hunt. He noted that most of the stuff he does with bears is catch and release.

Rachel Buzzetti, private citizen, said she puts in every year for the black bear hunt. She also rejects the idea that it is a trophy hunt. She hunts every year with her family and believes she is raising good sportsmen.

Public Comment at Las Vegas Location -

Stephanie Myers, private citizen, said that along with many other people she opposes the black bear hunt in its entirety.

Jana Wright, private citizen, wanted to voice her opposition to the black bear hunt in Nevada.

Public comment concluded.

Commissioner Almberg commented that the CABMWs support the recommendations of the Department.

Commissioner Hubbs said that this hunt is always difficult whether it be setting quotas or seasons. It is not difficult to look at from a scientific perspective because the Department is being very conservative. She said that in her position, she is going to listen to the opposition. There are a lot of opportunities for sportsman and that sportsmen have a strong voice in this Commission. She will not be supporting this season.

Commissioner McNinch agreed that he also will not be supporting this season on black bear hunt for a lot of the same reasons as Commissioner Hubbs. He is concerned that change cannot be measured fast enough to be conservative when it comes to bears. The social side of the hunt is becoming more of an issue. He feels that he preaches about the Recovering America's Wildlife Act and that the bear hunt would cast a shadow on that. He also spoke to the comment that was made about how the Commission does not understand where the public is coming from and he noted that the Commission does understand but that sometimes there is disagreement and it is not meant to be disrespectful.

Chairman Wallace said he supports the hunt and the Department. The Department has been very conservative on seasons and quotas and has worked with the public to change the seasons and the boundaries to make this work.

DAG Stockton stated that while he fully understands the reasons for opposing the bear hunt, NRS 501.181 says the closure of a season must be based upon scientific data concerning the management of wildlife. The closure of a season must be based on scientific data and not just the social aspect.

Commissioner McNinch asked exactly what the management plan says regarding the factors needed to shut down the hunt.

Wildlife Staff Specialist Jackson said that during public comment there was a paper he should have referenced in the presentation that was summarized in the local newspapers. The paper is entitled the "Natural Rewilding of the Great Basin: Genetic Consequences of Recolonization by Black Bears" published in Biodiversity Research. Mr. Jackson said the bears in Nevada are an extension of a black bear metapopulation in California.

Commissioner McNinch would like to see some evidence that ties in everything Mr. Jackson has stated.

Game Division Administrator Wakeling explained that speaking specifically to the plan and internal guidance to staff and field biologists; it speaks to two factors being outside of light harvest before the Department adjusts limits and seasons. The Department is consistent with our guidance and plan. There is a paper that comes to mind based on the genetic data about the bear population in Nevada indicating that the gene flow is moving east into Nevada. That is just one publication based on genetic analysis.

Commissioner Hubbs said if that is the case, it is obvious that in Area 19, the harvest limit is being met well before the season ends which means Area 19 may need an adjustment. It is not as if there is not information available that does not support the idea of narrowing in the seasons, if necessary.

Commissioner Johnston said he would like to address a couple of issues he had with public testimony. First, was a suggestion that members of this Commission have a conflict of interest, he wants to put on the record that he has never applied for a bear tag in Nevada or outside of Nevada and he has no intention in doing so. Secondly, the suggestion that he does not care about animals and wildlife, is offensive. He explained that he would much rather be with his wife and children today because it is his oldest child's tenth birthday, but he is at the meeting because he cares about wildlife as well as everyone else on the Commission. About every year there are 2,300 people who put in for a bear hunt and this should not be based on which group has the loudest voice. Sportsmen provide the most funds to NDOW for the work they do. Commissioner Johnston's only change would be consistent with the recommendation of the Eureka CABMW which was adding another hunt unit to alleviate some of the hunting pressure.

Chairman Wallace agreed with Commissioner Johnston. He said he has not applied for the bear hunt and does not intend to apply for the bear hunt, but that does not mean he does not support it.

Commissioner Valentine said he is in support because there is no data that suggests he should not support the bear hunt.

COMMISSIONER JOHNSTON MOVED TO APPROVE CR 18-02 2018 BLACK BEAR SEASON INCLUDING UNITS 291 AND 203 AND TO TAKE THE HOURS TO ONE-HALF HOUR BEFORE SUNRISE AND ONE-HALF HOUR AFTER SUNSET. COMMISSIONER EAST SECONDED THE MOTION.

Commissioner Johnston asked if the Department had any concern about taking the hunting hours to one-half hour after sunset as well.

Wildlife Staff Specialist Jackson said the Department has no biological concern with the hours.

COMMISSIONER JOHNSTON AMENDED HIS MOTION TO INCLUDE ONE HALF-HOUR BEFORE SUNRISE AND ONE HALF HOUR AFTER SUNSET. MOTION PASSED 6 - 2. COMMISSIONERS HUBBS AND MCNINCH OPPOSED. COMMISSIONER YOUNG WAS ABSENT.

B Commission Regulation 18 - 03, 2018 - 2019 Mountain Lion Season and Harvest Limits – Wildlife Staff Specialist Pat Jackson – For Possible Action

The Commission will consider adopting 2018 - 2019 mountain lion hunting season open units, harvest limits by unit group, hunting hours, and special regulations.

Wildlife Staff Specialist Pat Jackson presented a PowerPoint (exhibit file). The Department is recommending a change on limits to an overall statewide limit. The recommendation was based on a 2012 paper published by Alison Andreasen entitled "Identification of Source-Sink Dynamics in Mountain Lions of the Great Basin." The paper identified five different unique genetic subpopulations. There is still only one animal to be harvested per tag and a maximum two tags per person. Hunting hours can be any time day or night but is the responsibility of the hunter or guide to call the Department's "800 number" every day to make sure the unit is open.

Commissioner Johnston noted the statewide annual adult female harvest is less than 35 percent which indicates the statewide harvests are unlikely to be reducing the statewide mountain lion population abundance. The data is telling us that the mountain lion harvest is not reducing the mountain lion population.

Wildlife Staff Specialist Jackson said that was correct.

Commissioner East said she does not see a problem with this.

Commissioner Hubbs remembered there being some conversation in the past about the mountain lion hunt areas being too broad in the Lincoln County area where there was a depletion of larger mountain lions and smaller lions moving into the area. She asked if there were still issues with that.

Wildlife Staff Specialist Jackson said that he would suggest that is ancillary evidence but at a population level, that does not have a detrimental impact.

Public Comment –

Steve Robinson, Washoe CABMW, said they voted to support this season with the following change to include hunt Unit 033 in the open hunt unit groups as they currently manage the deer, antelope, and sheep in that area. They also discussed drafting a letter to Secretary Zinke and U.S. Fish and Wildlife Deputy Director Greg Sheehan reaffirming the authority and obligation of NODW to manage wildlife in the state, which includes management of mountain lions and other predators.

Rex Flowers, private citizen, said that there was a suggestion at the Washoe CABMW meeting about raising the number of tags available. There may be some individuals who want to have a third tag.

Sean Shea, private citizen, said he is in favor of Unit 033 opening because there are a lot of lions moving in from Oregon.

Rebecca Couture, private citizen, said it bothers her a lot when people say that she does not care about lions and bears. She would like them to come up and say what they are doing to volunteer with animals or contributing. She also said she has an issue with making decisions based on the public's opinions. The Commission is here to make decisions for the wildlife.

Jason Graham, Nevada Sporting Alliance, said his organization supports the recommendations.

Public comment concluded.

Commissioner Johnston asked if it was possible to open Unit 033.

Director Wasley said that it is more complicated than that. He mentioned that Secretary Zinke has established a Secretarial Order specific to sportsman's access that has created positions in the U.S. Fish and Wildlife Administrations around the country that contain hunting and fishing access coordinators who are reaching out. One of the areas in particular that has been part of that discussion is on National Wildlife Refuges. Director Wasley said he has been part of a lot of those discussions and will continue to be, but it would initially require action on the part of the U.S. Fish and Wildlife Service.

Commissioner Johnston said he did not want the Washoe CABMW to think the Commission is ignoring their request.

COMMISSIONER JOHNSTON MOVED TO APPROVE CR 18 - 03 OPEN MANAGEMENT UNITS AND HARVEST LIMITS 2018 MOUNTAIN LION SEASON. COMMISSIONER EAST SECONDED THE MOTION. MOTION PASSED 8 - 0. COMMISSIONER YOUNG WAS ABSENT.

C Commission Regulation 17 - 05, Amendment 2, 2017 - 2018 and 2018 - 2019 Big Game Seasons – Wildlife Staff Biologist Cody McKee and Game Division Administrator Brian Wakeling – For Possible Action
The Commission will consider amendments to the 2018 - 2019 hunting seasons and dates for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat, including limits, hunting hours, special hunt eligibility, animal sex, physical characteristics and legal weapon requirements, hunt boundary restrictions, and legal weapon requirements, and emergency depredation hunt structure and statewide quotas.

Game Division Administrator Wakeling said last year's presentations created confusion. As a result of that, the Game Division ended with some season overlaps. The input received this year on the present structures was taken into consideration with the new recommendation, therefore, a table has been provided (exhibit file). The Department has recommended changes in the season dates to try to address conflicts. Those are primarily in the elk seasons. The Department also recommended eliminating three of the antlerless deer seasons as a result of feedback from staff. The Mineral County CABMW recognized a problem with the archery youth hunt, which has since been addressed.

Game Biologist Cody McKee explained that during the morning session, two seasons were provided. His recommendation was to go through the regulation by each species.

Game Division Administrator Wakeling said the Department did not have any changes to antelope seasons.

Chairman Wallace asked for public comment on antelope seasons.

Steve Robinson, Washoe CABMW, asked for no season for Hunt 2181 Resident Antelope Horn Shorter than Ears Units 012 - 014.

Game Division Administrator Wakeling confirmed that would have no impact biologically.

Commissioner McNinch asked Mr. Robinson what that recommendation was based on.

Mr. Robinson said that they felt they did not need a population reduction. They would like the population to grow instead of reduce in size.

Commissioner Valentine said he would like the shooting hours for all big game seasons to be one-half hour before sunrise to one-half hour after sunset.

Chairman Wallace asked if that is a problem for the Department.

Game Biologist McKee said the Department has no biological issue with that recommendation.

Commissioner Hubbs asked if Commissioner Valentine was recommending this because there is limited visibility one-half hour after sunset.

Commissioner Johnston said there are sunrise and sunset tables but there is still light prior to sunrise and sunset.

COMMISSIONER JOHNSTON MOVED TO APPROVE CR 17-05 AMENDMENT #2 FOR ALL ANTELOPE SEASONS WITH THE CHANGES OF THE HOURS TO ONE-HALF HOUR BEFORE SUNRISE AND ONE-HALF HOUR AFTER SUNSET AND ELIMINATE UNITS 012 - 014. COMMISSIONER VALENTINE SECONDED THE MOTION. MOTION PASSED 8 - 0. COMMISSIONER YOUNG WAS ABSENT.

Game Division Administrator Wakeling recapped the season changes for elk. The Game Division recommends a season date change on the following hunts: Resident Elk in Units 072, 073, 074 Late; Nonresident - Units 076, 077, 079, 081 Late; Wilderness Only in Unit 072, Nonresident Elk-Antlerless in Units 072-075Late; Resident Elk-Antlerless Muzzleloader in Units 076, 077, 079, and 081; Nonresident Elk Antlerless Muzzleloader in Units 076, 077, 079, and 081; Resident Elk-Antlerless Archery in Units 076, 077, 079, and 081; Nonresident Elk-Antlerless Archery 076, 077, 079, and 081; and Resident Elk any legal weapon depredation in Unit 081.

Commissioner Valentine said the Game Division is cutting back a significant portion of late January hunts.

Game Division Administrator Wakeling said that is largely in response to the performance of some of those hunts.

Eastern Region Game Division Supervisor Tom Donham said the primary reason why only a handful of those seasons were truncated to the fifth was from public input. There were also some problems with elk being chased with snowmobiles. There could be large amounts of snow out there. Usually, much of the harvest comes before January 5. The reason some of those other seasons did not get changed is because technically this is the off year for season setting so only the ones the Department believes are critical are being changed.

Commissioner Valentine asked if cutting back the other seasons would have significant impact on the harvests.

Game Biologist Donham said he does not believe it would in the Eastern Region.

Reno Public Comment –

Paul Dixon, Clark CABMW, said that the Clark CABMW wanted to be consistent on the ending of the elk seasons. A January 5 date allows people to have the last weekend of the hunt and it makes it consistent with the rest of the hunts.

Doug Martin, Carson CABMW, said that they had quite a discussion about this issue. Overall they support this recommendation. Their discussion came from overcrowding. He said that he was in Area 16 and with a cow elk tag but that the wilderness hunters were also on it. There was no agreement on how to address this. Carson CABMW looked at the management hunts and almost all of those are written so that they do not overlap with the cow elk hunt. The only one that overlaps is Area 16. The Carson CABMW would like to consider changing seasons in that management area so that they do not overlap with the general cow hunt.

Rex Flowers, private citizen, said he would like to see all hunts end on December 31 based on the fact that the Heritage Tag, the most prestigious tag ends on December 31.

Mike Laca, private citizen, said he liked that the elk seasons go to the end of January. That time of year the people who will go out hunting are the ones that will try a little harder.

Public comment concluded.

Commissioner Almberg asked if there is a proposed fix for the overlap in Area 16.

Game Biologist McKee said he had a conversation with Mr. Martin earlier this week about the overlapping issue. The Department strives to provide a quality hunting experience and perceptions of those experiences in the field. While the elimination of hunts all together would resolve some of those issues, the Department would be left with the issue of not being able to achieve the harvest population needed to meet the management plan objectives. The early season cow hunts are designed to do that and they tend to be the most successful.

Chairman Wallace asked about Nye CABMW's comments on this.

Game Biologist McKee said that Nye CABMW did not have recommendations specific to Area 16 but they had a recommendation to the antlered elk depredation hunt in which they wished to add an antlered hunt for Unit 251 to that depredation season.

Chairman Wallace asked if the Department had an opinion on that. Game Biologist McKee responded that the Department does not.

Chairman Wallace said he is going to continue to carry the torch for former Commissioner Mori on the late season hunts.

Commissioner Barnes agreed with Chairman Wallace. Originally, this was for population management. The thought at the time was that this was not going to be forever. He said he would like to leave them in and take a look at them again next year.

Commissioner Valentine commented that he will go along with the Commission for another year but he would like to see consideration for cutting the seasons back in following years because he feels it puts too much pressure on the animals.

Chairman Wallace said when it comes to quotas they will be able to see what the biologists are seeing in changes. If there is not a huge change in quotas, it would say that we are not making a huge dent in the populations.

Commissioner Johnston agreed with Commissioner Valentine and said that he is prepared to see these seasons cut back, but the data from the Department does not say to cut them back yet.

Game Biologist McKee added that some of the issues discussed with respect to hunter experience can be addressed to alleviate some of the issues with the overlapping cow hunts. Also, the Nye CABMW proposal for the Unit 251 bull depredation hunt came from the people that had that tag who were seeing a lot of antlered elk and very few antlerless elk.

COMMISSIONER BARNES MOVED TO ACCEPT THE DEPARTMENT'S RECOMMENDATIONS FOR ALL ELK HUNTS AS PRESENTED BY THE DEPARTMENT WITH THE ADDITION OF A RESIDENT ANTLERED ELK HUNT IN UNIT 251 FROM AUG. 1 TO JAN. 31 AND CHANGING HOURS TO ONE-HALF HOUR BEFORE SUNRISE AND ONE-HALF HOUR AFTER SUNSET. COMMISSIONER EAST SECONDED THE MOTION. THE MOTION PASSED 8-0. COMMISSIONER YOUNG WAS ABSENT.

Game Division Administrator Wakeling recommended addressing bighorn sheep and mountain goat at the same time. The Department did not have any recommendations for changes.

Commissioner Valentine said that if the Commission would consider extending the December 20 date to December 31, it would give an additional 12 days to those tag recipients to experience a fantastic hunt.

Game Division Administrator Wakeling said he did not foresee increasing harvest success with an additional 12 days. Biologically, it would not have any effect.

Commissioner Barnes asked if Nye County wanted a split unit.

Game Biologist McKee said they wanted to split Unit 173 between the Toiyabe Mountains and San Antonio Mountains and provide separate seasons based on distribution of the sheep during particular times of the year.

Deputy Director Robb reiterated that they do want that unit split. They want to keep the southern part of the San Antonio Mountains with the current season date structure but they want to move the northern dates to a September 5 through October 5 season.

Commissioner Valentine asked for a clarification on why they chose those early dates.

Deputy Director Robb said that area is accessible with the season dates they have being early because you could lose light later in the year and someone could easily get caught in a snow storm on those mountains.

Reno Public Comment –

Glenn Bunch, Mineral CABMW, said that Nye CABMW contacted him about this as well. In Mineral County Unit 202 is the boundary on the eastern side. There are bighorn sheep on the

cliffs crossing the highway down into Unit 207 for water. A sheep hunter brought this to Mr. Bunch's attention because he couldn't fulfill his tag with the way the sheep moved.

Steve Robinson, Washoe CABMW, said they had a couple of changes. One is for Hunt 8181, the Resident California Bighorn Sheep for the ewe. They did not feel that we should be harvesting ewes with the current population. They also would like the end dates changed for Hunts 8151, 8251, and 9151 to be October 31.

Cory Lytle, private citizen, said that bumping that December 20 to December 31 would add opportunity for college students or people from out of town.

Mr. Bunch clarified that his request was for sheep only.

Chairman Wallace asked if the Commission is able to change unit descriptions at this meeting.

DAG Stockton said those are set in regulation so that is a different process, and that splitting seasons would be okay, but not boundaries.

Deputy Director Robb said that they want different boundaries because they want a quota for the southern region and northern region. Years ago, Unit 205 was split at this type of meeting when Mr. Bunch brought that forward.

DAG Stockton said the hunt unit boundaries are set in NAC 504.210. Since they are set by regulation, the Commission would have to amend the regulation to change a unit boundary.

Chairman Wallace agreed he thinks that there was a separate meeting for that in the past.

Director Wasley said there are two questions on the table. One is if it is possible to create a boundary within a unit and the second is if it is possible to realign a boundary. The realignment would need to occur within the regulation process. There is some precedence where a clearly defined boundary within any unit could be defined to separate hunt seasons or quotas which could be a possibility.

COMMISSIONER VALENTINE MOVED TO ACCEPT ALL BIGHORN SHEEP AND MOUNTAIN GOAT SEASONS WITH ALL OF THE HUNT SEASONS THAT END DEC. 20 EXTENDED TO JAN. 1; UNIT 161 EARLY WILL START SEPT. 5 ENDING OCT. 5; AND RESIDENT ROCKY MOUNTAIN BIG HORN SHEEP 091 UNIT 114 EARLY WILL END ON OCT. 31; RESIDENT AND NONRESIDENT CALIFORNIA BIGHORN SHEEP ENDING OCTOBER 31; AND ELIMINATE CALIFORNIA RESIDENT BIGHORN SHEEP IN HUNT 8181. COMMISSIONER MCNINCH SECONDED THE MOTION.

Commissioner Barnes noted that Nye County wanted to change the dates in 173 from Sept. 5 to Oct. 5 if there was a split.

Deputy Director Robb said that there have been many imaginary lines to make splits during these meetings. This could easily be done to make a north and south area of a unit. Deputy Director Robb said this has happened for sheep multiple times to encourage more take in one range because there were not enough people going to that area.

DAG Stockton disagreed. However, he noted on the hunt tables, “Hunt 3151 Any Legal Weapon, Resident Bighorn Sheep,” in Unit 241, there are two different seasons. The unit is not split but there are parts of the unit open at one time and parts of the unit open at another time.

Commissioner Valentine asked if the Commission is staying with the seasons as presented by staff or if the season should be changed from September 5 to October 5.

Chairman Wallace suggested withdrawing the motion and second to continue discussion.

MOTION AND SECOND WITHDRAWN.

Deputy Director Robb explained how it would be possible to designate the map area. The northern part would be above where Peavine Road and the Gabbs Pole Line Road meet. The southern part would be south of those roads. Per their recommendation, the season dates in Unit 173 North would be September 5 to October 5 and the 173 South would be the normal sheep dates.

Game Division Administrator Wakeling said that rather than getting too concerned about the nomenclature, the Department can certainly define an open area for a hunt to be that portion of Unit 173 north of a road. It is possible to open portions of a unit without having to assign numbers.

Chairman Wallace mentioned that for “Hunt 8181 Resident California Bighorn Sheep Ewe Any Legal Weapon” there was a request to have no hunt. He said he would like to stick with what the Department recommends.

Game Division Biologist Tom Donham said that Hunt 068 California Ewe was instituted because of the habitat conditions in that area. The biologists did not think that allowing that herd to grow was good at that time. While conditions did improve, it allowed the Department to drop that ewe quota because more sheep could be supported. All of that came to a halt this summer when the sheep habitat burned in the Roosters Comb fire. The Department would like to have that hunt in place to give the option to react if the population needs to be reduced. If that hunt is left in place there could even be a minimum number of tags. However, the Department does need to have a season to respond to disease if necessary.

Commissioner Valentine asked if we are looking to change the Hunt 161 date.

Deputy Director Robb said that the thought process was that if you split Unit 173, the dates would be split as well.

COMMISSIONER VALENTINE MOVED TO APPROVE ALL BIGHORN SHEEP AND MOUNTAIN GOAT SEASONS WITH THE FOLLOWING CHANGES: UNITS ENDING ON DEC. 20 BE EXTENDED TO JAN. 1 IN RESIDENT NELSON BIGHORN SHEEP HUNT 3151; HUNT 161 EARLY WILL BEGIN SEPT. 5 ENDING OCT. 5; NONRESIDENT AND RESIDENT HUNTS IN UNIT 173 NORTH OF PEAVINE ROAD TO THE INTERSECTING WITH GABBS POLL LINE ROAD WOULD START SEPT. 5 AND END OCT. 5 AND IN UNIT 173 SOUTH OF PEAVINE ROAD WOULD BEGIN NOV. 20 AND END JAN. 1; RESIDENT ROCKY MOUNTAIN BIGHORN SHEEP ANY LEGAL WEAPON HUNT 9151 IN UNIT 091 AND UNIT 114 EARLY WILL END OCT. 31; RESIDENT CALIFORNIA BIGHORN SHEEP HUNT 8151 ALL SEASONS END OCT. 31; ALL NONRESIDENT CALIFORNIA BIGHORN SHEEP HUNT

8251 ALL HUNT UNITS WILL END OCT. 31. COMMISSIONER BARNES SECONDED THE MOTION.

COMMISSIONER MCNINCH PROPOSED A FRIENDLY AMENDMENT, FOR NONRESIDENT NELSON BIGHORN CHANGE ALL OF THE DEC. 20 DATES TO JAN. 1. MOTION PASSED 8-0. COMMISSIONER YOUNG WAS ABSENT.

Game Division Administrator Wakeling presented the "Resident Mule Deer Antlerless Any Legal Weapon Hunt 1181," in Units 043-046 the recommendation is for no hunt. In Units 152 and155 the recommendation is no hunt. For the "Resident Junior Mule Deer Hunt 1107" in Units 201, 204 the season dates should be inverted between the archery and any legal weapon. It is the same for Units 202, 205, and 208.

Commissioner Johnston clarified that the changes to the youth hunt are for 201, 204, 202, 205 and 208. Game Division Administrator Wakeling said that is correct.

Reno Public Comment –

Sean Shea said that on the bighorn sheep and mountain goat hours, the Commission did not include hours.

COMMISSIONER JOHNSTON MOVED TO APPROVE THE MULE DEER PORTION OF THE CR AS PROPOSED BY THE DEPARTMENT WITH THE FOLLOWING CHANGES: THE HUNTING HOURS ARE ONE-HALF HOUR BEFORE SUNRISE TO ONE-HALF HOUR AFTER SUNSET; FOR THE YOUTH HUNT 1107 IN UNITS 201, 204, 202, 205 AND 208 THE ARCHERY DATES WOULD BE FROM DEC. 16 TO JAN. 1 AND THE ANY LEGAL WEAPON HUNTS WOULD BE FROM NOV. 5 TO NOV. 30; NO HUNTS IN THE RESIDENT MULE DEER ANTLERLESS ANY LEGAL WEAPON HUNT 1181 IN UNITS 043-046, 152, AND 155. COMMISSIONER HUBBS SECONDED THE MOTION. THE MOTION PASSED 8-0. COMMISSIONER YOUNG WAS ABSENT.

Chairman Wallace asked DAG Stockton if it is okay to do a blanket motion for the hours in all hunt. DAG Stockton answered yes.

Public Comment – None

COMMISSIONER JOHNSTON MOVED TO AMEND ALL BIG GAME HUNTS SO THAT THE NOTE ON PAGE 1 OF 22 (EXHIBIT FILE) READS "THE LIMIT IS ONE ANIMAL PER TAG AND THE HUNTING HOURS ARE ONE-HALF HOUR BEFORE SUNRISE TO ONE-HALF HOUR AFTER SUNSET FOR ALL BIG GAME HUNTS UNLESS OTHERWISE SPECIFIED." COMMISSIONER ALMBERG SECONDED THE MOTION. THE MOTION PASSED 8-0. COMMISSIONER YOUNG WAS ABSENT.

Chairman Wallace said that it has been brought to his attention that we need to make an adjustment on the Nonresident Bighorn Sheep Seasons. He reopened Agenda Item C to make an adjustment to Hunt 3251 in Unit 173. The Commission split it to 173 North and 173 South, but we need to eliminate the south hunt otherwise there would be two nonresident hunts in that unit.

Game Division Administrator Wakeling said that if the Commission wanted to limit the take in the southern portion you could eliminate 173 South.

Chairman Wallace said he believes that would be the cleanest way to do that.

Public comment – None

CHAIRMAN WALLACE MOVED TO AMEND NONRESIDENT NELSON BIGHORN SHEEP HUNT ANY LEGAL WEAPON HUNT 3251 TO ELIMINATE 173 SOUTH AND LEAVE 173 NORTH WITH THE DATES SEPT. 5 TO OCT. 5. COMMISSIONER JOHNSTON SECONDED THE MOTION.

Commissioner Hubbs asked if that is because there is only one tag. Chairman Wallace replied that she is correct.

MOTION PASSED 8 - 0. COMMISSIONER YOUNG WAS ABSENT.

D Commission Regulation 18 - 04, 2019 Heritage Tag Seasons and Quotas – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action
The Commission will consider adopting a regulation to set the 2019 Heritage Tag species, seasons and quotas.

Data and Technology Services Administrator Chet Van Dellen explained that proposed Heritage Tag seasons and quotas are essentially the same as last year. The Tag Allocation and Application Hunt Committee (TAAHC) recommend the tags be numbered for desert bighorn sheep. So, instead of just issuing two desert bighorn sheep tags they will be numbered one and two. The reason for that is that the unit of harvest for Tag 1 will be closed to the subsequent year's Tag 1 recipient and the unit of harvest for Tag 2 will be closed to the subsequent year's Tag 2 recipient.

Reno Public Comment –

Paul Dixon, Clark CABMW, said that Clark CABMW recommends considering a year-round season for the Heritage Tag similar to Arizona because of what the tags cost.

Public comment concluded.

COMMISSIONER MCNINCH MOVED TO APPROVE CR 18 - 04 2019 WILDLIFE HERITAGE TAG SEASONS AND QUOTAS AS PRESENTED BY THE DEPARTMENT TO INCLUDE THE ONE-HALF HOUR PRIOR TO SUNRISE AND ONE-HALF HOUR AFTER SUNSET HOUR STIPULATIONS. COMMISSIONER VALENTINE SECONDED THE MOTION. MOTION PASSED 8 - 0. COMMISSIONER YOUNG WAS ABSENT.

E Commission Regulation 18 - 05, 2018 Partnership in Wildlife Tags (PIW) – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action
The Commission will consider adopting a regulation to set the 2018 Partnership in Wildlife tags hunt species, seasons and quotas.

Data and Technology Services Division Administrator Van Dellen said that there is no change to the recommendation from the Department for the Partnership in Wildlife tags. There is one, small change from the Tag Allocation and Application Hunt Committee (TAAHC) to close the bighorn sheep units that are successfully harvested by any of the specialty tags rather than only

the PIW tag if that unit had less than 10 tags available. This year, Unit 253 would be closed for desert bighorn sheep.

Commissioner McNinch asked if California Bighorn Sheep had to have less than seven sheep.

Administrator Van Dellen said yes, that would close Unit 068. In PIW we would be closing Desert Bighorn Sheep Units 253 and 263 and for California Bighorn Sheep we would be closing Units 068 and 041.

Chairman Wallace he remembered some controversy last fall and thought something needed to come back to this meeting.

Commissioner Johnston said he did not have a chance to read Jeremy Drew's letter, but Mr. Drew called him about this. Commissioner Johnston's recollection is that was concerning the Silver State tags.

Deputy Director Robb said that public comment could help. Units 041 and 068 were closed by Department recommendation, but when you factor in where other tags were harvested last year, it could only leave Unit 034 open at this point. The point of making all of these changes is to not hammer one unit. By the change in the way that the harvest occurred last year it would push everything to Unit 034.

Public Comment –

Sean Shea, private citizen, said he started looking at the specialty tags and it came down to one unit open for Dream Tag and PIW, which is Unit 034. The Dream Tag would be in Unit 032 and PIW in Unit 068.

Administrator Van Dellen clarified that Unit 068 was the one closed based on the harvest. Unit 041 was the one closed based on Department recommendation.

Paul Dixon, Clark CABWM, said that Biologist Pat Cummings has testified several times at Clark CABMW meetings that based on sheep disease and die-off, as many older rams should be harvested as possible. Under PIW there are currently two tags and statute allows four tags. The recommendation from Clark CABMW was to increase the PIW tags to four tags.

Rex Flowers, private citizen, said that he thought there were enough units to spread it out. The way it is written is that the TAAHC committee voted to pass something on to the Commission, but it never did get passed on to the Commission. Also, the way it reads is that it is 10 rams for Desert Bighorn Sheep and seven for California Bighorn Sheep. He said that we are focusing too much on the current year and it should be the prior year.

Commissioner Johnston said he thinks people are reading too much of the memorandum rather than what is the proposed PIW tags. The recommendation is any hunt unit where there is an open season for California Bighorn Sheep except for Units 068 and 041. So under this regulation, they could go into units other than Unit 034. The only elk unit closed would be Unit 091. That tells you that they can go anywhere else.

Deputy Director Robb, Data and Technology Services Division Administrator Van Dellen, Mr. Shea, and Commissioner Johnston went on to discuss the units that would be open.

COMMISSIONER JOHNSTON MOVED TO APPROVE CR 18 - 05 2018 PARTNERSHIP IN WILDLIFE TAGS AS PRESENTED WITH THE FOLLOWING CHANGES: THAT UNIT 051 BE INCLUDED IN THE CLOSED UNITS FOR THE RESIDENT CALIFORNIA BIGHORN SHEEP AND THAT THE HUNTING HOURS WOULD BE ONE-HALF HOUR BEFORE SUNRISE AND ONE-HALF HOUR AFTER SUNSET. COMMISSIONER MCNINCH SECONDED THE MOTION. THE MOTION PASSED 8 - 0. COMMISSIONER YOUNG WAS ABSENT.

F Commission Regulation 18 - 06, 2018 Silver State Tags – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action
The Commission will consider adopting a regulation to set the 2018 Silver State tag species, seasons and quotas.

Administrator Van Dellen said the Department made a minor change to label the Desert Bighorn Sheep as Tag 1 in the event that if a second tag is ever offered, it can be addressed up front. The only other change would be the hunting hours.

Public Comment – None

COMMISSIONER VALENTINE MOVED TO APPROVE CR 18 - 06 2018 SILVER STATE TAGS AS PRESENTED WITH THE FOLLOWING CHANGE: THAT THE LEGAL HUNTING HOURS ARE CHANGED TO ONE-HALF HOUR BEFORE SUNRISE TO ONE-HALF HOUR AFTER SUNRISE. COMMISSIONER BARNES SECONDED THE MOTION. THE MOTION PASSED 8 - 0. COMMISSIONER YOUNG WAS ABSENT.

G Commission Regulation 18 - 07, 2018 Dream Tag – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action
The Commission will consider adopting a regulation to set the 2018 Dream Tag species, seasons and quotas.

Deputy Director Robb said that as everyone is aware, the Department went through a Request for Proposal (RFP) process and there is a new vendor to do licenses. The contract to administer the Dream tag is a separate vendor because Dream tag was not included in the RFP. When Kalkomey was selected as the vendor, the Department asked if they could offer Dream Tag and they elected not to go forward with Dream Tag in order to meet the timelines. As a result, in meetings with the Dream Tag Board and Don Sefton, Systems Consultants, who also elected not to do the Dream Tag drawing this year. That left the Dream Tag Committee and Community Foundation without a vendor going forward. Another Nevada-based company, GoHunt, has been contacted for some discussion during the past few months. Community Foundation created a contract that satisfied their relationship with GoHunt. However, in order to be eligible to purchase a Dream Tag ticket, a Resource Enhancement Stamp (RES) must also be purchased. Go Hunt is trying to do a seamless sale of tickets and the RES but the credit card transaction cannot be split. By state law, that money cannot be left with GoHunt, it has to come to the Department of Wildlife. We are at an impasse and as late as this week, everyone has been trying to get through this. There are three possible solutions. The Dream tag draw does not start until the end of July. The Commission will finish the process for this regulation, but there is no guarantee that it will happen. There may have be a year where we do not have a Dream Tag.

Administrator Van Dellen said that there is no recommendation to change the Dream tag from last year. New this year is a Dream tag for black bear for 2018 because the quota was enough

from last year to make the list. To stay consistent with PIW, a closure for California Bighorn Sheep would be added in Unit 051.

Reno Public Comment –

Paul Dixon, Clark CABMW, wanted to make a correction to their incorrect recommendation form that was based off of bad memory.

Public Comment at Las Vegas location –

Jana Wright, private citizen, said that last May when the Commission set the quota for bears, she feared that it would trigger a Dream tag requirement. In the May 12, 2017, minutes on page 26, Commissioner Drew asked Maureen Hullinger if a tag number of 50 triggered the need for a Dream Tag and Ms. Hullinger responded that there was no mandate for bears. Ms. Wright said that if what Maureen said is correct, she is opposed to a Dream tag for the bear.

Commissioner McNinch said that his understanding about the bear is that it is allowed, but it is not mandated. He said he will vote against it if the bear is included. He also mentioned the possibility of the State Treasurer acting as the go between.

COMMISSIONER JOHNSTON MOVED TO APPROVE CR 18 - 07 2018 DREAM TAG AS PRESENTED WITH THE FOLLOWING CHANGES: THAT THE HUNTING HOURS BE ONE-HALF HOUR BEFORE SUNRISE TO ONE-HALF HOUR AFTER SUNSET AND THAT WITH THE CALIFORNIA BIGHORN SHEEP TAG TO HAVE CLOSED UNITS 068, 041 AND 051. COMMISSIONER EAST SECONDED THE MOTION.

Commissioner Hubbs said she will be voting no for similar reasons to Commissioner McNinch. She said that it is also concerning that in past Commission Meetings the Department has said there is no mandate to include it, so it is frustrating to see it in there so readily.

MOTION PASSED 6 - 2. COMMISSIONERS MCNINCH AND HUBBS OPPOSED. COMMISSIONER YOUNG WAS ABSENT.

H Commission Regulation 18 - 08, 2018 Big Game Application Deadlines – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action
The Commission will consider adopting regulation to set the 2018 big game tag application deadlines and related information.

Administrator Van Dellen said the Department is not recommending any changes from last year. On the regulation, it says the big game main draw application deadline and the big game main draw results. The big game main draw is interpreted to include PIW and Silver State Tags.

Commissioner East said there has been testimony submitted about the results being posted online. She asked if results will be or not.

Deputy Director Robb said the Department considers the applicants being notified if they are successful or unsuccessful as “posting.”

Data and Technology Services Division Administrator Van Dellen said that it will be posted to your account. However, the Department is not intending to post everyone’s results in bulk.

Commissioner East asked if there will be further discussion about that at some point.

Data and Technology Services Division Administrator Van Dellen said that as proposed by the Department, the regulation is limited to the physical release of the results. The manner and breadth of those results may be discussed further but it has no bearing on the actual Commission Regulation.

Commissioner Johnston said there will be a change because it will not be posted online for everyone to see.

Data and Technology Services Division Administrator Van Dellen said that he was referring to the dates. The manner of posting can still be discussed. It is not the intent to post every person's draw results in one spot.

Commissioner Johnston asked why.

Data and Technology Services Division Administrator Van Dellen said the Department has received several complaints by people who are angry that their personal information is being posted online without their permission. There are also concerns about posting information about where someone will or will not be on certain dates. There have been discussions about an opt in or out type of public posting.

Commissioner McNinch said that he thinks this does need to be looked into because someone may request this information.

DAG Stockton said there is confidentiality for some personal identifiable information in general.

Deputy Director Robb said Systems Consultants, Inc. had multiple people request a saleable list. Those lists were available through the vendor because the Department has to have total separation from the draw process. If the guides and outfitters would like a saleable list, they can get that through Kalkomey.

Public Comment –

Rachel Buzzetti, Nevada Outfitters and Guides, said that their organization's president, Henry Krenka, sent a letter out to all of the Commissioners addressing all of these concerns. It is very important to the Association that this restricted nonresident guide draw take place. Like Chet informed, the CRs are only to set in place the deadlines for the application. Nowhere does it say when it will take place but it is very important that it take place in March so that the guides and outfitters can set their schedules for the fall as well as for other hunters wanting to apply from other states. Last year, over 1,300 resident hunters who were sponsored by Nevada licensed guides entered into the restrictive nonresident guided deer draw. Typically in the past, a special application is mailed out for the nonresident hunters to the Nevada licensed master guides during the month of January. The application has to be signed by a master guide. The law says that a nonresident hunter has to be accompanied by a guide in the field. This also includes quotas for the areas. In 2006 there was a regulation NAC 502.4237 that says if the Department conducts a drawing for the issuance of the nonresident deer tags, pursuant to the provisions of NRS 502.147, the Department shall provide to the master guides specified on the applications submitted notification of the date, time, and location of the drawing. The other issue of concern for the guides and outfitters is the saleable list. It has been available through SCI in the past.

This saleable list needs to be efficient and workable. We need it by species and unit area. There are a lot options. This guide is important to the guides and nonresidents.

Mitch Buzzetti, private citizen, said that he looks forward to working with NDOW on the licensing and that the guides will still be able to obtain a saleable list. He also thinks would be great if the guides knew the results by the last weekend in April because they refund money to clients if they unsuccessful in the draw.

Public comment concluded.

Commissioner Valentine asked Administrator Van Dellen if the results for the nonresident guided mule deer hunt could be posted by the end of March.

Administrator Van Dellen said the deadline for results is 48 hours after the draw. He apologized for the inefficient communication between the Department and the guiding industry. There is no intent to change any process in terms of when the draw happens and when the results are posted. The guided draw results will be posted within 48 hours of the draw. Staff is currently testing everything to make sure that happens on time.

Commissioner East noted that the application deadline is listed as the second Friday in March but there is not a series of dates listed for the draw.

Data and Technology Services Division Administrator Van Dellen said there are no dates for any of the draws in this CR. The deadline for opening the application period is not defined to allow for technical issues. It is the same thing with the draw.

Deputy Director Robb said that the Department kept the dates of every draw the same, with the thought that some of those may be changed in the future.

COMMISSIONER WALLACE MOVED TO APPROVE CR 18 - 08 2018 BIG GAME APPLICATION DEADLINES AS PRESENTED BY THE DEPARTMENT. COMMISSIONER EAST SECONDED THE MOTION. THE MOTION PASSED 8 - 0. COMMISSIONER YOUNG WAS ABSENT.

I Commission Regulation 18 - 09, 2018 Big Game Tag Application Eligibility and Tag Limits – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action
The Commission will consider adopting regulation to set the 2018 big game tag application eligibility and tag limits and related information.

Administrator Van Dellen said the Department has no changes to the recommendation. This CR determines how many times you can put in for specific applications by species and how many tags you can be awarded. On bullet item #2 it states you may only put in for one antlerless elk tag; however, the correct language should state that you may put in for one type of each antlerless elk tag, including antlerless elk, antlerless management elk, and antlerless depredation elk.

Public Comment – None

COMMISSIONER BARNES MOVED TO ACCEPT CR 18 - 09 2018 BIG GAME APPLICATION DEADLINES AS WRITTEN BY THE DEPARTMENT WITH THE CORRECTION JUST

STATED. THE MOTION WAS SECONDED BY CHAIRMAN WALLACE. MOTION PASSED 8 - 0. COMMISSIONER YOUNG WAS ABSENT.

23 Future Commission Meetings and Commission Committee Assignments – Secretary Wasley and Chairman Wallace – For Possible Action
The Department has added an additional teleconferenced Commission meeting in Reno and Las Vegas on Feb. 9, 2018, at 4:30 p.m. to consider taking action for adoption of Commission General Regulation 476, Processing Fees. After the Feb. 9 meeting, the next Commission meeting is in Laughlin. Potential agenda items for both meetings may be discussed. The Commission may change meeting dates and locations at this time. The chairman may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

Secretary Wasley said the Feb. 9 meeting has one agenda item which is processing fees (CGR 476) for possible adoption. He listed the items for the March meeting in Laughlin: Draft predation management plan and waterfowl season and limits for possible action; Commission Policies first reading of Policy 50 duck stamp sales; second reading Policy 51 Wayne E. Kirch Award; regulation workshop for safe hunting distance; regulation workshop for petitions; and Wildlife Damage Management Committee Report.

Secretary Wasley said unrelated to those agenda items, he would add for clarification on the black bear tag issued under Dream Tag that there was discussion on previous Department direction and he read 502.219, Section 1:

1. A program is hereby established for the issuance of additional big game tags each year to be known as "Dream Tags." The program must provide:

(b) For the issuance of one Dream Tag for each species of big game for which 50 or more tags were available under the quota established for the species by the Commission during the previous year.

Secretary Wasley said he is not sure if the Department represented that different; however, the statute is clear. A second item he brought up is there was quite a bit of discussion around the seasons, hunter expectations, elk populations, and hunter experience. He said it has been 10 years since the Department undertook efforts to heighten awareness of the different hunts such as gender hunts, and primitive weapons hunts. As the Gant chart illustrated, we are fitting more and more into smaller areas, which becomes a trade-off between hunter experience, season lengths and population objectives on elk. The Department is willing to work with the Commission and CABMWs to take input, but the trade-off is running out of calendar days. Staff made an effort to minimize the overlap of hunts with the cow elk season. That is part of the balancing act. Secretary Wasley said he wants to increase awareness of how we try to balance those three things. Lastly, as to the posting of hunt results, that conversation is not over, and the Commission Regulation does not state that the Department is not going to post that information. The discussion as to posting the results will continue, to reach an agreement of how that looks, with protection of people's privacy, maintaining transparency, and desires of what applicants have become accustomed to such as seeing the names of friends and family who have drawn a tag.

Chairman Wallace said he had no further agenda items to add to Director Wasley's list. Chairman Wallace assigned Commissioner East to the Wildlife Heritage Committee, Public Lands Committee, and to the Wildlife Scholarship Recipient Selection Panel. He said

Commissioner East will chair the Wildlife Scholarship Recipient Selection Panel and he would be an alternate as would Commissioner Johnston.

Commissioner Johnston said the Wildlife Damage Committee will meet in conjunction with the March Commission meeting in Laughlin possibly on Friday morning or Thursday evening.

Public Comment Reno –

Rex Flowers said he would like the TAAHC recommendation from 2016 on how to establish closed areas for the specialty tags: Heritage, Dream Tag, Silver State and Partnership in Wildlife considered, so the Commission could take formal action which would help avoid what happened this year.

24 Public Comment Period

Reno location -

Mike Cassidy, private citizen, said he sent an email about his wild harvest permit idea. He would like to that to be part of the public record.

Meeting Adjourned

Note: The meeting has been videotaped and is available for viewing at www.ndow.org. The minutes are only a summary of the meeting. A complete record of the meeting can be obtained at the Nevada Department of Wildlife Headquarters Office in Reno.