

APPROVED MINUTES - SEPT. 23 AND 24, 2016, MINUTES
Nevada Board of Wildlife Commissioners' Meeting
Final Agenda

University of Nevada Cooperative Extension
8050 Paradise Road
Classrooms A & D
Las Vegas, NV 89123-1904

Videoconferencing Locations:

Truckee Meadows Community College
7000 Dandini Blvd. Room Sierra 100
Reno, NV 89512

Great Basin College
1500 College Parkway
High Tech Center Building Room 121
Elko, NV 89801

Public comment will be taken on every action item after discussion but before action on each item, and 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.

Members Nevada Board of Wildlife Commissioners:

Chairman Grant Wallace	Vice Chairman Brad Johnston	Commissioner Jon Almberg
Commissioner Tom Barnes	Commissioner Jeremy Drew	Commissioner Kerstan Hubbs
Commissioner David McNinch	Commissioner Paul Valentine	Commissioner Bill Young

Secretary Tony Wasley
Recording Secretary Suzanne Scourby

Deputy Attorney General Harry Ward
Administrative Assistant III Ashley Sanford

Nevada Department of Wildlife personnel in attendance during the two day meeting:

Deputy Director Jack Robb	Deputy Director Liz O'Brien
Chief Game Warden Tyler Turnipseed	Conservation Educator 4 Doug Nielsen
Game Division Administrator Brian Wakeling	Management Analyst 3 Maureen Hullinger
Fisheries Division Administrator Jon Sjöberg	Administrative Assistant 4 Kathleen Teligades
Wildlife Division Administrator Jen Newmark	Biologist 3 Jason Jones
Administrative Assistant 3 Lorraine Marshall	Biologist 4 Brandon Senger

Las Vegas Meeting Attendees:

Paul Dixon, Clark CABMW
Stephanie Myers
Joe Crim, Pershing CABMW
Don Sefton, Systems Consultants
Julius Fortuna, Nevada Firearms Coalition

Monty Martin, Systems Consultants
Jana Wright
Mike Reese, Clark CABMW
Vernon Brooks
John Ridgeway

Mark Trangor
William Wood

James Muilenberg
Michael McBeath

Reno Meeting Location:

Mike Keeney
Glenn Bunch, Mineral CABMW
Bobbie McCollum, self
Karen Boeger, Nevada Backcountry Hunters and Anglers

Gil Yanuck, Carson CABMW
Rex Flowers, self
Fred Voltz, recreationist

Elko Meeting Location:

Jim Cooney, Elko CABMW

Meghan Brown

Friday, September 23, 2016 – 10 a.m.

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

Chairman Wallace called the meeting to order, and all Commissioner's present except Commissioner Young.

CABMW roll call: Paul Dixon, Clark; Chad Foster, Douglas; Joe Crim, Pershing; Glenn Bunch, Mineral; Jim Cooney, Elko; and Gil Yanuck, Carson.

- 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.

COMMISSIONER HUBBS MOVED TO ACCEPT THE AGENDA, MOTION SECONDED BY COMMISSIONER VALENTINE. COMMISSIONER YOUNG ABSENT. MOTION CARRIED 8 - 0

- 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).

Chairman Wallace said he received emails which were forwarded to the Recording Secretary: Several emails were on the .50 caliber restriction, one on the expansion of bases in Nevada, and one on group bonus point accumulation.

New Commissioner Jon Almberg introduced himself. Commissioner Almberg is from Ely and represents sportsmen. Commissioner Almberg thanked Governor Sandoval for his appointment to the Commission and the having the opportunity to serve. Commissioner Almberg replaced Commissioner Chad Bliss who did not seek re-appointment.

New Commissioner Barnes introduced himself and said he is an avid sportsman from Elko. He represents ranching and looks forward to serving on the Commission. Commissioner Barnes replaces Commissioner Mori who did not seek re-appointment.

Commissioner Johnston said he also received the email related to the party hunt where one person in the group returns the tag to restore their bonus points. The Tag Allocation and Application Hunt Committee (TAAHC) which he chairs addressed the return of tag issue several times, as has the Commission. The numbers were reviewed and the facts did not bear out the assertion that there is abuse of the party system. Does not mean that there may not be one or more persons out there doing that but not a significant problem to require a change to limit return of tag. As chairman of the TAAHC he will respond to the email. The remainder of emails Commissioner Johnston received were related to specific agenda items. (10:10 a.m.)

Commissioner Hubbs said she was contacted by the Nevada Legislative Sportsman Caucus and was invited by Mr. Blakeslee to an event north of Las Vegas; unfortunately, she could not attend because of a work conflict. She extended an invitation to the group to meet with her in the future at any time.

- 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.

Gil Yanuck, Carson CABMW, said wheelchair veterans have a need for gloves. A group (Elk Club) is seeking deer hides to make into gloves.

Glenn Bunch, Mineral CABMW, asked for update on their request for elk to be translocated to Mineral County.

Chad Foster, Douglas, said the Douglas CABMW has had a standing action item regarding increasing the number of bear tags while keeping the harvest quota the same with the intention that a Heritage tag become available, and that bear hunting be allowed in all open bear hunt units.

- 5 Approval of Minutes – Chairman Wallace–For Possible Action
The Commission may approve Commission minutes from the August 12 and 13, 2016, Commission meeting.

COMMISSIONER JOHNSTON MOVED TO APPROVE THE AUGUST MINUTES AS PRESENTED. COMMISSIONER VALENTINE SECONDED THE MOTION. COMMISSIONERS ALMBERG AND BARNES ABSTAINED. COMMISSIONER YOUNG WAS ABSENT. MOTION PASSED 6 – 0.

- 6 Washington Department of Fish and Wildlife Request for 20 Wild-trapped Female Sage Grouse for Translocation to the Yakima Training Center to Continue Efforts to Increase Genetic Diversity – Game Division Administrator Brian F. Wakeling and Staff Specialist Shawn Espinosa – For Possible Action

The Department received a request from the Washington State Department of Fish and Wildlife (WDFW), in cooperation with Joint Base Lewis-McChord Yakima Training Center (JBLM YTC) to capture and translocate 20 female sage-grouse from Nevada to JBLM YTC. This request is in support of a collaborative effort by JBLM YTC, WDFW, and the U.S. Fish and Wildlife Service (USFWS) to continue efforts in conducting genetic augmentation of the JBLM YTC sage-grouse population in south-central Washington. The Department is proceeding to fulfill the request and seeks the support of the Commission. The Commission may vote to support the Department's action.

Chairman Wallace read the agenda item description. Wildlife Staff Specialist Espinosa provided a brief narrative on the background of the request: The intent of the request is to obtain additional birds to provide genetic diversity for the existing population. Nevada has provided birds in support of this population previously. The bird's status in Washington is threatened (state designation). The greatest threat to sage grouse has been conversion of habitat. Wildlife Staff Specialist Espinosa said the request is for female birds because male birds tend to be smaller and are consequently less likely to contribute to the breeding population of Washington. He answered questions from the Commission in regard to translocation.

COMMISSIONER MCNINCH MOVED TO APPROVE TRANSLOCATION REQUEST FROM WASHINGTON FOR 20 FEMALE SAGE-GROUSE. COMMISSIONER HUBBS SECONDED THE MOTION. COMMISSIONER YOUNG WAS ABSENT. MOTION CARRIED 8 – 0.

- 7 First Reading, Commission Policy 2, Publications – Commissioner and Administrative Procedures Regulations and Policy (APRP) Committee Chairman David McNinch – For Possible Action
The Commission will have a first reading and may take action on the committee's recommendation to repeal Commission Policy 2, Sale of Publications. The policy is outdated and redundant with the Public Record fee schedule and requirements applicable to Executive Branch agency's limiting fees.

Committee Chairman McNinch said recommendation from committee is to repeal Policy #2, Publications, due to availability of documents on the website.

COMMISSIONER DREW MOVED TO MOVE POLICY #2 FROM FIRST READING TO SECOND READING WITH RECOMMENDATION TO REPEAL. COMMISSIONER MCNINCH SECONDED THE MOTION. COMMISSIONER YOUNG WAS ABSENT. MOTION CARRIED 8 – 0.

- 8 Second Reading, Commission Policy 10, Wildlife Heritage Tags and Vendors–Commission Chairman and Wildlife Heritage Committee Chairman Grant Wallace – For Possible Action
The Commission will conduct a second reading of Policy 10, Wildlife Heritage Tags and Vendors, and may take action to approve recommendations from the policy's first reading.

Commissioner Drew said he had requested at the August meeting for "sealed bids" to be reinserted. He said Washoe CABMW had discussion about why that was reinserted, and his understanding is the wording allows tags to be sold through sealed bids in the event that there were not enough vendor applicants.

MA 3 Hullinger said Commissioner Drew is correct and subsection delineates the vendor process; however she does not recall a time when vendors did not apply.

COMMISSIONER DREW MOVED TO APPROVE POLICY 10 AS PRESENTED AND AMENDED AT THE AUGUST MEETING. COMMISSIONER VALENTINE SECONDED THE MOTION. COMMISSIONER YOUNG WAS ABSENT. MOTION CARRIED 8 – 0.

- 9 Second Reading, Commission Policy 11, Wildlife Heritage Grants – Commission Chairman and Wildlife Heritage Committee Chairman Grant Wallace – For Possible Action
The Commission will conduct a second reading of Commission Policy 11, Wildlife Heritage Grants, and may take action to approve the recommendations from the policy's first reading.

Chairman Wallace said the policy was advanced from the August meeting – one housekeeping change – change of chairman's name from Drew to Wallace.

COMMISSIONER JOHNSTON MOVED TO APPROVE POLICY 11 AS PRESENTED. COMMISSIONER DREW SECONDED THE MOTION. COMMISSIONER YOUNG WAS ABSENT. MOTION CARRIED 8 – 0.

- 10 First Reading, Commission Policy 31, Lahontan Cutthroat Trout Management Guidelines–Commissioner and APRPC Committee Chairman David McNinch and Fisheries Division Administrator Jon Sjöberg–For Possible Action
The Commission will conduct a first reading of Policy 31, Lahontan Cutthroat Trout Management Guidelines. The committee recommends updating the policy with current requirements and Fisheries Division plans will be considered. The Commission may take action on the committee's recommended changes to Policy 31.

Division Administrator Sjöberg said these are the first updates since 1996. One change is updating the number of salmonoids from five to six. The revisions brought forth are mostly updates of terminology for example, change from original wording of distinct population segments to "geographic management units" which is current language used by the Department and U.S. Fish and Wildlife Service (USFWS). Added section relative to use of Safe Harbor Agreements with private landowners as a tool for Lahontan cutthroat trout (LCT) that engages private landowners to ensure conservation of LCT habitat on private lands and gives landowners assurance as to potential liability under the Endangered Species Act. Administrator Sjöberg reviewed the remainder of the policy and noted that Section 12 reflects the cooperative relationship between NDOW and USFWS.

Commissioner Drew said he supports the update and asked the following questions: In the "Purpose" section, Nevada Board of Wildlife Commissioners is not referenced as "Commission" as it was in the previous policies' updates; for Section 6 he requested list of waters for LCT recovery before the next meeting and asked if "occupied" and "potential habitat" include Lake Tahoe, Truckee and Carson Rivers. Commissioner Drew asked if brown trout would be stocked in the Truckee. Also, the policy is silent on addressing removal of mackinaw (non-LCT fish) from Lake Tahoe and other items such as that need to be included.

Administrator Sjöberg answered Commissioner Drew that NDOW policy for Tahoe is to stock triploid rainbows except for a project to evaluate Tahoe strain rainbows that are in tributaries in Incline Village area. To support the recovery program for LCT triploids are used to extent that we can in Tahoe Basin and Truckee River. Non-sterile rainbow will continue to be stocked in Carson River unless triploids are available. Brown trout are not stocked as we do not have brood stock. Administrator Sjöberg said he does not see a need to address removal of fish as the Department is already opposed to that strategy and thinks it is ineffective and not achievable.

Commissioner Hubbs asked if the word “negative” on Page 2, Section 7 should be changed to “negligible” in view of regulation CGR 469 passed by Commission to limit take. She asked if there will ever be feasibility referencing Section 9 to restore LCT all the way through the Truckee and its native range, knowing that there are physical barriers.

Administrator Sjöberg said that is a statement to where we are at, and is consistent with the “4d Rule” that is part of the ESA listing rules which provides for sport fishing and for management under state regulations in terms of sportfishing/angler harvest. He said he does not think it is an unrealistic goal rather it is a long-term strategy although current obstacles exist on the river such as Derby Dam without screens on Truckee Canal.

Reno Public Comment –

Gil Yanuck, Carson CABMW, said they support the changes, right thing to do.

COMMISSIONER MCNINCH MOVED TO ADVANCE POLICY 31 WITH CHANGE FROM FIVE TO SIX SALMONIDS AND EDITORIAL COMMENT CHANGE NBWC TO COMMISSION TO MAKE THE POLICY CONSISTENT WITH THE OTHER POLICIES. COMMISSIONER JOHNSTON SECONDED THE MOTION.

- 11 First Reading, Commission Policy 33, Fisheries Management Program – Commissioner and Administrative Polices, Regulation and Procedure (APRPC) Committee Chairman David McNinch and Fisheries Division Administrator Jon Sjoberg – For Possible Action
The Commission will conduct a first reading on Policy 33, Fisheries Management Program. The committee recommends updating the policy with current requirements and Fisheries Division plans will be considered. The Commission may take action on the committee’s recommended changes to Policy 33.

Division Administrator Sjöberg said changes are updating the policy with current information and housekeeping changes such as Bureau to Division, bottom of page 8, fourth bullet should remove the second “to.”

Commissioner Drew asked to add a bullet describing “urban fisheries” on page 3 under “Angler Access.”

Elko Public Comment – None

Las Vegas Public Comment –

Paul Dixon, Clark CABMW, said their only comment is that the way the policy is written now is if you have prohibited fish in a closed body of water, it is acceptable, and they think the prohibited species should be prohibited everywhere with the exception of the grass carp.

Commissioner Johnston said fishing regulations need to be simplified to reduce barriers, suggested broad policy statement be incorporated in “Fishing Regulations” on page 5 second bullet continue statement “and reduce barriers to new anglers.”

Commissioner Hubbs said she had same concern as Clark CABMW about prohibited species and she read NAC 503.560 to see the definition for prohibited species and what a closed water system is. She thought that was unclear from a layman’s perspective as prohibited species can be quite detrimental if they are moved. She asked if there could be further clarification.

Division Administrator Sjöberg said he would reference NAC 503.110 which is an extensive suite of regulations that address prohibited species.

Commissioner Drew said on page 3 “Angler Access and Urban Fisheries.” Recommended a new bullet that reads simply “seek opportunities to expand and implement urban fisheries based on success of this program.”

Commissioner Johnston suggested a broad policy statement be added for management of all species in accordance with the Nevada Wildlife Action Plan since this will be the policy of the Commission.

Administrator Sjöberg said there is a section for native trout management essentially all of aquatic game species of concern are salmonids, and there is a section addressing native trout. He mentioned a typo on page 8 that needs to be corrected changing “to” to “the.”

COMMISSIONER MCNINCH MOVED TO ADVANCE COMMISSION POLICY 33 TO A SECOND READING WITH THE PROPOSED FOLLOWING CHANGES: CHANGE BUREAU TO DIVISION; PAGE 3 UNDER ANGLER ACCESS ADD BULLET POINT REFERENCING URBAN OPPORTUNITES SEEKING TO EXPAND FISHERIES TO BENEFIT THE PROGRAM; ADD ON PAGE 5 SECOND BULLET POINT UNDER FISHING REGULATIONS ADD LANGUAGE THAT SIMPLIFICATION OF FISHING REGULATIONS TO OCCUR TO EFFECTIVELY REDUCE CONFUSION, INCREASE COMPLIANCE OF ANGLERS, REDUCE BARRIERS, AND AID LAW ENFORCEMENT; PAGE 7 UNDER TROUT MANAGEMENT CHANGE FROM SIX SPECIES OF CHAR TO SPECIES OF SALMONIDS; REFERENCE THE WILDLIFE ACTION PLAN ON PAGE 7 WHEN TALKING ABOUT RECOVERY PLANS; PAGE 8 FOURTH BULLET POINT UNDER AQUATIC INVASIVE SPECIES CHANGE “TO” TO “THE.” COMMISSIONER JOHNSTON SECONDED THE MOTION. COMMISSIONER YOUNG WAS ABSENT. MOTION PASSED 8 TO 0.

12 Reports – Informational

- A Department Activity Report – Secretary Tony Wasley
Director Wasley will provide a report on recent Department activities.

Leadership Team updates: Interviews held and new Conservation Education Division Administrator selected: Chris Vasey. Recruitment and hiring underway to replace Management Analyst III, important position to agency as position is the Department’s legislative liaison and staff to the Administrative, Regulations, and Procedure Committee.

Legislative Commission meeting attended, the following regulations were approved: Unmanned aerial vehicles (drones) - CGR 459, industrial artificial pond permits - CGR 461, issuing and verifying hull numbers of vessels, and spike elk defined - CGR 460.

Director Wasley attended the Debbie Smith Memorial Trap Shoot held in Southern Nevada.

Agency Budget Request Presentation developed by Deputy Director O’Brien and presented on Wednesday to Governor’s Budget Office.

Auditors of the Legislative Counsel Bureau recently completed an audit of the Department’s information technology program, focusing on state-mandated information security compliance. Four audit exceptions were identified, of which two have already been corrected, with the

remaining two to be corrected in the near future. During one of the out-briefs the lead auditor said this was one of the best audits he'd conducted, telling our chief of Information Technology "you guys run a tight operation."

Game Division sent four personnel to the 27th Biennial Western States and Provinces Pronghorn Workshop. Two days of papers on biology and ecology of pronghorn and sagebrush ecosystems were presented, and a full day field tour covered a long-distance pronghorn migration corridor and the obstacles and mitigation features these pronghorn encounter along the way. Montana hosted an excellent workshop.

Planning is already underway in Nevada to host two WAFWA-sanctioned professional meetings in the next few years. The 28th Biennial Western States and Provinces Pronghorn Workshop will be hosted in summer-fall 2018, and the Desert Bighorn Council meetings will be hosted in April 2019.

Mike Podborny, the Eureka Game Division Area Biologist, retired Aug. 1, 2016, following a 31 and one-half year career of dedicated service to the Department. Clint Garrett, a tenured Department employee from the Habitat Division was selected to fill the vacancy.

An inaugural antlerless elk landowner hunt was initiated on the Winecup Gamble ranch in August. Several youth hunters who were contacted to participate in the hunt have come by the Elko office to pick up their tags. The hunters will be communicating with ranch personnel to help maximize success as well as ensuring the timing and location of the pressure will help alleviate elk use on private lands. An antlerless elk landowner hunt package was completed for the PX Ranch for the third time. During the previous two years, this hunt was not initiated for various reasons. The hunt has once again been prepared and put into place, and if the elk show up as anticipated we will be prepared to initiate a hunt there as well.

Moose observations have become relatively commonplace in northeast Nevada. There have been 25 individual sightings within Areas 7 and 8 that includes bulls, cows, and calves since 2010. Game Division is working with Conservation Education Division to get the word out so hunters are aware that moose are in the area. Moose are recognized as a game mammal, but there are no current seasons in Nevada.

The Izzenhood fire burned an additional 6,600 acres of mule deer winter range on the south end of the Izzenhoods on August 18, 2016. The fire burned one of the last remaining sagebrush pockets in that area. It was hoped that some of the deer moving into the previously burned Izzenhood Basin area might make their way south to this area during the upcoming winter, but this latest fire has ensured that will not be an option for the deer herd.

The Overland fire burned about 7,700 acres of pinyon-juniper, sagebrush, and grass in mule deer, elk, and pronghorn habitat in Unit 108 in the Bald Mountain area on Aug. 8, 2016. Fortunately, a large portion of the area that burned had previously been identified for a pinyon-juniper removal project, so this fire should prove more of a benefit in the long term.

Mule deer hunters in select hunt units will be mailed letters asking to provide teeth from their harvested deer. These efforts will be used to provide baseline age data in alternative management hunt units as identified in the new draft Harvest Management guidelines.

Newmont mining company has proposed expanding the Long Canyon mining operations to include a pit expansion into existing designated mule deer corridors. The EIS for the Bald Mountain Mine expansion and the Record of Decision has been approved and signed. A monitoring plan for mule deer was signed into the EIS and a wildlife working group will be tasked with implementing the plan. Kinross mining has donated \$53,244 for the purchase of 18 GPS collars to monitor mule deer that migrate through the mine. Kinross also donated \$24,000 for the disturbance of critical mule deer winter range to use as off-site mitigation for the Ruby Mountain deer herd.

Initial reports from contractors and cooperators on progress completed on the 2016 Predator Management Plan have been submitted. The Division is on track for a complete report to the Commission on predation management activities for November 2016.

After over six years of effort the Department has acquired the two acre Black Rock Station parcel in Railroad Valley. This property is a partial inholding adjacent to the Lockes Ranch property acquired in 2005. It contains occupied critical habitat for the ESA listed Railroad Valley springfish and the acquisition is a major step towards recovery and delisting of the species. Funding was through Question 1 and a Recovery Lands Acquisition Grant from USFWS.

Staff is finalizing an agreement with the Hawthorne Army Depot and USFWS to allow transfer of Walker Basin Lahontan cutthroat trout (LCT) to Cottonwood Creek near the town of Walker, to establish a refuge LCT population. Remaining native Walker Basin LCT populations in California are at very high risk because of drought conditions in small headwaters streams. Fish transfers are expected by early October.

Eastern Region biologists recently collected four small northern pike from immediately below Bassett Lake. This appears to be an isolated incident but efforts are ongoing to sample and survey all adjacent habitats to insure additional pike aren't present in the Bassett Lake system.

Truckee Carson Irrigation District (TCID) has relayed that the Bureau of Reclamation is requiring an eventual inspection and repair of the lower gates on Lahontan Dam which would require Lahontan Reservoir to be dropped to 1,000 acre feet. The timeline for the repair is still uncertain but they will likely make a decision by the end of this irrigation season.

A final draft of the renewal Conservation Agreement and Strategy for Relict Leopard Frog has been completed with finalization of the CAS expected by October. Also staff is working to finalize enrollment of the SNWA Springs Preserve under the Programmatic CCAA signed by NDOW and FWS last September. A listing decision on the Relict Leopard Frog is expected by this fall from USFWS.

AIS program staff continue to work with large fishing tournaments at Lake Mead to address potentially quagga infested boats leaving the Colorado River system for other states and waters. 130 boats were inspected at the WON Bass tournament on September 15 with watercraft from as far away as Idaho, Georgia and Minnesota. Only 28 boats (22 percent) were local watercraft from southern Nevada. Boats that weren't fully decontaminated were inspected to be sure they were fully drained and plugs removed before leaving the marina.

NDOW staff met with members of Ducks Unlimited and Nevada Waterfowl Association at the Fernley WMA in early September to look at potential wetland enhancement projects. During the tour several topics were discussed such as replacing rusted out water control structures and possible piping projects to enhance water conservation.

Regional staff is working with BLM to address fire rehabilitation needs associated with 2016 fires. We are currently waiting on BLM to provide an indication of funding approval for these various ESR plans. Once we have an indication of what BLM will fund, NDOW can collaborate with NGOs concerning the need for additional monies to fund fire rehabilitation needs on public, private and state owned property.

Habitat staff continues to work on several large habitat enhancement projects in coordination with BLM and USFS.

At present contract crews are removing nearly 9,000 acres of phase 1 and phase 2 pinyon juniper on the south end of the Ruby Range associated with the Overland Pass Habitat Improvement Project. This project work directly benefits sage grouse and mule deer. Mastication of phase 1 and phase 2 pinyon juniper work continues in an area of the Egan Range northwest of Ely to remove pinyon juniper around key sage grouse brooding habitat.

In all, over the last two years, working with BLM and USFS through Nevada Partners in Conservation and Development NDOW has facilitated the enhancement of over 20,000 acres for multiple species including sage grouse and mule deer.

Water Development crews are finishing up a busy construction season. In total, there were eight new big game water developments built, 46 units were either rebuilt or had major maintenance actions performed, and 386 units were inspected and had minor maintenance performed. In all, 13 units used extensive volunteer labor and support, which helps pay for a significant portion of the entire program.

Several game wardens participated in a concentrated patrol in Units 061 and 071 over the weekend to monitor a cow elk hunt. There was a marked decrease in violations for that hunt over last year. The OGT trailer was out and high profile patrols throughout the two hunt units.

OGT report of a drone being used to scout elk was reported in the area at the time of the hunt; a case is under investigation in the Winnemucca area where a subject spotlighting for coyotes mistakenly killed a doe mule deer stating that they thought it was a coyote; and a game warden completed a residency case investigation where two persons confessed.

Southern Region game wardens are investigating five deer killed and left over a two week period near Wheeler Well on the Pahrump side of Mount Charleston; a bull elk was killed and the head taken with the meat left to rot, the incident is under investigation and a deer was killed and left in the same general location; and a mule deer was shot and left partially caped in Unit 241 and is under investigation.

Final review for urban wildlife – staff completed and compiled and after review will be ready for submission

The publications coordinator began work on 2016-2017 fishing guide; a revamped Kirch Management Area brochure is at the printers; and the notification letters for the 2017 Kirch Award are complete.

Secured \$12,500 in funding for NASP from local groups for school equipment grants; at this point we are in process for bringing eight new schools on board by getting them trained and assisting them with equipment grants.

Advanced archery training classes have been expanded: Seven introduction to archery classes, three intermediate archery classes and five bowhunter certifications scheduled.

Eastern Region staff participated in the week long Nevada Outdoorsmen in Wheelchairs hunt at the TS Ranch and held a Native Slam Tour for the Ruby Mountain Fly Fishers, helping to provide information on where to go and what to use for members to complete their Native Fish Slam.

Urban wildlife calls remain steady in the Southern Region. Coyote related calls continue to account for most of the calls. Staff has handled multiple media inquiries into reports of pets being eaten by coyotes. Program activities included assisting the public and providing educational presentations on living with wildlife and Keeping Wildlife Wild.

The Southern Region urban wildlife coordinator received two reports of a mountain lion in the vicinity of Painted Desert Golf Course. The reports came in on July 11 and July 28. An additional lion sighting was reported June 29 at Kellogg Park.

Staff has been working on messaging for urban wildlife. The chosen tagline is "Keeping Wildlife Wild" with five sub-points: Consider their space, Look, Don't touch, Check your pets, Never feed wildlife, and Clean your space.

The SR Wildlife Education coordinator conducted multiple interpretation programs about a variety of wildlife subjects at the following venues: Hemenway Park Bighorn Sheep Interpretive Project, Clark County Wetlands Park, Lake Mead Alan Bible Visitor Center, Old Mormon Fort, and various park and recreation facilities. 412 people were contacted.

The SR Wildlife Education coordinator is working with personnel from the Clark County Wetlands Park to design and develop interpretive signage at the park.

Western Region Outdoor Education staff members are constantly looking to expand the volunteer instructor core. The number of outdoor education classes and seminars we are able to have is a direct reflection of the number of trained volunteer instructors. A monthly volunteer instructor training is held to certify new instructors in the western region. This month there will be trainings in Winnemucca and Reno.

The Reel Recovery event that we started coordinating a couple years ago is one of those events. In mid-August we load up a bunch of fly fishing equipment and provide transportation for 10-15 wounded veterans and drive up to Hobart Reservoir. We provide a full still water fly fishing clinic in float tubes and kayaks. This event is a huge success every year because of the great volunteers and staff members that help.

With the vision of building the base of NDOW supporters the Western Region Outdoor Education Coordinator and volunteers will be staffing a "hands on" booth at the 2016 University of Nevada, Reno Agricultural Field Day. There were over 600 participants at last year's event which makes this event very worthwhile. We will be using the Outdoor Education trailer and partnering with the Wildlife Society student chapter for the University of Nevada, Reno and Kelley Stewart who is a professor at UNR and teaches the Wildlife Ecology and Management course.

A bilingual hunter education class in Spanish/English has been piloted by staff.

The Galena Creek Campfire was attended by staff where they presented a program to 200 people about bears. The crowd mostly consisted of families from Lincoln Park Elementary School in Sparks. The monthly program was also a great success with 100 people showing up to see what insects they can catch at Oxbow. We got to talk about host plants, habitats, food chains, and compare them to aquatic insects and fly fishing. It was advertised on several news outlets including the RGJ: <http://www.rgj.com/story/news/2016/08/11/good-news-bugs-butterflies-oxbow-aug/88422022/>

We did a program in partnership with the Great Basin Outdoor School and UNR in part because it was a good story and we wanted some positive media attention after the shooting. I interviewed with KOLO8, but it is not posted on website. This story ran on KTVN, it does not mention NDOW, but those are our volunteers on the picture and it says Oxbow Nature Study Area at the bottom of the picture. <http://www.ktvn.com/story/32766114/students-from-algeria-in-nevada-learning-about-environment-and-climate>

We have two large volunteer days coming up at Oxbow. Sept 21, Stantec will be helping to clean up and prep a site for a native planting on Sept 24 with Keep Truckee Meadows Beautiful volunteers. Weeds will be removed, old fencing protecting dead saplings, as well as some pruning. Then upland plants bought from the state nursery will be planted to out-compete the weeds. The goal is to reduce the amount of weeds in this site in the future.

The Southern Region wildlife education coordinator is organizing an interpretive program at the Lake Mead Visitors Center. The focus will be on desert wildlife and desert adaptations.

The Diversity Division held the annual bat blitz in and around the High Rock Wilderness Area from Aug. 8 - 12. We had over 35 individuals survey for bats over the course of four nights at a total of 16 sites; 13 organizations and agencies in addition to Diversity help with the effort and we captured at least 11 different species of bats, including the canyon bat that was not expected to be in the area. It was a terrific turn out and we got great results in an area that has had almost zero survey effort for bats. Some sites produced more than 100 captures a night. The wilderness sites were especially interesting as they had greater overall diversity of species and represented greater numbers of captures than most other sites. In addition to captures, we also collected acoustic recordings at several sites and documented spotted bats in the wilderness areas. This is a significant documentation as we know very little about spotted bats in Nevada. While these bat blitzes are a tremendous amount of work for the area biologist, they provide crucial information on areas in the state that we typically know little about the bats that occur there. The bat blitz for 2017 is tentatively planned for central Nevada.

Fall shorebird surveys were conducted in the Lahontan valley on the first of September. Carson Lake held about 500 acres of water in the Big Water unit and 600 acres in the Rice unit this summer. Most of the surface area in these two units was covered in cattails and there was insufficient water to launch an airboat for survey. Therefore the shorebirds observed using Carson Lake during the fall survey were very low compared to previous years. Shorebirds prefer mostly open shallow water for foraging during the fall migration. Stillwater NWR managed water for shorebirds and water bird nesting this summer which helped mitigate the lack of available habitat at Carson Lake.

Yellow-billed cuckoo surveys along the Carson River in the Fort Churchill area were conducted during June and July. The yellow-billed cuckoo is listed as a threatened species published in the federal Register 2014. At the time of the initial petition in 1999, little was known of the extent of the western population outside of California. Breeding western Yellow-billed cuckoos are

riparian obligates and currently nest almost exclusively in low to moderate elevation riparian woodlands. Breeding and nesting has been confirmed in the Southern Region of the state but not yet in the Northern portion of the state. One bird was detected during this summer's survey in northern Nevada; however nesting/breeding has not been confirmed in this area. This species as also detected on the Walker River in the recent past during the breeding season.

Two biologists were hired to survey for shrews throughout the northern portion of the state. The tally for shrews capture is approaching 40 samples. While that number may sound low, it is the most shrews we've ever captured in a single summer as shrews are very difficult to trap. In addition, we are attempting to live capture and release, rather than pit fall trap as that always results in mortality. Since population stability and status is very uncertain in these species, we are testing trapping methods that will decrease unintentional mortality. There are eight species of shrews in Nevada and several species are extremely difficult to distinguish in the field. Subsequently, genetic samples were collected on all individuals and have been sent to the University of Idaho for genetic identification.

- B Litigation Report – Deputy Attorney General Harry Ward
A status report on litigation will be provided.

DAG Ward said the report was submitted in support material and has no further updates (exhibit file/website).

- 13 Nevada Department of Wildlife Project Updates – Secretary Tony Wasley
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 detail in addition to summaries provided as part of the regular Department report and are intended to inform the Commission and public as to the Department's ongoing duties and responsibilities.

Secretary Wasley said first presentation is recovery efforts on Muddy River, and the second presentation is Gila monsters.

Commissioner Young arrived.

Commission Regulations -Workshop – Public Comment Allowed

- 14 Commission General Regulation 463, Duties of Person Transporting Vessel or Conveyance, LCB File No. R093-16 – Fisheries Division Administrator Jon Sjöberg and Wildlife Staff Specialist Karen Vargas – Workshop/Public Comment Allowed

The Commission will hold a workshop to consider amending Chapter 488 of the Nevada Administrative Code (NAC). The change amends Chapter 488 of NAC by adding a new section that requires the owner, operator or person in control of any vessel or conveyance that is launched on any body of water in this State to drain the water from the vessel or conveyance and any equipment on the vessel or conveyance and also requires the owner, operator or person in control of a vessel or conveyance that has been taken out of any body of water in this State ensure that the drain plugs, drain valves and any other devices used to control the draining of water remain open while transporting the vessel or conveyance on public roads in this State. The proposed regulation also amends language in NAC 488.520 to accommodate the changes above and remove repetitive language.

Fisheries Division Administrator Jon Sjöberg and Wildlife Staff Biologist Karen Vargas presented the regulation. Ms. Vargas stated when the regulation was initially created in June, the initial verbiage was confusing and clarification was needed because the regulation provided by Legislative Counsel Bureau (LCB) did not address boats transported in the state before they were launched. Ms. Vargas stated boaters do not have to do anything to the boat until it is pulled it out of the water. It was recommended to LCB to alter the first sentence verbiage regarding bringing boats into the state. She said Idaho, Washington, and Montana all have signs when crossing state lines that address this concern. She noted infestations may take a while to detect and that NDOW believed quagga mussels were in Lake Mead for three years before they were found.

Commissioner Drew asked to clarify where on LCB language page one this would be edited.

Fisheries Division Administrator, Jon Sjöberg confirmed that the change is to insure vessels are emptied of all water prior to entering water as well as exiting.

Public Comment – None

Chairman Wallace closed the workshop on CGR 463 and said the change to duties of person transporting vessel or conveyance, LCB File No. R093-16 to add language: "Or transported on public roads" in the first part of section one between "water" and "in."

15 Commission General Regulation 465, Antelope and Elk Waiting Periods, LCB File R141-16 – Management Analyst 3 Maureen Hullinger – Workshop/Public Comment Allowed

The Commission will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code (NAC). Existing regulation allows a person to apply in any year for an antelope tag. If they receive an antelope tag for horns longer than ears and harvest an antelope they are in a waiting period of five years before they are eligible to apply again. Existing regulation for antlered elk allows a person to apply in any year if they did not receive a tag in the previous five years and did not harvest, it also stipulates a person is eligible to apply after 10 years if they harvest an antlered elk. The amendment to the regulation would standardize the waiting period for a person to be eligible to apply for each of the species after receiving a tag. Antelope waiting period after receiving a tag would be three years. Antlered elk waiting period after receiving a tag would be five years.

Management Analyst 3 Maureen Hullinger presented the regulation. As part of the presentation she identified in Section 1 subsection 1 LCB added the word "an," with further review the Department recommends removal of this word to provide the Commission more flexibility/simple housekeeping.

Commissioner Almborg said as he was reading through the regulation he thought we were standardizing both waiting periods the same.

Commissioner Johnston stated there was a question on having the regulation uniform. He said antelope were different because people thought five years was too long. He does not know how they were originally established with the five years for antelope and 10 years for elk.

Commissioner Drew said when Deputy Director Jack Robb was on the Commission and served on the original TAAHC committee they saw hunters being choosy on what they were putting in for. Since then they have had a lot more antelope and elk tag availability. These aspects were originally looked at, but not a lot has changed in the past 15 years.

Commissioner Johnston said from his stance it has been focused on shortening the waiting periods and has the uniformity across the board for both the successful and unsuccessful.

Commissioner AlMBERG stated, to clarify his understanding, it appeared the wait period was created for first time applicants, or those who have never received an antelope or elk tag, to be given more of a statistical advantage versus someone who had already received one.

Commissioner Johnston said he understood if someone was successful they were out of the draw for a period of time so others could come through the process.

Commissioner AlMBERG proposed to set a formula for supply and demand to standardize and calculate probability.

Secretary Wasley stated the intent of the waiting period is to spread opportunity. Does not believe there was ever a mathematic approach or calculation. He said certainly there had been more opportunity for antelope and elk since it was originally established. Concerned on what a standardized formula or calculations effect would have upon the draw. In that scenario the Department would need guidance from the Commission and what factors would be considered; maybe that would shed some light on the discussion. What he read in the regulation is there is now an incentive to falsify for non-harvest because they would have a shorter waiting period. Secretary Wasley said he believes what Commissioner AlMBERG is trying to see is what would be the ramification for changing the length in period of time for wait periods.

Commissioner Johnston explained the idea of going from 10 to five years would be to increase the opportunity to draw a tag, especially with the increased number of tags available. They looked at the math; it will have an impact, but not dramatically. He said there is a lot of personal decision making in the draw, however, they cannot possibly configure how this would affect each person's individual draw.

Commissioner Drew said he had correspondence with people regarding the years and possibly going to seven. He stated it is better to make fewer changes than more because people will be further upset if too many changes occur. If this change were to go through, people would apply for the premium units they want and there would be those who put in all five units because they want to hunt more. Those who pick premium units will probably be the most impacted. Personally comfortable with what's being proposed.

Commissioner AlMBERG said he noticed there was not much public comment and he inquired to further his understanding on the background of this regulation.

Commissioner Young spoke about the unfairness of people who are buying from ranchers with regard to the high cost, equitably, and connections. He suggested the Commission take a look at that.

Commissioner Hubbs said we had not assessed how this will affect a first time applicant; she questioned if those numbers were ran.

Commissioner Johnston said we had looked at those numbers, but we cannot look at the numbers and diversity of each hunter and know how this will affect each hunter. He said he is confident shortening the waiting period would not affect the masses putting into the draw.

Commissioner Hubbs asked if we have a ballpark for how long it takes to get a tag in a particular area.

Commissioner Drew said it depended on variation of each species and how the individual wants to hunt. He said it can be examined as a ratio level, but it cannot be exactly determined.

Commissioner Johnston stated the addition to the pool of applicants is quite small and does not dramatically change the ratios; it is not significant.

Public Comment Elko Location -

Jim Cooney, Elko CABMW: Mr. Cooney said the CABMW was in basic agreement at their meeting. He said it looks like there is a need to look at the final draft. Noted four of the five CABMW members were in agreement of this regulation at their meeting.

Public Comment Reno Location –

Rex Flowers, TAAHC committee member, said he would benefit if the regulation were passed on antelope; however, he stated he is against changing the waiting periods. He said it would cause archery units to go under-prescribed for first choice applicants and would affect muzzleloaders as well. He predicted the future years to reflect zero first choice applicants, which will display no demand for the tag. Mr. Flowers expressed a desire to stay with the system currently in place. He noted at the TAAHC meeting he was approached by members of the community regarding the variation on years from antelope versus elk and discussed how it appears to be a reward for those who shoot elk. He said it should be the same seven-and-seven or 10-10. The opportunity to draw will become less and the opportunity to apply will increase if this is put forth. Mr. Flowers said this is not affording anyone the opportunity to hunt, but more of an opportunity for the department to increase funds.

Chad Foster, Douglas CABMW: He noted the CABMW members were all in support of this item at their meeting as it would give hunters more opportunity to obtain tags. Proposed the question of what the financial impact is for lowering the waiting times for the Department would be.

Paul Dixon, Clark CABMW: Mr. Dixon said they did not have this item on the agenda at their last CABMW meeting as they had discussed it in the previous three meetings with non-wavering acceptance every time. He had never heard from Clark County about any complaints running through TAAHC with regard to three-and-three or five-and-five waits.

Commissioner Drew responded to Mr. Foster of Douglas County that a financial analysis had not been done as it was not his personal reason for moving forward with this regulation. He noted any financial impact is not a primary driver here. Commissioner Drew solidified the financial impact or analysis would not affect his decision.

Commissioner Johnston confirmed Commissioner Drew's input and pointed out in regard to calculations of applicants versus tags there was only a minor change when altering the wait periods.

Commissioner Young questioned the ethical dilemma of someone who can afford to buy a tag every year versus someone who cannot afford it, but instead that person has to undergo the waiting period to hunt. Stated it needed to be discussed.

Commissioner Johnston said Commissioner Young's concern could be added on future agendas to discuss.

Management Analyst 3 Maureen Hullinger stated this regulation strictly speaks to the draw tags.

Commissioner Hubbs inquired how this waiting period compares to other states waiting periods.

Commissioner Drew addressed other states waiting periods can range from zero to similar as it is the supply and demand that are taken into account to decipher these waiting periods.

Chairman Wallace closed the workshop on CGR 465.

- 16 Commission General Regulation 467, Special Assistance Permit, LCB File No. R105-16 – Chief Game Warden Tyler Turnipseed – Workshop/Public Comment Allowed
The Commission will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code (NAC). Through Assembly Bill 136 of the 2015 Legislative Session, the Nevada State Legislature mandated the Board of Wildlife Commissioners to adopt regulations prescribing the circumstances under which a person may assist a licensed hunter with certain disabilities in the killing and retrieval of a big game mammal. The Commission held a workshop on this regulation change on August 12, 2016, where several changes were considered.

Chief Game Warden Turnipseed presented the regulation. He said at the August workshop there was discussion on how many assistants and how many rifles were allowed in the field, and he introduced Captain Mike Maynard who explained the changes made after the workshop.

Captain Maynard stated he would briefly go through the changes and then discuss the multiple assistance issue, which appeared to be something that was still in the air. He then went over the LCB's suggestions. In Sections 1-3 it was mostly definitions and not changes. For Section 4 (7) Captain Maynard explained they mirrored other regulation language, which would make the language in this section a bit smoother for application and enforcement. In Section 4 (3) he said there would be one primary designated license assistant and two alternate designated license assistants allowed per permit. He stated the key language added would be only one person may act in the capacity as the designated license assistant in the field at a time. Noted there are variations of this, but it is based on the proposed language from the workshop. Captain Maynard expressed there can be two designated assistants or that number can go up as it is not a problem to put additional designated license assistants on the permit. The key issue, specifically for law enforcement, is only one person can act in that designated assistant

capacity in the field. The ability to pursue a wounded animal, use a weapon on that wounded animal, and put a tag on that animal; for all these instances law enforcement only desires one person at any time acting. Any more than one hunter acting in this manner would exceed a "fair chase". He then said in Section 5 each person would need to have a copy of the permit with them. He stated in Section 5 (2a) the language was changed to match language in an already existing NRS 542.149 for clarity purposes. Above subsection 6 he noted they again pulled standard language from an existing NRS for the hunters to present that permit. Captain Maynard concluded with the main language change and recommended "only one person may act as a designated assistant in the field at a time."

Commissioner Hubbs asked if a person who would be chasing a wounded animal needs to have the tag with them.

Captain Maynard stated these permits would be different from the typical tags and he cannot possibly address each special situation. Law enforcement would be more concerned that the designated license assistant has a permit with them then looking back to where the tag is if it is not with the assistant.

Commissioner Johnston questioned the verbiage of "permanent disability" versus the above language on page 2 Section 4 subsections A) through C) of specific disabilities. He proposed a physician could sign a certificate notating a number of other disabilities and not a permanent disability. He said his concern was the number of other disabilities, which are not mentioned by these three specific disabilities, and it should be mirrored in Section 4.

Captain Maynard responded that he could move the language up to that section or take the permanent disability language out and put "met the requirements of Section 4" in its place.

Commissioner Drew said on item 4 where the new language is being placed there is a need to emphasize only the acting designated assistant would need to be accompanied with the hunter and not all designated assistants, so there would not be multiple people out at a time.

Commissioner Valentine commented on page 4 2(a) on the verbiage of the vicinity a designated assistant is to the hunter. Questioned whether that refers to side by side versus in the field together.

Captain Maynard said would clarify as "in field with the hunter."

Commissioner Hubbs stated the language should be clear as an active participant in the hunt at all times so the other hunter is not back at the camp.

Public Comment Reno Location -

Gil Yanuck, Carson CABMW: Questioned the level of disability to the assistance needed. Said he understood the challenge of variables within this regulation.

Commissioner Johnston stated there should not be a limit on who could serve in the capacity as a designee, but to limit the regulation with only one active assistant at a time.

Captain Maynard agreed he can write in the regulation to fit the suggestions of Commissioner Johnston and Commissioner Drew with regard to the number of designees allotted on a special assistance tag.

Commissioner Hubbs inquired if there could be a set number of maximum designees and if this would be a cumbersome task.

Commissioner Drew inquired if there would be an issue with having an unlimited amount of designees.

Captain Maynard asked Management Analyst 3 Maureen Hullinger for the logistics of how that could appear on a permit, but noted the requirements would be identical to the typical process.

Ms. Hullinger stated she would need a number of people the Commission suggests for the designee list and she can easily accommodate the request.

Commissioner McNinch noted if an unlimited number of designees become an issue it could be reevaluated later.

Deputy Director Robb interjected stating one cannot know who will be available to go with the hunter due to schedules and designees being on multiple tags.

Commissioner Valentine reiterated to have "in the field" in the language.

Commissioner Johnston summarized the proposed changes: page 2, Section 4, item 1 to define permanent disability by referencing back up. Add the language Captain Maynard suggested to the Commission in subsection 3. In Section 5 each listed designated assistant in the field must have the license in their possession. Page 4 would follow what the law enforcement is comfortable with per and the addition of "in the field" per Commissioner Valentine's suggestion. He said to modify the language to reflect there can be multiple assistants for the disabled hunter, but only one as a primary designated assistant at a time.

Commissioner Hubbs wanted to add language to page 3, 4(d) to state "personally" attaching the tag.

Chairman Wallace closed the workshop on CGR 467.

- 17 Commission General Regulation 471, Closure of Truckee River to Motorized Vessels, LCB File No. R139-16 – Chief Game Warden Tyler Turnipseed – Workshop/Public Comment Allowed - The Commission will hold a workshop to consider amending Chapter 488 of the Nevada Administrative Code (NAC). Existing regulation sets forth certain bodies of water on which only vessels without motors are allowed and certain bodies of water on which only vessels without motors and vessels powered by electric motors are allowed. This regulation adds the Truckee River from the California-Nevada state line to the point where the river enters the Pyramid Lake Indian Reservation to the list of waters with such a restriction. This regulation also extends the exception to the restrictions to all such specified waters and to any vessel that is owned, operated and used for official purposes by a federal, state or local governmental entity, or any vessel operating pursuant to a permit for a marine event that is requested by a federal, state or local governmental entity.

Chief Game Warden Turnipseed provided background on the regulation which originated with the presence of a hovercraft on the Truckee River in the spring of 2015. The hovercraft created conflict with regard to noise, the public, rafters, kayakers, and anglers. He said the City of Reno looked at implementing an ordinance. Nevada Department of Wildlife (NDOW) advised City of Reno that there is an existing NAC that would cover hovercraft and would be a one line change. A meeting was held, and the hovercraft owner attended and stated he wanted to open a hovercraft business for the Truckee River. The Planning and Recreation Committee did not desire this and requested assistance from NDOW. Chief Turnipseed said this is a simple regulation language change. He stated the City of Sparks and the City of Reno support this regulation.

Commissioner Drew asked if Washoe County, City of Reno, and the City of Sparks are all in agreement with this regulation.

Chief Turnipseed confirmed their support. He said a letter of support from the City of Reno was received and is in support material. He said Deputy Director Robb spoke with representatives from both Washoe County and the City of Sparks to confirm support for the regulation as well.

Public Comment – None

Chairman Wallace closed the workshop on CGR 471.

18 Public Comment Period

Public Comment Elko - None

Public Comment Reno -

Fred Voltz read his statement into the record: Memorialized in the last Commission meeting minutes was a resolve to address wildlife killing contests. Unfortunately, there was no agenda item for this meeting's consideration. Having people who attempt to indiscriminately shoot mass numbers of coyotes in a contest setting does not meet the tenets of the North American Model. It has been a full year since the first of two petitions to the Commission addressing the wanton waste of the public's wildlife was submitted. Commission action towards implementing an enforceable, meaningful regulation is overdue and needs to be agenda item for the next Commission meeting. To allay the groundless fears of hunters that this regulation would somehow diminish their ability to kill wildlife, the regulation could specifically focus on coyote-killing contests...the only species which are the subject of wildlife-killing contests in recent history. If the Commission can accommodate the needs of a handful of severely-disabled hunters through a formal regulation, then a much more dangerous and impactful situation where large numbers of unbridled hunters are killing large numbers of coyotes deserves regulatory oversight as well. We need a Commission General Regulation on this subject, not a vague policy.

Jana Wright said the Wildlife Values Survey data report is due, she is interested in Nevada's questions and asked if the questions were identical to 2004 survey and wants to know how participants were chosen.

Mike Reese asked for retraction of statement that he asked for resignation of Bill Young and he provided letter to Commission with link provided to video.

Mike McBeath, former Wildlife Commissioners, said the trail camera regulation is needed as he has witnessed in Cave Valley an all-out assault on springs by an out-of-state outfitter. The guides are checking the cameras all the time disturbing archery hunters in their blind and disrupting the animals coming into water. He is not on the fence about the issue anymore, trail cameras need to be regulated similar to aircraft and drones.

Stephanie Myers said she is requesting the same information as Jana Wright. She wants to know about the American Values Surveys and if non-hunters were questioned. Also, asked that such study include the public's perception on wildlife trapping, coyote killing contests, and the bear hunt. Ms. Myers said it would benefit the Commission to know.

Paul Dixon, Clark CABMW, said when first participated discussed wild horse populations and thinks time for this Commission to discuss the issue. What is impact of wild horses now as opposed to then, and other states have had to file a lawsuit to get control.

Meeting adjourned at 4:26 p.m.

Saturday, September 24, 2016 – 8:30 a.m.

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

Chairman Wallace called the meeting to order. All Commissioners present except Commissioner Young who was absent for the day.

CABMW Roll Call: Paul Dixon, Clark; Brian Patterson, Clark; Joe Crim, Pershing; Gil Yanuck, Carson; Glenn Bunch, Mineral; and Jim Cooney, Elko.

- 20 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 DREW MOVED TO APPROVE THE AGENDA. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED 8 – 0. COMMISSIONER YOUNG ABSENT.

- 21 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).

Commissioner Drew said he received a fair amount of correspondence on agenda items that will be discussed today and will reference the correspondence at the appropriate time. He said he also received correspondence on proposed expansion of Naval Air Station Fallon Range and expansion of Nevada Test and Training Range in Southern Nevada. The writers' had concerns

with ramifications to public access and wildlife management, and he will bring the correspondence up during the "Future Agenda Items."

Commissioner Hubbs received correspondence from Camilla Fox of Project Coyote following up on status of proposed policy. Ms. Fox attached a letter received by the Commission at its last meeting.

Commissioner McNinch was called by Camilla Fox last night and he relayed to her that the policy will be on the November agenda. There was a misunderstanding that the policy was being referred back to the committee that the policy was being referred back to the committee, which was wrong.

Chairman Wallace said he also received Ms. Fox's email. He spoke to her and told her the Commission's intention is to have the item heard at the November meeting.

22 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 correspondence was received by him on the Nevada Test and Training Range expansion. He would like to know whether the Commission or Department will be taking a position on the proposed expansion.

Chad Foster, Douglas CABMW, said his CABMW would like one link with all the support material as one document. Staff could still leave the individual links for those who wish to peruse one document.

Elko Location -

Jim Cooney, Elko CABMW, agreed with Douglas CABMW to have one master document for the support material.

Commission Regulations – For Possible Action/Adoption

23 Commission Regulation 16 - 02, Amendment #1, Fishing Seasons and Bag Limits for March 1, 2016 through February 28, 2018 – Fisheries Division Administrator Jon Sjöberg – For Possible Action

The Commission will consider Amendment #1 of the Fishing Seasons and Bag Limits for March 1, 2016, through February 28, 2018. The Department is proposing an amendment to the harvest limit for fish in that portion of the Truckee River from 1,000 feet below Derby Dam to the boundary of the Pyramid Lake Indian Reservation to be three game fish of which zero (0) may be trout (catch and release only) from February 1 through May 31, in Storey and Washoe Counties, and an amendment to change the harvest limit for trout in Lake Mohave and the Colorado River below Davis Dam to be five trout in Clark County.

Fisheries Division Administrator Sjöberg requested consideration of two minor amendments to existing Commission Regulation 16-02, Amendment #1. This is a two part change with the first portion for the lower Truckee River to provide a zero trout limit from February through May, he emphasized this is an important action which will encourage natural spawning by native LCT. The other portion of this is to change the harvest limit for trout in Lake Mojave and the Colorado River below Davis Dam from 10 fish to five fish. Administrator Sjöberg said the purpose is to create a consistent trout harvest regulation for the entire Colorado River system. This also will insure our regulations are the same as Arizona as they intend to change their trout limits to five fish beginning in 2017. He stated they had been working with Arizona and the U.S. Fish and Wildlife Service and it was his understanding that Willow Beach National Fish Hatchery will be back at some level of trout stocking by next spring. Administrator Sjöberg also found it prudent to reduce the limit from 10 fish to five fish in those waters because of these efforts.

Commissioner Drew wanted to clarify the language of dates compared to limits and add language "trout may be taken as part of the three game fish limit from June 1 to January 31.

Administrator Sjöberg agreed to adjust the language per Commissioner Drew's request for ease of understanding.

Commissioner Valentine inquired if Clark County changes will coincide with the changes in Arizona or if there will be a lag.

Administrator Sjöberg stated Arizona works on a calendar year therefore there will be a minor gap of the mirrored change of approximately two months. He assured that law enforcement would work with Arizona Game and Fish during this process and focus on informing anglers not issuing citations during that period.

Public Comment Las Vegas –

Chad Foster, Douglas CABMW: Mr. Foster said there was one dissenting vote at their meeting, which was made due to a natural event happening with fish moving up the rivers and more protection needing to be done to encourage the natural spawning.

COMMISSIONER DREW MOVED TO APPROVE CR 16-02, AMENDMENT #1, FISHING SEASONS AND BAG LIMITS FOR MARCH 1, 2016 THROUGH FEBRUARY 28, 2018. THE FOLLOWING LANGUAGE CHANGES WAS NARRATED BY COMMISSIONER JOHNSTON ON PAGE 4 AND PAGE 5 AT THE END OF THE NEW GREEN WORDING "TROUT MAY BE TAKEN AS PART OF THE THREE GAME FISH LIMIT FROM JUNE 1 TO JANUARY 31 IN THAT SECTION 1,000 FEET DOWN THE STREAM FROM DERBY DAM TO THE BOUNDARY OF THE PYRAMID LAKE INDIAN RESERVATION" MOTION BY COMMISSIONER DREW; SECONDED BY COMMISSIONER BARNES TO APPROVE THE REGULATION CHANGE. MOTION PASSED UNANIMOUSLY 8 – 0; COMMISSIONER YOUNG IS ABSENT.

Commission General Regulations – For Possible Action/Adoption

- 24 Commission General Regulation 468, Bonus Point Transfer, LCB File R104-16 – Management Analyst 3 Maureen Hullinger – For Possible Action

The Commission will consider amending Chapter 502 of the Nevada Administrative Code (NAC). Existing regulation provides for the accumulation of bonus points by a person who applies for certain drawings for tags required for hunting certain species. Such bonus points accumulate and give the person a mathematical advantage in subsequent drawings for a tag. Under existing regulations, a person who changes his or her state of residence may request a transfer of any accumulated bonus points to himself or herself as a resident or nonresident of this State, as appropriate. This regulation change provides the authority to the Department to make such a transfer automatic upon the person's change of residence.

The Commission held a workshop on this regulation change on August 12, 2016. The Commission did not have any recommended changes and requested to consider adoption of this regulation at the September Commission meeting.

Management Analyst 3 Hullinger said no recommendations for change were made to CGR 468 during the August workshop.

Public Comment Elko -

Jim Cooney, Elko CABMW: Elko CABMW was in full support of this regulation.

COMMISSIONER JOHNSTON MOVED TO APPROVE CGR 468, BONUS POINT TRANSFER, LCB FILE R104-16; COMMISSIONER HUBBS SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY 8 – 0; COMMISSIONER YOUNG IS ABSENT.

- 25 Commission General Regulation 469, Truckee River Tackle Restriction, LCB File No. R094-16 – Fisheries Division Administrator Jon Sjöberg – For Possible Action

The Commission will consider amending Chapter 503 of the Nevada Administrative Code (NAC). The change revises NAC 503.504 to require the use of certain types of fishing tackle in portions of the Truckee River. Only artificial lures with single barbless hooks may be used on the Truckee River from 1,000 feet downstream of Derby Dam to the Pyramid Lake Paiute Reservation boundary from February 1 through May 31 each year, to reduce incidental mortality of spawning adult Lahontan cutthroat trout.

The Commission held a workshop on this regulation change on August 12, 2016. The Commission did not have any recommended changes and requested to consider adoption of this regulation at the September Commission meeting.

Fisheries Division Administrator Jon Sjöberg stated no changes were made to the regulation since the August meeting. He said this is a companion piece to the suggested changes in CR 16-02, although this has to be in regulation because it's a method of take. Fisheries Division Administrator Jon Sjöberg presented the PowerPoint presentation that was presented at the August Commission meeting. The primary objective is to reduce incidental mortality of adult Lahontan cutthroat trout due to angling in that reach of the river and in that seasonal period when it is anticipated to have spawning adults.

Public Comment – None

COMMISSIONER MCNINCH MOVED TO APPROVE CGR 469, TRUCKEE RIVER TACKLE RESTRICTION, AND LCB FILE NO. R094-16. COMMISSIONER JOHNSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY 8 – 0. COMMISSIONER YOUNG IS ABSENT.

26 Commission General Regulation 458, Electronic Rifle Triggers, Caliber and Cartridge Length, and Smokeless Powder Restrictions, LCB File No. R144-15 – Chief Game Warden Tyler Turnipseed – For Possible Action

The Commission will consider adopting an amendment to Chapter 503 of the Nevada Administrative Code (NAC). The proposed regulation amendment contains several changes. The first change will clarify the use of black powder substitutes that are considered smokeless powder. The second change would make it legal to hunt big game mammals with a handgun if the handgun uses a centerfire cartridge of .22 or larger [and has a barrel length of 4 inches or more]. The third change would make it unlawful to hunt a big game mammal with a rifle using a centerfire cartridge larger than .50 caliber or with a case length longer than 3 inches. The amendment would also make it unlawful to hunt a big game mammal with any firearm equipped with any sighting system using a computer or electronically controlled firing mechanism.

Two workshops have been held on this regulation change; one on January 29, 2016, and March 25, 2016. The Commission directed the Department to change “3.8 inches overall loaded length” to “3 inches case length,” change “.46 caliber or larger” to “larger than .50 caliber,” change the minimum legal handgun cartridge to “caliber .22 or larger,” and change “electronic or computer controlled trigger” to “sighting system using a computer or electronically controlled firing mechanism.” Another hearing was held on June 25, 2016; however, the Commission only allowed public comment, the Commission did not discuss the regulation.

Chief Game Warden Turnipseed stated the regulation is split into four parts. He said the fourth section is the most controversial. The first section states the difference between smokeless powder versus black powder. The second section removes some of the restrictions on cartridge length for handgun hunting. The third section goes over electronically controlled firing mechanisms. Chief Turnipseed said the fourth section, which became the more controversial part, covers rifles using a centerfire cartridge bigger than .50 caliber or a case length greater than three inches. He said the first portion, the use of smokeless powder, dated back to 2013 in a petition that asked to legalize black powder 209 for muzzle loader hunting. There was previously a regulation change, but there remained extra verbiage and in an effort to clean the regulation up the phrase “the use of black horn powder is prohibited” would need to come out. Chief Turnipseed stated part two was from a suggestion taken out of the June Commission meeting that discussed hunting with a handgun. Listed on page 2 in subsections 5a and 5b the defined restrictions are confusing and he suggested providing clarity to the language. He said the definition previously notated was confusing and it was the desire of the Commission as well to clarify the language. His suggested change was to simply state a handgun is legal to hunt with as long as it uses a cartridge of caliber of 22 or larger and has a barrel length of four inches or more.

Chief Turnipseed addressed the next language change and having had previous assistance from former Chairman Drew in Section 4, page 3. When the language was previously changed it notated later in the regulation what rifles were lawful to hunt with, but it removed the language stating one could hunt with a rifle and instead left a handgun alone in the sentence. He stated the nuance with this language was changed to "A person may hunt big game mammals with a 'rifle or a' handgun if the handgun." Chief Turnipseed reiterated this would be an addition of only those three words "rifle or a."

Commissioner Drew asked Chief Turnipseed about language pertaining to the centerfire cartridge portion. Chief Turnipseed concurred the language needed to be reflected to read "A person may hunt big game mammals with a 'centerfire rifle or a' handgun if the handgun uses".

Chief Turnipseed moved to the next section to page 3, subsection 5. It would make it unlawful to hunt a big game mammal with any firearm that is equipped with any sighting system using a computer or electronically controlled firing mechanism. He stated at the June Commission meeting there were videos on these "smart rifles" from Tracking Point Rifles. Chief Turnipseed further explained the technology behind these rifles, and while applicable in a military and war-like setting, he explained how it exceeded the definition of a fair chase.

Chief Turnipseed stated the most controversial and public comments came from page four, section five, subsection b. He noted some comments pertained to the regulation conflicting with second amendment rights; which he did not see as a second amendment issue. He said neither the Commission nor the Department has a desire or the authority to ban any form of firearm. The regulation would not prohibit owning a .50 BMG (Browning machine gun); it speaks only to hunting big game mammals. Chief Turnipseed questioned where and how we determine the upper limit. He said if one is not drawn we will run into issues such as the email he then described where someone has developed a .90 caliber rifle, essentially one inch around. Contrary to some of the public comments, he noted it is in fact the duty of the Commission to regulate areas such as this. He said this regulation adheres to method of take and in the NAC minimum and maximum sizes of hunting firearms are addressed. Chief Turnipseed concluded stating this is about fair chase, public perception, and what happens when things go beyond what most people think is socially acceptable.

Commissioner Hubbs asked which mammals hunted would be affected in this regulation.

Chief Turnipseed explained the regulation would only affect big game mammals. He said there are not many other classifications of wildlife that are hunted with rifles; possible exceptions are unprotected wildlife and fur bearers. There are not restrictions for method of take on those categories.

Commissioner Drew inquired on Section 5 (a), that the handicap hunts are also comfortable with the alteration to language.

Chief Turnipseed stated he reached out to two organized nonprofits, through former Commissioner Bliss, who host handicap hunts - Dream Keeper Foundation in Winnemucca and the other was Nevada Outdoorsman in Wheelchairs. He said there was agreeance from these groups that the alteration of language in 5 (a) would not affect what these organizations do for handicap hunters.

Commissioner Johnston said he received a number of correspondences with many addressing the concern of infringing upon the second amendment right of individuals. He stated if this one particular instance with regard to second amendment rights is questioned then the Commission would have to address many other instances of caliber restrictions and method of hunt with regard to other game. Questioned if there is opposition to this regulation for second amendment rights then why is there no opposition to the prohibition of electronically controlled rifles; he had not heard anything on that. Asked any public comment to take those matters into consideration before bringing up second amendment rights and address exactly how it is affected after now knowing the information given. He said he does not believe there is overstepping from the Commission with regard to this regulation and second amendment rights.

Public Comment Elko Location -

Jim Cooney, Elko CABMW, said if they were to look at this regulation as separate issues rather than one full regulation the Commission would be more successful.

Public Comment Reno Location:

Michael Keene, Washoe County resident and NRA member was concerned with technology and its affect upon fair hunt, however, he believed this would limit the amount of public who would be able to hunt who have disabilities. Mr. Keene suggested making exceptions for those with a handicap. Commissioner Wallace notified Mr. Keene of his three minute time limit.

Rex Flowers stated he was in favor of passing all of CGR 458 except for centerfire cartridge length and .50 caliber. Said the comments from the Commission that concerned public safety or the game wardens are unfounded.

Public Comment Las Vegas Location:

John Ridgeway said the Commission could have a possible effect on commerce if they do not allow for new developments. Mr. Ridgeway wondered if there is a study on the effects of this restriction. Asks that the commission will please address what problems this restriction will fix.

Vernon Brooks said the caliber restrictions seemed arbitrary. Wanted to know why these particular restrictions, with regard to size, were established. Asked if there was an actual problem the Commission is trying to fix or if they are trying to get ahead of a particular issue. Mr. Brooks inquired if the Commission took it lightly that the NRA is in opposition with this. Felt we should be in alignment with the NRA on such issues as he believed we are largely the same people. He was concerned with the restrictions that we will face going forward from the Commissioners in the future. He stated since these cartridges no longer have a valid hunting use in Nevada then there would be no use for the rifle existing in Nevada, and that could lead to a ban of the rifle altogether. Mr. Brooks said this is an issue for future generations.

James Mullenberg said he worked in the fireman's industry for three years and has seen ammunition restricted and ultimately banned at on a national level. He stated he was opposed to restriction on the .50 caliber and all ammunition restrictions; rather it is up to the hunter to decide what is fair for a humane and safe harvest. Wanted evidence where the .50 caliber had negatively affected the hunt of game.

William Wood stated he opposed the regulation. Provided an example of meat loss with regard to range and approved caliber versus range and this potentially outlawed caliber. He has had experience with meat loss and waste from closer range with a smaller caliber. Mr. Wood provided a letter to Executive Assistant of NDOW, Suzanne Scourby, as his time of three minutes was met. Chairman Wallace said the Commission had received Mr. Wood's email prior and Chairman Wallace himself had in fact read it.

Julius Fortuna, of Conservation Director of Nevada Fire Arms Coalition represented 35,000 firearm owners, and represented the NRA chapter. Mr. Fortuna requested six minutes for group comment. He said they approved the first two sections of this regulation, but strongly opposed the ban of the .50 calibers. From their perspective there was not information to justify the regulation as it did not meet the criteria of the Commission to enact regulation. He stated the number of regulations have risen each year while the number of hunters decline. He said hunters do not need or want any more rules that discourage the sport. Further he mentioned the majority of the CABMW members also oppose the regulation. Mr. Fortuna provided Recording Secretary NDOW Suzanne Scourby with a copy of his written correspondence.

Leo Aguilar stated he is a disabled Navy Veteran who has a disease that will ultimately cause him to lose his legs and eventually, also, his arms. He was raised hunting in Texas with his grandfather and is worried this regulation would take hunting away from him. He saw technology advancing and it gave him hope to eventually use electronic systems to continue on his grandfather's legacy. Mr. Aguilar said he was also against the regulation for centerfire rifle as he had not seen an issue with it out in the field.

Paul Dixon, Clark CABMW: Suggested in Section 5 (a) to change "or" to "and" so it would read "Any firearm that is equipped with any sighting system using a computer and electronically controlled firing mechanism." As for smokeless powders he said Clark County specifically has never had that opposition, yet here they still have that opposition. He said there is no evidence for implementations of how a larger caliber would impact a waste of meat. Mr. Dixon stated this is an ethics question. He urged the Commission to look at what the CABMW's had recommended and what is exactly trying to be regulated and solved. He agreed with Commissioner Johnston that this is not a second amendment right issue, but instead comes down to ethics. Mr. Dixon said banning a .50 caliber rifle alone would not solve the issue as there are other rifles out there that can shoot the same distance.

Commissioner Hubbs said she had done research on the .50 caliber and noted it was derived from military use for piercing armored vehicles. Further she said the amount of pounds per energy from shooting the .50 caliber is five times that of the other rifles that are in use. She recognized it is beneficial for long range shooting and accuracy; in some respects there could be an argument for safety when shooting long range. Commissioner Hubbs stated she had not received comment from the general public on concerns of desecrating our wildlife; it had been hunters upset on regulating their hunt. To her that displayed this was not a larger problem in the field at this time, otherwise she would had received feedback from the public about hunters desecrating wildlife. She answered Mr. Brooks' question that the regulation seemed to be proactive in nature. Commissioner Hubbs asked about the safety concern for the larger kick back and ricochet.

Chief Turnipseed said theoretically there is always a danger or risk for a kickback or ricochet on any rifle, big or small. He has not personally checked anyone with a BMG, but he had heard from his game wardens in Ely that one was being used on an elk hunt. Chief Turnipseed said as for desecrating an animal it would depend where the animal was shot and the range. He

said clearly more pounds of energy will create more damage. He had not heard any safety ramifications as a reason for this. He agreed this is a proactive regulation.

Commissioner Hubbs said she looked at the size of rifle to the size of game here, where the largest animal is not an elephant or water buffalo, but an elk being the largest. She questioned if range is too far for elk.

Chief Turnipseed said it is one of the four principals they teach in hunter education, which is to not take a shot when there is not a safe back drop. He also noted Commissioner Hubbs comment of the safety aspect of dangerous game by stating she was correct and elk do not attack people.

Commissioner Almborg said the sport of long distance hunting is becoming a trend of hunting larger animals, although he does not personally know a hunter who hunts this way, but recognizes it is on the rise. He said it may not be a current problem, but the Commission needs to look at where they are going to draw the line. Commissioner Almborg said down the road we do need to limit this and he was not sure if .50 caliber is the right limit, but recognized they need to look at this.

Chief Turnipseed agreed they all need to look at the future of ammunition and ramifications where technology is already heading. He stated although it sounds like science fiction it is a reality.

Commissioner Valentine commented if it is long range shooting they are looking at regulating, such as .50 caliber, it is already in existence. He said it is maybe it is more muzzle loader energy that they need to regulate rather than the caliber or case length.

Commissioner Drew reiterated for confirmation to Chief Turnipseed that 5 does not restrict the handicap hunters.

Chief Turnipseed solidified the handicap hunters will not be affected per the confirmation from the two non-profit disabled hunter groups. He expressed he does not want to hinder any opportunity for disabled hunters.

Commissioner Drew said he does not want to infringe on disabled hunters rights. He said he read equally the public comments both within and outside of the state. Commissioner Drew stated he reserved the right to agree or disagree with any group, even the NRA. He stated ethics are indeed an issue here, but if we trusted that people would always do the right thing and have intact ethics rather than having to regulate them, Mr. Turnipseed would not have a job and his own in his position on the Commission would be a whole lot easier. Commissioner Drew said the Commission is provided through NRS to regulate the method of take. He recognized the regulation is proactive. He stated two workshops had been held on this particular regulation. Commissioner Drew listed the process of this regulation analysis and mentioned the CAB's had multiple opportunities to have viewed it. He had attended multiple meetings and noted the many county advisory board members who began against the regulation who have since made the decisions to be in support of it.

Commissioner McNinch stated he does not take NRA's position or anyone's opinion lightly. He said this Commission does not get locked into that mentality, there is a broader consideration. Commissioner McNinch stated people are still coming into the sport of hunting, but per capita it is shrinking. He said public perception is everything and how one hunts is what will change the

public's perception. He noted by drawing this line of the weaponry used will help manage public perception and maintain the trust of the agency to move forward.

Commissioner Barnes said it seemed they are trying to regulate ethics, which should not be regulated, but looking at what the Commission does that is basically what they end up doing. After he listened to the comments he noted they need to decide where the limit is. He said he respects the system and the CAB system along with the processes these go through. Commissioner Barnes stated he is in support of this regulation.

Commissioner Johnston said the CABs were split on this regulation. Spoke about the reading the Douglas CAB meeting minutes, where it was addressed that sportsmen need to put regulations on themselves in their own activity; that meeting finished by being in support of this regulation. He said members of the public, who do not hunt, but support hunting, will continue to support hunting if the hunters still maintain their own ethics for a fair hunt. Commissioner Johnston stated he takes all comments and attempts to give them all due consideration. He addressed not taking the NRA's stance lightly; however, just because the NRA is opposed does not mean it will cause him to be opposed to it. He stated the second amendment is not affected by this regulation. The one thing he had not heard from any opposition of how a ban like this would impact anyone's opportunity or ability to hunt big game in the State of Nevada, even long range shooting, which hunters can practice on the range. He said one cannot leave it up to the hunter alone, there needs to be a regulation.

Chairman Wallace said he is in full support of this regulation. Wanted to clarify with Chief Turnipseed the "bite down trigger" will still be used as it is not electronic.

Chief Turnipseed answered that was correct and he spoke with Commissioner Bliss specifically about whether the bite trigger was more mechanical or hydraulic. Chief Turnipseed asked whether it was necessary for the terminology in 5 a of "or" versus "and."

Chairman Wallace agreed to leave the language as is. He said he reads the comments that came in as it is an important part of the process that everyone gets their chance to speak. Reiterated he takes every individual and group's opinion into consideration, regardless of who they are.

Commissioner McNinch clarified the language change in 5a to "Any firearm that is equipped with any sighting system using an electronically or computer controlled firing mechanism".

Commissioner Valentine agreed three-quarters of the regulation is supported, but he said he would not support the .50 caliber ban.

Commissioner Hubbs reiterated we need to respect all wildlife and how they are hunted.

COMMISSIONER MCNINCH MOVED TO APPROVE CGR 458, ELECTRONIC RIFLE TRIGGERS, CALIBER AND CARTRIDGE LENGTH, AND SMOKELESS POWDER RESTRICTIONS, LCB FILE NO. R144-15 SECTION 1 SUBSECTIONS 1, 2, 3, AND 4 WITH THE LANGUAGE CHANGE IN SECTION 4 "A PERSON MAY HUNT BIG GAME MAMMALS WITH A CENTERFIRE RIFLE OR A HANDGUN IF THE HANDGUN USES A CENTERFIRE CARTRIDGE OF CALIBER .22 OR LARGER AND HAS A BARREL LENGTH OF FOUR INCHES OR MORE." COMMISSIONER HUBBS SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY 8 – 0.

COMMISSIONER MCNINCH MADE ANOTHER MOTION TO APPROVE CGR 458, ELECTRONIC RIFLE TRIGGERS, CALIBER AND CARTRIDGE LENGTH, AND SMOKELESS POWDER RESTRICTIONS, LCB FILE NO. R144-15 SECTION 1 SUBSECTION 5 AND 6 WITH THE LANGUAGE MODIFICATION IN SECTION 5 A “ANY FIREARM THAT IS EQUIPPED WITH ANY SIGHTING SYSTEM USING AN ELECTRONICALLY OR COMPUTER CONTROLLED FIRING MECHANISM”. COMMISSIONER DREW SECONDED THE MOTION TO APPROVE THE REMAINING PORTION OF THE REGULATION. MOTION PASSED 7 – 1. COMMISSIONER VALENTINE DISSENTED; COMMISSIONER YOUNG ABSENT.

- 27 2016 Fire Related Emergency Antlerless Deer Hunts for Portions of Units 067 and 068— Game Division Administrator Brian F. Wakeling and Eastern Region Game Division Supervisor Tom Donham – For Possible Action
The Department will brief the Commission on the effects of the Hot Pot Fire in portions of Units 067 and 068 north of Battle Mountain and provide a description of conditions on critical mule deer winter range in the area. The Department plans to use antlerless deer hunts during fall 2016 to reduce deer abundance and subsequent deer mortality on the winter range and also lessen potential impacts to the remaining habitat. The Commission may vote to support the Department's action.

Eastern Region Game Division Supervisor Tom Donham presented a PowerPoint presentation that provided background on Area 6 deer herd providing rationale for emergency antlerless deer harvest due to the recent Hot Pot and Izzenhood wildfires of which the Hot Pot fire burned the last remaining intact Wyoming sagebrush in the Izzenhood Range. Long-term the Area 6 deer herd has experienced boom and bust populations. Mule deer numbers are similar to the 1970s and this is not the first time the Department has recommended an increased doe harvest to keep the herd within carrying capacity on the seasonal ranges, primarily the winter range. Mr. Donham said the intent is to keep deer out of the burned area of Area 067 and reduce vehicle and all-terrain vehicle (ATV) use during the rehabilitation phase that has already started. Mr. Donham said the area will probably need to have the deer populations maintained at lower numbers for the immediate future too, as the range recovers from the fire. (Power Point on website and exhibit file).

Commissioner Drew said he appreciates the presentation and the need for the hunt. He said the news release should include this PowerPoint presentation. He asked if there is anything the Commission can do to assist with the land management agencies allowing rehabilitation of the range as soon as possible.

Biologist Donham said first priority is sage-grouse habitat, and everyone should let Elko BLM know that rehabilitation is number one priority.

Public Comment Elko –

Jim Cooney, Elko CABMW, said the Elko CABMW voted to support the emergency hunt. The Area 6 biologist, Matt Jeffress provided this same PowerPoint presentation at their meeting, and afterwards the majority of the CABMW agreed with the hunt. The PowerPoint was excellent and he supports Commissioner Drew's suggestion to include the PowerPoint with the news release.

Public Comment Reno –

Karen Boeger, Nevada Backcountry Hunters and Anglers, said she supports NDOW's decision. She asked if native plants will be used after kochia established; supports two year period of rest from grazing in those areas, and no mention about feral horse numbers and is curious what the numbers are. BLM should have policy for these types of fire situations on winter range that there be a mandatory round-up of horses not only to AML. She said the Commission might write a letter to BLM asking those types of questions.

Public Comment Las Vegas –

Chad Foster, Douglas CABMW, said they support the emergency hunt, and questioned if there will be enough applicants for the tags. Mr. Foster suggested that in this situation would a double doe tag may be more beneficial with 50 hunters out there instead of 1,000? That may be something to consider in the future.

Paul Dixon, Clark CABMW, said past studies have been done with previous doe hunts and did not see studies with this emergency hunt. He said there is a great opportunity to collect herd health information from the harvest of does since the does represent the health of the herd.

COMMISSIONER VALENTINE MOVED TO APPROVE THE ACTION TAKEN BY THE DEPARTMENT FOR THE EMERGENCY ANTLERLESS MULE DEER HUNT FOR PORTIONS OF UNITS 067 AND 068, AND COMMUNICATE WITH BLM IN DETERMINING IF THERE IS ANY PROCESS OR POSSIBILITY FOR THE FERAL HORSES IN THOSE AREAS TO BE ROUNDED UP IN THIS AREA AS EMERGENCY SITUATION. COMMISSIONER BARNES SECONDED THE MOTION.

Commissioner McNinch asked DAG Newton if including feral horses in the motion outside of the described agenda item is allowed under the Open Meeting Law.

DAG Newton said it appears that including feral horses is beyond what is on the agenda.

Commissioner Drew recommended striking the feral horse portion from the motion to insure today's action on the emergency hunt is not jeopardized.

Commissioner Hubbs suggested that the feral horse issue be discussed moving forward as the burned area will need time to rehabilitate.

COMMISSIONER VALENTINE AMENDED HIS MOTION THAT THE COMMISSION VOTE TO SUPPORT THE DEPARTMENT'S ACTION. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8 – 0. COMMISSIONER YOUNG.

28 Nevada Department of Wildlife License Simplification Strategy Update – Game Division Administrator Brian F. Wakeling – For Possible Action

The Department has conducted substantial data analysis and public input since the effort to simplify hunting and angling license structures was initiated about one year ago. The Department will provide an overview of the information obtained to date, along with suggestions for bundled privileges and fees. The Commission may vote to support the Department's license structure proposal.

Administrator Wakeling said the Department is asking for approval from the Commission for its proposed license simplification. Administrator Wakeling explained that there is more detail in some parts and less in others as agency budget requests are “confidential” until the Governor chooses to disclose the details of the Department’s recommendation. Administrator Wakeling presented a PowerPoint presentation on license simplification (exhibit file/website).

Commissioner Drew said the Commission is being asked by the Department to support concept and process, and he is not yet there on the full process. Commissioner Drew said one reason for him being on the Commission is because he felt previous Commissions had breakdown on process. He said this PowerPoint needs to go to the CABMWs prior to their meetings, and he can’t support the concept without that happening. The PowerPoint was shown with small attendance by CABMW members and maybe he has not been clear enough on expectation that support material be sent out first. Commissioner Drew will not support license simplification process or product until the PowerPoint has been sent to CABMW members. He said he may be over-sensitive but has recent memories of process breaking down and problems that ensued.

Commissioner McNinch said clear and transparent process is important to him too, and supports that. He is fine with waiting until November if necessary.

Commissioner Johnston said the presentation indicated that license simplification was staying revenue neutral. He asked if the Department foresees there being enough revenue. He does not want to simplify first then have to ask the legislature for a price increase in a year or two for revenue as that would result in poor public perception.

Secretary Wasley said the financial aspect for the Department has been positive since President Obama was elected as that made some public fear for their gun rights which resulted in an increase in gun sales which subsequently increased the federal excise taxes on guns and ammo. Wildlife Restoration funds and federal funds based on federal excise tax increased to almost double. The challenge became having the capacity to spend those monies and having available the non-federal share to spend the money. The agency still has those federal dollars to spend and is not known if the federal grant amount will remain the same in the future. The presidential election could affect that tax in the future. NDOW has 27 different licenses that affect a large number of different Nevada Revised Statutes and the ability to accurately project what the financial effect will be is difficult, and adding a fee adjustment at the same time will add additional complexity. Projecting revenues with changes on to the simplification side of the equation has been difficult. The Department approached license simplification from revenue neutral stand rather than adjust the fees associated with 27 licenses; a fee change could result in a situation where projections are inaccurate, creating significant hardship on the agency. He said the Department wants to see what the revenue-based neutrality will do to revenue. If accurate, that simplification is revenue neutral. Some licenses such as those for Native Americans will result in a lower total cost because they will have no cost for associated stamps, but a low fee license will allow the Department to certify the license count and provide access to a large proportion of federal grant dollars. Director Wasley said a concern the complexity of all of the NRS affected by simplification. In the future easier it may be easier to adjust seven fees rather than the 27 licenses that currently exist.

Administrator Wakeling said the Commission’s endorsement is crucial during session.

Commissioner Hubbs asked Commissioner Drew what was lacking and what is his grievance?

Commissioner Drew said he received a call from a CABMW member that there was no support material in packet on this agenda item. The CABMW members will not pull previous support material. The Department missed the boat by not providing this PowerPoint and should not circumvent processes they are used to. He is not comfortable taking action on the agenda item without support material.

Chairman Wallace asked if this PowerPoint can be provided to CABMWs.

Director Wasley said he will do everything he can commit to allow the information to be shared.

Commissioner Barnes said there was confusion at the CABMW meeting. He is unclear why there were town hall and other meetings when we have the CABMW process.

Commissioner Johnston said he is confused about BDR's legal confidentiality but nothing prohibiting PowerPoint presentation just shown publically. He said if price points are shown that would be very important for feedback from CABMWs. He said he raised a concern at the Elko Commission meeting that while elimination special stamps there will still be buckets of money for waterfowl and upland game projects that we had in the past. That needs to be communicated to the public, especially to waterfowl and upland game hunters. He said he is in favor of simplification but will need more feedback.

Commissioner McNinch said in next legislature there will be an effort to minimize CABMWs and recognizes inherent flaws with current system but if Commission does not honor process that erodes the process further resulting in a shorter lifespan.

Public Comment Elko -

Jim Cooney, Elko CABMW, complimented Commissioners Drew and Barnes. No recommendation from Elko CABMW.

Public Comment Reno -

Gil Yanuck, Carson CABMW, anticipated that the presentation would be online, disappointed with attendance at Town Hall meeting. Some like ability to buy upland, trout and duck stamp. CABMWs have to know how the individual will be affected. He looks forward to distribution of PowerPoint and having discussion at next meeting.

Glenn Bunch, Mineral CABMW, cited NRS and is very suspicious how the confidentiality clause is being used. He said he remembers second rod stamp and now looks like no second rod can be used? Or will not cost anything? There are a lot of questions and the unknown part is "cloak and dagger," that will be hard to sell? Mr. Bunch did not receive any of this although he attended all the meetings. He said the Town Hall meetings were held in larger cities, the wildlife resources are in rural areas, no support for this.

Rex Flowers said resident hunting and fishing should be less as that is volume of participants. Nonresident fees should be increased. He has concern with duck stamp which he understands there will still be projects and funds continuing but nothing for the collectors.

Karen Boeger speaking for herself said he appreciated Commissioner Drew's impassioned defense of CABMW process. She supports CABMWs having adequate access to support materials in timely fashion. Ms. Boeger said it should be mandatory that CABMWs have support

material for their meetings at least a week in advance, and if that can't happen the agenda item should not be there.

Public Comment Las Vegas –

Chad Foster, Douglas CABMW, said the board supported the proposal due to attendance by their chairman at the August meeting who explained the license simplification process to them.

Mike McBeath said Commissioner Johnston brought up NDOW not raising fees since 2004, and he came to conclusion as Commission Johnston did to deal with tag increases. While he was on Commission prior to Obama bump there were budgetary concerns, and more and more concerned. The Commission may deal with this issue very soon. Director Wasley's explanation made sense with complexity of doing two things at once. If this goes forward in legislature, educate legislature on impact of Obama bump and what happens if it goes away.

Director Wasley said he is concerned with descriptions such as there was intentional withholding of support material and about CABMW/Commission process used during this discussion. He said the CABMW workshop was just held and only four CABMW members attended and issued challenge to CABMWs to increase their engagement with the Department.

Commissioner Drew said he was big supporter of Town Hall process and will take part of heat that it was intentional. He said that does not take the onus off CABMWs for not being present today for this discussion or next one. For those CABMW members present, please tell CABMW members that next few meetings will be important. This is an opportunity to fix our expectations. (12:53:39)

Commissioner Hubbs said for clarification that same situation exists for the next agenda item.

- 29 Nevada Department of Wildlife Update of Guidelines for Harvest Management in Nevada– Game Division Administrator Brian F. Wakeling – For Possible Action
The Department will provide an update on the status and process of refining the draft harvest guidelines for consideration by the Commission. The Department will provide a briefing on feedback received at public meetings held on August 24 - 26 and September 6 - 7, 2016 in Ely, Elko, Winnemucca, Las Vegas, and Reno. The Commission may provide the Department with direction regarding further development. The Department intends to provide the Commission with a final briefing on the Harvest Guidelines at their meeting in November.

Commissioner Drew provided suggestions: Add sideboards from today's PowerPoint presentation; page 6 add biological framework and is specific to ungulate populations, and that framework should apply to black bear, mountain lions, and upland game as well, paragraph similar to ungulates. Commissioner Drew said at the Lincoln County CABMW meeting there was discussion of proposal from two season structure to a three season structure or vice versa. Lincoln CABMW comments may be in new draft. Noticed for antlered elk that the rut hunts were eliminated with the exception of Unit 51 and 65, and he understands that Sept. 17 to Sept. 30 is a good time for harvest of cow elk in areas that elk are over the population objective, but may be an incentive to get under population objective is looking at potential for limited rut opportunity. Specifically in regards to elk, there was a table on specialty elk hunts and should do that for other species to be consistent. He said possibly list which particular management plan is dictating objectives in each unit. Commissioner Drew said another recommendation would be to have a list of plans and Policy #24, as they may need change/updating once the harvest plan is

adopted. Commissioner Drew said WAFWA guidelines were used for Greater Sage-grouse and would like that stated in the plan, turkey seasons have been discussed with splitting seasons north versus south, and on small game items specific to upland game was a two day youth season, and updated that with a change of age to 17 and under. He said he may provide formal suggestions when the plan is discussed again. Commissioner Drew said a first reading of the plan in November with support material posted and see how guidelines interpret over to the season setting. Commissioner Drew thanked staff on the harvest guidelines.

Administrator Wakeling said Policy #24 is scheduled for updating after this effort.

Commissioner Barnes said Area 10 had three season hunt which was an effort to spread hunters and eliminate congestion, and asked if that will still be an option as he did not see that in this plan.

Division Administrator Wakeling said the three season hunt was eliminated to have broader consistency, and the three hunts could be added back at Commission's request.

Commissioner Almberg said he will appreciate the extra time to review the plan.

Public Comment Elko –

Jim Cooney, Elko CABMW, thanked the Commission for allowing further comment.

Meghan Brown said she appreciated the Town Hall meetings they were process oriented and less engagement oriented. She agreed with Commissioner Drew's comments about the CABMW process.

Public Comment Reno –

Glenn Bunch, Mineral CABMW, will postpone commenting until the revised document is complete.

Rex Flowers, sent comments previously, concerned with antlerless harvest.

Public Comment Las Vegas –

Michael McBeath said great idea and Nevada always managed for quality as don't have the habitat that other states have. Wants Commission focused on conflict with youth hunters and late mule deer hunters. He fully supports youth hunt, and season length going to Nevada Day holiday.

COMMISSIONER DREW MOVED TO SUPPORT HARVEST GUIDELINES WITH FOLLOWING DIRECTION: REVISE SCHEDULE TO READ NOVEMBER 2016; PRESENT TO CABMW MEMBERS AND PUBLIC AS FIRST OF TWO READINGS; JAN. MEETING WILL BE PRESENTATION FOR POSSIBLE ADOPTION; MOST CURRENT HUNT GUIDELINES POSTED ON WEBSITE; HAVE FIELD STAFF AND GAME BIOLOGISTS ATTEND CABMW MEETINGS; DEVELOP NEEDED LIST FOR CHANGE TO SPECIES MANAGEMENT PLANS; AND SUMMARIZE CABMW RECOMMENDATIONS. COMMISSIONER JOHNSTON SECONDED THE MOTION. MOTION CARRIED 8 – 0. COMMISSIONER YOUNG ABSENT.

30 Future Commission Meetings and Commission Committee Assignments – Secretary Tony Wasley and Chairman Wallace – For Possible Action

The next Commission meeting is scheduled for Nov. 18 and 19, 2016, in Reno, and the Commission will review and discuss potential agenda items for that meeting. The Commission may change the time and meeting location at this time. The chairman may designate and adjust committee assignments as necessary at this meeting.

Secretary Wasley said the standard order of business is the following: Policy and program reports; program report for the status of the 2016 predation management program per Policy 23; application hunt draw report and the ongoing NDOW project updates. He asked the Commission to offer any project ideas they would like to hear about. Secretary Wasley said license simplification and harvest guidelines will be revisited. The regulations for workshop will be CGR 470, petitions, CGR 466, Partnership in Wildlife Drawing. He added the CR's for adoption are raptor capture quotas and non-commercial collection seasons and limits for live, unprotected reptiles and amphibians. Five regulations for adoption, four of which were workshopped this weekend: CGR 464, appeals; CGR 463, boat drains; CGR 465, antelope and elk waiting periods, CGR 471, closure of Truckee River to motorized vessels, and CGR 467 special assistance permit. He noted two other miscellaneous items that came up in discussion. One is in relationship of horses, wildfire, and rehab efforts and the other is the coyote calling contests. Secretary Wasley said the November Commission meeting may be held in Carson City, which will depend upon videoconferencing and available space on the weekend. He said that information would be distributed once NDOW knows more.

Chairman Wallace asked for an agenda item on the Test and Training Range (TTR) allowing the Commission potentially to write a letter on that.

Commissioner Drew said the TTR and NES Fallon could be done as a common agenda item. He asked Deputy Attorney General, Harry Ward if Carson City would be approved for the upcoming November Commission meeting if the current schedule on the website stated it will be in Reno.

Deputy Attorney General, Harry Ward stated it was okay to move the November Commission meeting to Carson City instead Reno if need be.

Commissioner McNinch said the policies regulation would need to be processed sooner rather than later and he would work with NDOW to complete this. He said the second readings for Policies 31 and 33 were straight forward and those needed to be considered. Commissioner McNinch also suggested sending a strongly worded letter to all CAB members that their attendance and participation is not hoped for, rather the Commission is expecting and demanding it. Time and money are placed into this and the CAB members need to show respect to this process.

DAG Ward said while the Commission cannot place that onto the next agenda, the board can take it upon themselves individually to send a "letter of encouragement".

Commissioner Drew suggested Chairman Wallace and Secretary Wasley compose that letter to the CABMW members.

- 31 Public Comment Period – No Public Comment Received from any of the three meeting sites.

Meeting adjourned at 2:37 p.m.

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.