

Nevada Board of Wildlife Commissioners' Meeting
Amended Agenda (Added Public Comment Period, See Agenda Item #11)
APPROVED MINUTES—COMPLETE VIDEO OF THE MEETING IS AVAILABLE AT
WWW.NDOW.ORG

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
and
Great Basin College
1500 College Parkway
High Tech Center Building Room 137
Elko, NV

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.

Nevada Board of Wildlife Commissioners present for two day meeting:

Chairman Jeremy Drew	Vice Chairman Grant Wallace	Commissioner Chad Bliss
Commissioner Kerstan Hubbs	Commissioner Brad Johnston	Commissioner David McNinch
Commissioner Pete Mori	Commissioner Paul Valentine	*

*Commissioner Bill Young Excused Absence for both days

Secretary Tony Wasley	Deputy Attorney General Harry Ward
Recording Secretary Suzanne Scourby	Administrative Assistant III Jordan Neubauer
Sr. Deputy Attorney General David Newton	

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

Deputy Director Jack Robb	Deputy Director Liz O'Brien
Chief of Operations Bob Haughian	Chief Game Warden Tyler Turnipseed
Game Division Administrator Brian Wakeling	Management Analyst 3 Maureen Hullinger
Fisheries Division Administrator Jon Sjoberg	Administrative Assistant 4 Kathleen Teligades
Administrative Assistant 3 Lorraine Marshall	Conservation Educator 4 Doug Nielsen
Conservation Educator 3 Martin Olson	Biologist 4 Steve Foree
Conservation Educator 3 Jessica Brooks	Biologist 4 Joe Barnes

Meeting Attendees

Dr. Karen Layne
Miles Humphreys, Washoe CABMW*/self
Paul Dixon, Clark CABMW
Trish Swain, Trail Safe director
Gina Griesen, Nevada Voters for Animals
Stephanie Myers
Don Molde
Joe Crim, Pershing CABMW
Eric Clifford, Churchill CABMW
Monty Martin, Systems Consultants

Fred Voltz, Recreationists
Gil Yanuck, Carson CABMW
Caren Tayloe, self
Sandy Rowley, Beyond Pesticides
Ralph Willits
Honey Tapley, Mountain Lion Foundation
Glenn Bunch, Mineral CABMW
Sheri Crim, self
Don Sefton, Systems Consultants

*County Advisory Board to Manage Wildlife

Friday, September 25, 2015 – 1 p.m.

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

Chairman Drew conducted introductions and asked for roll call of the Commissioners. Commissioners present: Chairman Drew, Commissioners Wallace, Bliss, Johnston, McNinch, Mori, and Valentine. Commissioner Young excused absence for two day meeting.

Roll call of the CABMW members present: Paul Dixon, Clark; Glenn Bunch, Mineral; Gil Yanuck, Carson; Mike Reese, Clark; Joe Crim, Pershing; Eric Clifford, Churchill; and Miles Humphreys, Washoe.

- Commission Appreciation – Chairman Drew

Chairman Drew presented former Commissioner Layne with a plaque denoting her service on the Nevada Board of Wildlife Commissioners, and thanked her on behalf of the Commission as she was appointed during a time with issues that were not always easy.

Secretary Wasley thanked Commissioner Layne for her service on behalf of the Department.

- 2 Approval of Agenda – Chairman Drew – For Possible Action

Chairman Drew said the agenda was amended to add a public comment period to Friday, September 25. He said this room that this meeting is being held in closes at 5 p.m. and if we find that we are tight on time he may have to suspend the rules, and take public comment early.

COMMISSIONER WALLACE MOVED TO APPROVE THE AGENDA AS AMENDED. COMMISSIONER MCNINCH SECONDED. MOTION CARRIED 7 - 0. COMMISSIONER YOUNG ABSENT.

- 3 Member Items/Announcements and Correspondence – Chairman Drew – Informational

None

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

Paul Dixon, Clark CABMW, said in Utah and Colorado hunters are able to get their hunting licenses on their mobile devices. A board member at his meeting asked if Nevada could consider having Nevada licenses available on mobile devices.

Gil Yanuck, Carson CABMW, said he has brought up the growing urban deer issue within Carson City at the last few meetings, and the CABMW developed an educational brochure to pass out to children at schools hoping to get them to residents; and will be placing them in other public places as well. He said they are now at the point where people in Carson are asking what role the Department has in this issue and he is here to ask that question and find out what can be done going forward as the deer are not going to go away. He said the mule deer problem is getting worse with the deer staying in town, and they have discussed the problems at length during their CABMW meetings but they are just an advisory board and they want to ask what role the Department could have with this issue.

Mike Reese, Clark CABMW, said a Las Vegas high school in town is going to be the first high school in Nevada to have a trap and skeet club starting in November.

5 Approval of Minutes from the May, June and August 2015 Commission Meetings –
Chairman Drew – For Possible Action

Chairman Drew said he will take action separately on each set of minutes.

Commissioner Mori said he will abstain from voting on the August minutes as he was absent.

Public Comment: May minutes – None.

COMMISSIONER JOHNSTON MOVED TO APPROVE THE MAY MINUTES AS PRESENTED BY THE DEPARTMENT. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED 7- 0. COMMISSIONER YOUNG ABSENT.

Public Comment: June minutes – None.

COMMISSIONER BLISS MOVED TO APPROVE THE JUNE MINUTES AS PRESENTED BY THE DEPARTMENT. COMMISSIONER WALLACE SECONDED THE MOTION. THE MOTION CARRIED 7-0. COMMISSIONER YOUNG ABSENT.

Public Comment: August minutes – None.

Chairman Drew said in regard to Commission attendance for the August meeting, Commissioner Layne had resigned at the end of her term and was not excused absent.

COMMISSIONER VALENTINE MOVED TO APPROVE MINUTES AS AMENDED. COMMISSIONER JOHNSTON SECONDED THE MOTION. THE MOTION CARRIED. 6 - 0. COMMISSIONER MORI ABSTAINED AND COMMISSIONER YOUNG ABSENT.

Commission Regulations - Workshop – Public Comment Allowed

6 Commission General Regulation 454, Firearm Carry During Muzzleloader and Archery Hunts, LCB File No. R007-15 – Chief Game Warden Tyler Turnipseed – Workshop/Public Comment Allowed

The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to the carry of a firearm in the field while hunting under archery and muzzleloader regulations, including language changes from Assembly Bill 136 of the 78th Legislative Session. The regulation will change NAC 503.142 and 503.144 to allow the carry of personal protection handguns while archery and muzzleloader hunting. The regulation was in response to input from sportsmen and Assembly Bill 136 sponsor Nevada Assemblyman John Ellison to allow the carry of firearms while archery and muzzleloader hunting, for protection from criminal activity and wildlife attacks. A workshop on the temporary regulation was held on November 14, 2014, and adopted on February 7, 2015, at the Nevada Board of Wildlife Commission meetings. At the workshop the Commission discussed different alternatives to handgun carry restrictions and the needs for archers to carry a handgun during archery only season. The language was updated to reflect the changes requested by the Commission by allowing a person to carry any handgun that is not scoped and has a barrel length less than 8 inches. The language change clarified the type of handgun to be carried in the field during archery only season. Further language changes were added as a result of Assembly Bill 136 to also allow handgun carry during muzzleloader season. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and no further changes were made.

Chairman Drew read the history of the regulation into the record.

Chief Game Warden Tyler Turnipseed reviewed the history of the regulation. He said the regulation was first adopted as a temporary regulation and now in process of adopting it as a permanent regulation. He said the regulation will allow the carry of a personal protection handgun during archery and muzzleloader seasons. He reviewed the personal protection handgun limitations.

CABMW Comment:

Gil Yanuck, Carson CABMW, said the Carson CABMW discussed this regulation and voted to support it.

Paul Dixon, Clark CABMW, said they had six members at their meeting. There was still a split vote. The majority did go forward with the recommendation to approve the regulation. The dissenting opinion continues to be that allowing hand guns during muzzleloader or archery seasons we are potentially putting temptation in front of people that they do not already have by saying hand guns are not allowed. It might lead to issues in the field that we would not have normally. Lieutenant Maynard attended our meeting and he stated that game wardens would not feel less safe because everyone they meet in hunting and fishing situations has a loaded weapon so having a hand gun during these seasons did not make a difference.

Public Comment:

Ralph Willits, Las Vegas, NV, said the safety of the law enforcement officers is going to be increased. In Clark and Washoe Counties there are a little over 73,000 carrying a concealed weapon (CCW) permits that have been issued. There are that many people in this state that have been vetted. There will be other people with firearms that are going to be protecting the law enforcement officers who are out in the field by themselves. Sometimes backup units are hours away. There are decent people who are going to protect themselves and law enforcement officers. If there is any unlawful use it will be the same as if they are hunting with a tag or not. There is going to be different size bullet holes and so it will be investigated.

Chairman Drew closed the workshop on this item and said the regulation will advance to tomorrow's meeting with no further changes.

7 Commission General Regulation 455, Trapping Questionnaire Deadline and Trapping License Valid Dates, LCB File No. R008-15 – Management Analyst 3 Maureen Hullinger – Workshop/Public Comment Allowed

The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to trapping questionnaires and trapping license valid periods. The regulation will add language to specify the valid period of a trapping license as July 1 through June 30. The regulation amendment will also update the trapping questionnaire deadline language, changing the deadline from April 30 to May 31, making it consistent with other Department questionnaire language. The amendment includes adding authority for the Department to prohibit the purchase of a subsequent trapping license when a trapper fails to return a questionnaire. This amendment will allow the Department to administer the trapping questionnaire processes effectively in regard to the trapping seasons as established by the Commission, prohibiting sale of a trapping license until the previous years' questionnaire is provided. The regulation is intended to give trappers ample time to return their questionnaires but also provide an efficient license denial procedure if they fail to return their questionnaire. A workshop on the temporary regulation was held on November 14, 2014, and the temporary regulation was adopted on February 7, 2015, at the Nevada Board of Wildlife Commissioners meeting. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting where the word "may" on the last line of subsection 2, was changed to "shall" to eliminate ambiguity.

Chairman Drew read the history of the regulation into the record.

Management Analyst 3 Maureen Hullinger reviewed the history of the regulation. She said it was first adopted as a temporary regulation and we are now trying to adopt it as a permanent regulation. There was a change to the last line of subsection 2. The word "may" was changed to "shall" to eliminate ambiguity.

CABMW Comment:

Paul Dixon, Clark CABMW, said his board unanimously supported this regulation. There was a comment the audience asked for consideration. People have asked for clarification on if they mail something and then move or how do they know that the Department actually received the piece of mail. They were wondering if there could be an electronic receipt or if the questionnaire

could be completed online so that it was obvious when it was filled out and submitted there would be an electronic record. Since we went electronic with our licenses there are a very small percentage of people who do not have access to computers. These are just suggestions from the public.

Gil Yanuck, Carson CABMW, they supported this regulation and agree with Clark CABMW. It might be easier to have the people respond electronically. It might speed things up and get the information back to the Department faster. Like with the tags report for people who go hunting, if you do not submit your report there are penalties to pay when you want to try to get another license. We are glad to see that as part of this regulation.

Public Comment:

Stephanie Myers, Mt. Charleston, the operative sentence is, "Failure to return the form or questionnaire within that period or the submission of any false information on the form or questionnaire is cause for the Commission or the Department to suspend the trapping license held by the person and deny the person the right to acquire any trapping license for a period of one year." It goes on to say and someone can get their license reinstated if they pay a few dollars and submit the form. How is anyone going to know whether someone is submitting false information? Does it mean for example if on June 2, someone knows they are going to get their license suspended so they just pay the small fine and complete the questionnaire? Does that mean they are automatically reinstated in a period of two days or do they get suspended for one year?

Fred Voltz, Reno, NV said enforcement mechanisms need to have real consequences to deter unwanted and unacceptable behavior. Suspending someone's trapping license for just one year if he fails to report how many animals he kills or any other information the Nevada Department of Wildlife (NDOW) needs to know from trapping licensees represents an insufficient deterrent. The time for reinstatement needs to be extended to three years before there is the possibility of license reinstatement. Additionally, the license should not be automatically reinstated upon completion of items 2a and 2b. If the licensee has other problems in complying with laws and regulations from other NDOW purchased licenses, that behavior must necessarily impact whether a trapping license would be reinstated. Submitting the form with fallacious information is explicitly stated as a cause for suspension, but what type of audit or quality check will there be by NDOW to determine whether submitted information is correct or not? The \$50 administrative fine is insignificant and needs to be increased to \$250 if it is to have the necessary deterrent effect. Given the historically poor submission rate of kill information by the small number of licensed trappers, there is a significant problem with timely, accurate data that must be resolved to genuinely protect wildlife species' best interests, especially the non-target casualties.

Sandy Rowley, Western Regional Coordinator at Beyond Pesticides said she is just here to learn more about trapping in our state. She is really concerned about M-44 cyanide traps. She has friends and family members who frequently ride ATVs and go hiking in the back country. They take their dogs and kids and knowing the cyanide traps are out there anywhere. She thinks that it is ridiculous that we are allowing cyanide traps to be issued throughout Nevada where animals and humans could be hurt.

Chairman Drew said he will close the workshop on this item and advance it to tomorrow's meeting with no further changes.

8 Commission General Regulation 456, Special Incentive Elk Arbitration Panel, LCB File No. R031-15 – Game Division Administrator Brian Wakeling – Workshop/Public Comment Allowed

The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to amending NAC 502.42283 by which the Commission may facilitate decisions by appointing or serving as the arbitration panel should arbitration of elk incentive tag awards become necessary; and other matters relating thereto. A workshop on the temporary regulation was held on March 20, 2015, and the temporary regulation was adopted on May 15, 2015, at the Nevada Board of Wildlife Commission meetings. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and no further changes were made.

Chairman Drew read the history of the regulation into the record.

Game Division Administrator Brian Wakeling said this is a process the Commission adopted as a temporary regulation. We have also had the opportunity to use this process once already through the arbitration process in June 2015. This does not outline the process used under the arbitration, but it does direct the Commission to do so. The Commission has already done that.

CABMW Comment:

Gil Yanuck, Carson CABMW, said their board discussed this regulation and are in support.

Mike Reese, Clark CABMW, said their board discussed this regulation and are in support.

Public Comment: None.

Chairman Drew said he will close the workshop on this item and advance it onto tomorrow's meeting for adoption with no further changes.

9 Commission General Regulation 457, Awards, Issuance, and Use of Tags, LCB File No. R030-15 – Game Division Administrator Brian Wakeling – Workshop/Public Comment Allowed

The Commission will consider a permanent adoption of the temporary regulation which expires November 1, 2015, amending license issuance and use clarification for elk incentive tags. Elk incentive tags were designed to be issued in association with "bull" hunts and seasons. Subsequent to initial NRS and NAC adoption, "spike" hunts have been developed, and "antlered" tags do not clearly denote the appropriate quota or season for which the incentive tags are intended. The amended formula will account for the harvest of "spike" elk, but identify seasons for incentive tag use; and other matters relating thereto. A workshop on the temporary regulation was held on March 20, 2015, and the temporary regulation was adopted on May 15, 2015, at the Nevada Board of Wildlife Commission meetings. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and the definition of TSH was

changed to read “The total number of spike elk harvested in spike-only hunts in the previous year in the unit or units within the management area or areas in which the private land is located.” The new language inserted was “in spike-only hunts.” This is to make clear that the TSH would be limited to the total number of spike elk harvested in a spike-only hunt.

Chairman Drew read the history of the regulation into the record.

Game Division Administrator Brian Wakeling said this regulation deals with the same special elk incentive tag issues only a different aspect, this is the actual awarding of the tags. It is the formula by which we calculate the award. This was brought to our attention a little over a year ago. The White Pine County Advisory Board pointed out that this discrepancy existed. We spent a fair bit of time working on this last fall. The only modification was trying to clearly identify that the total spike harvest we are looking at is the spike harvest that occurs during the spike-only hunts.

Chairman Drew asked about the change that was made in August. Will it work?

Game Division Administrator Wakeling said the language that was inserted clarified it very well. It should do exactly what it is intended.

CABMW Comment:

Gil Yanuck, Carson CABMW, said their board discussed this regulation and are in support.

Public Comment: None.

Chairman Drew said he will close the workshop on this item and advance it onto tomorrow's meeting for adoption with no further changes.

10 Reports – Informational

- A U.S. Fish and Wildlife Service (USFWS) Permit for the Relict Leopard Frog Programmatic Candidate Conservation Agreement with Assurances (CCAA) – USFWS Southern Nevada Field Supervisor Mike Senn and Secretary Tony Wasley
The USFWS will present to the Department the permit authorizing implementation of the Programmatic CCAA for Relict Leopard Frogs in Clark County.

Secretary Wasley explained that a Candidate Conservation Agreement with Assurances (CCAA) is: the “candidate” is the species that would be a candidate for listing under the Endangered Species Act (ESA). He said where Nevada has challenges with the federal government is over authority over management of a species because species are considered to be held in the state's trust belonging to citizens of the state. However, when the federal government determines that a species is either “threatened” or “endangered” and is placed on the ESA list, the federal government usurps state management authority and takes over management of that species. Some of the challenges that exist in delivering conservation have to do with whose authority is recognized. The CCAA is a pre-listing conservation delivery tool, so we have the relict leopard frog that is a candidate species and in order to provide for the conservation needs of that species, if done as partners then in terms of authority it will not

matter if the species is listed or not as the document provides for protection. He said the actual development process of the CCAA has been over five years and has been a very proactive approach. This is the first CCAA in Nevada of this nature and it recognizes the state's authority. He said it is a programmatic approach and is unique and important. It makes tremendous sense because the Department holds the Service Permit. We can solicit individual landowners and include them under the protection of that permit while greatly reducing the process and paperwork that would be required if they worked directly with the Service on CCAAs on an individual basis. It expedites the conservation delivery. The Department supports the relict leopard frog range wide conservation agreement and have been a major supporter of this for more than 10 years. The U.S. Fish and Wildlife Service (USFWS) has been an excellent partner in this and we stand to gain a lot more working together.

USFWS, Southern Nevada Field Supervisor Mike Senn, said that before he came to the USFWS he worked 23 years with the Arizona Game and Fish Department therefore he is a firm believer in the important role that the Commissions and state fish and wildlife agencies play in the conservation of our natural resources. Secretary Wasley covered a lot of the important elements of the conservation agreement. He wanted to stress that this is a voluntary program. If we can conserve, bring back species, recover species, and stop them from being imperiled or at risk through voluntary means before they get listed by the ESA, it can be done a lot quicker and with a lot less expense. That benefits everyone. He thanked Secretary Wasley and Jon Sjöberg. He presented the permit, agreement, and a certificate of appreciation to the Department.

Secretary Wasley thanked the USFWS and also Jon Sjöberg and his staff.

Chairman Drew thanked the Department and the USFWS.

- B Nevada Drought Update – Fisheries Division Administrator Jon Sjöberg
Department staff will provide an update on the ongoing drought conditions affecting fisheries in Southern Nevada. Updates on drought impacted fisheries in other areas of Nevada may be included in this presentation.

Fisheries Division Administrator Jon Sjöberg presented a PowerPoint presentation on the ongoing drought conditions in Southern Nevada (exhibit file).

- C Wildlife Trust Fund Report – Secretary Tony Wasley
A report will be provided on the Wildlife Trust Fund account for fiscal year 2015

The report was presented as sent in support material:

NEVADA DEPARTMENT OF WILDLIFE
 WILDLIFE TRUST FUND SUMMARY
 BUDGET ACCOUNT 5010, FISCAL YEAR 2015
 JULY 1, 2014 TO JUNE 30, 2015

SUMMARY	
NDOW	
BEGINNING BALANCE	\$ 9,000.00
DONATIONS	\$ 17,631.00
EXPENDITURES	\$ (5,000.00)
balance	\$ 21,631.00
GAME DIVISION	
BEGINNING BALANCE	\$ 103,566.34
DONATIONS	\$ 108,717.05
EXPENDITURES	\$ (112,855.68)
balance	\$ 99,427.71
FISHERIES DIVISION	
BEGINNING BALANCE	\$ 81,845.00
DONATIONS	\$ -
EXPENDITURES	\$ (81,500.00)
balance	\$ 345.00
LAW ENFORCEMENT DIVISION	
BEGINNING BALANCE	\$ 2,293.57
DONATIONS	\$ 4,233.00
EXPENDITURES	\$ (4,228.37)
balance	\$ 2,298.20
CONSERVATION EDUCATION DIVISION	
BEGINNING BALANCE	\$ 9,704.54
DONATIONS	\$ 2,700.00
EXPENDITURES	\$ (2,365.72)
balance	\$ 10,038.82
HABITAT DIVISION	
BEGINNING BALANCE	\$ 39,980.70
DONATIONS	\$ 36,037.52
EXPENDITURES	\$ (25,300.86)
balance	\$ 50,717.36
ACCOUNT INTEREST	
BEGINNING BALANCE	\$ 1,856.27
CURRENT YEAR INTEREST	\$ 870.86
balance	\$ 2,727.13
TOTAL WILDLIFE DONATIONS	\$ 169,318.57

Newly appointed Commissioner Kerstan Hubbs joined the Commission meeting. She introduced herself and provided her background and experience.

- D Sage-grouse and Sagebrush Ecosystem Council Update – Secretary Tony Wasley and Commissioner Drew
An update on the status of the sage-grouse will be provided as well as an update on the Sagebrush Ecosystem Council.

Secretary Wasley said as most people already know the listing for greater sage-grouse was found as not warranted for protection under the Endangered Species Act (ESA). The main reason the judge deemed the sage-grouse warranted for protection under the ESA in 2010 was due to an absence of regulatory mechanisms to assure the future of the species, and that was what the states constantly heard from USFWS. The Sagebrush Ecosystem Council (SEC) was created partly with that in mind, then the Sagebrush Ecosystem Technical Team was created to be the technical arm of SEC. The state developed a state plan in an attempt to fill the need for regulatory mechanisms. In Nevada we have about 86 percent federally administered land, the USFWS has stated that success is a three-legged stool. It includes a strong federal plan, state plan and actions on private lands. With the large amount of federal land in Nevada the emphasis was placed on federal lands. The federal agencies, primarily the Bureau of Land Management (BLM) developed a Land Use Plan amendment that they felt would meet the regulatory mechanism needed for the USFWS. On Tuesday the Secretary of the Interior along with governors from Wyoming, Montana, Colorado, and Governor Sandoval attended the ceremony for the announcement. At the same time, the Department of the Interior released the approval of the Land Use Plans, and its record of decision of a not warranted listing for sage-grouse. It was contingent upon the Land Use Plans providing the regulatory assurance securing the future of the species. Already since Tuesday's announcement several lawsuits have already been filed. They are filed on the implementation of the Land Use Plans saying they are overly restrictive. They were filed by some Nevada counties and a few of industry companies. The SEC will work with the Department of the Interior on some of the concerns of the Land Use Plans. The concerns have to do with disturbance caps, habitat objectives, and land use allocations.

Commissioner McNinch congratulated Secretary Wasley and all of the staff who worked toward the success. He noted Gil Yanuck for his work on the bi-state, and said they did an excellent job.

Secretary Wasley agreed that it is difficult to name all the names of the people involved in the effort. It is a sign of true collaboration. The effort goes back as far as the 1960s.

Chairman Drew said it has been a monumental undertaking to get to this point. It was an enormous amount of effort and collaboration. It was not always an easy time. He appreciates the Department's ability to work in difficult situations and the Departments leadership. He is pleased with the Governor's comments and support for the Land Use Plans which will go forward. For the SEC, this is where the rubber hits the road. Everything up until this point has been reactionary. He said former Wildlife Commissioner, Chris MacKenzie serves on the Council, and needs recognition as well. He said it has been an honor to be a small part of the process.

E Tag Allocation Application Hunt Report – Commissioner and Committee Chairman Brad Johnston

A report will be provided on the committee's recent meeting.

Commissioner Johnston said the committee just met this morning and they are still working through the topic list. After a request was made to each of the CABMWs to provide input on any additional items they would like to see added to the topic list is what the committee worked on. There was also a more general request to the public to provide any input as to the topic list they are considering. He said they considered over 10 new topics today with each topic weighted on a scale of 1 – 3. The list has over 153 items that are still open. He reviewed the items, and said the next Tag Allocation Application Hunt Committee (TAAHC) meeting may be in February or sooner if desired. The meeting may be at the Department's office in Reno.

Chairman Drew said with all of the Nevada Revised Statutes involved with the topic of landowner tags, that topic probably does not belong in the TAAHC.

F Wildlife Damage Management Committee (WDMC) Report – Commissioner and Committee Chairman Bliss and Game Division Administrator Brian F. Wakeling – Informational

The WDMC will provide comments on the initial reports from cooperators and contractors regarding performance on the FY 2015 Predator Management Plan.

Commissioner Bliss reported that the WDMC met last night. Preliminary reports were provided on ongoing predator projects. He said they had raw data from contractors including from Wildlife Services on raven projects. They provided the numbers of ravens treated around leks and nesting locations, and also provided the number of lions removed around bighorn sheep areas. The information is new and the Department has not had a good amount of time to put a detailed report together. Policy 23 says to provide the raw data of what they have collected so far. The next step according to Policy 23 is for the Department to put together a more detailed report on the projects. Policy 23 states that the report will be scheduled at the last Commission meeting of the year, the November meeting. At that time the Department will present a detailed report. It will give the WDMC a good idea if some of the projects are warranted to go forward and what to do in the future.

Game Division Administrator Brian Wakeling said there was legislation adopted last year identifying a set percentage of revenues that shall be spent on lethal removal, which does not apply to the activities that occurred under this plan. When the final report comes out it will include how the final expenditures worked.

Commissioner Johnston said this is the first run through of this process under Policy 23 and he believes it is a good start. There was a question from the public regarding the use of public funds for lethal control of predators. It is an important question and the answer is 80 percent goes to lethal controls of predators. This ties the hands of the committee in term of expenditures and programs going forward. He wanted to make sure it is clear to the public.

Game Division Administrator Brian Wakeling said that part of the new legislation also looked for greater coordination with the predatory animal rodent control committee. Staff Specialist Pat Jackson has been attending those meetings. We are trying to keep them informed of our process as well.

Chairman Drew said they have two new members with new legislation passed but they have not been assigned yet.

Game Division Administrator Brian Wakeling said that is correct.

Commissioner Wallace said they put it off. It sounded like they were hopeful to get more applicants. The final decision will be made soon.

Commissioner Hubbs asked what statute they are referring to.

Commissioner Johnston said that he didn't remember what it was.

Chairman Drew said it was Assembly Bill 78.

G Federal Electronic Duck Stamp - Operations Division Administrator Bob Haughian A report will be provided on Nevada's participation in the U.S. Fish and Wildlife Service's Federal Electronic Duck Stamp program, whereby Nevada's waterfowl hunters will purchase the Federal Duck Stamp electronically beginning in 2015.

Operations Division Administrator Bob Haughian reviewed the support material and said the purpose was modernization of the process. He said this has been an 18 month journey. Sales started in early September. The federal electronic duck stamp temporarily bestows upon the licensee the same privileges that are bestowed by a national stamp. It is recognized nationally as a valid federal migratory bird hunting and conservation stamp and authorizes a licensee to hunt migratory waterfowl in any other state in accordance with the laws of the other state governing hunting. It started in 2005 as a pilot program. We were one of two or three dozen states that submitted. They selected five states in 2014, 2015, and 2016. The stamp can be purchased at any customer service counter, consumer website, the electronic system, or with a phone call to systems consultants. We do not have the physical stamps any longer. The stamps are available through most post offices. It is a 45 day privilege and the expiration date printed on it. We provide the sales data to Amplex. After the expiration, the physical stamp has to be in your possession. He talked about the cost and how they advertised the stamp.

He reviewed the two examples in the support material. As of close of business yesterday we have sold 362 stamps. It will ramp up in October and November.

Chairman Drew asked about the 45 day expiration and if that is a federal requirement.

Administrator Haughian said that is part of the program. It is identified nationally for this program.

H Litigation Report – Senior Deputy Attorney General David Newton

Senior Deputy Attorney General David Newton said the report is in the support material.

Commissioner Johnston asked for an update on the Mark Smith, Donald Molde and Smith Foundation v. State of Nevada Board of Wildlife Commissioners and the Department. The court

set a trial date of May 9, 2016 and he was hoping they could get an update on the case. He wanted to know what the trial is on as seems to be legal issue not factual issues.

Deputy Attorney General Harry Ward said this is a tentative date. It is a mandamus not a true civil action. He will get more detail and sent it to everyone on the Commission. He sent copies of the initial disclosures.

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

Secretary Wasley reported that Deputy Director Cates was promoted to the Director of Department of Administration. Liz Obrien has been promoted from within to the vacated deputy director position, and Federal Aid Grants Coordinator Gabe Pincolini has been promoted to Ms. Obrien's previous position.

As in most summers, human-wildlife conflicts increased this summer. Reduced availability of food resources in the wild during drought periods, coupled with intentionally or inadvertently available food sources associated with human habitations increases the likelihood for unwanted encounters between humans and wildlife. Regardless of the species involved, the unwanted encounters almost always begin through uninformed or misguided humans providing a food subsidy for wildlife.

Bears are typically involved in the highest profile conflicts. As of September 21, five bears have humanely-euthanized after exhibiting unacceptable behaviors as defined in policy (e.g., entering a human occupied habitation). The most recent bear mortality occurred on September 21 following bear detection on a golf course. When a County Sherriff indicated the bear posed a public safety risk, the Department attempted to tranquilize the free-ranging bear. The bear subsequently ran a few hundred yards and jumped into a pond on the golf course and drowned after it succumbed to the sedatives. Earlier this summer, two other bears died inadvertently during research activities. Although eight bears have died as a result of research or attempts to alleviate human safety concerns, another 16 have died as a result of traffic collisions.

Conflicts with coyotes have increased this summer. In one instance in late July, coyotes were taking food proffered by humans near the USA Parkway near Reno. Coyotes have become habituated to humans and conditioned to receiving food from them. An individual was bitten on the shoe when a coyote was attempting to take food from his foot. Because this presented a public safety threat, NDOW contacted USDA Wildlife Services to assist in the limited lethal removal of coyotes in the vicinity of this area. About six to nine coyotes have been lethally removed, and efforts are ongoing to educate the public in the area about the dangers of feeding wildlife.

Incidentally, the Game Division Administrator was recently named to serve as the chair of the Association of Fish and Wildlife Agencies Human-Wildlife Conflict Working Group. This working group examines policies and recommends best management practices throughout the United States and Canada when dealing with human-wildlife conflicts.

The Game Division Administrator and an Eastern Region Game Biologist met with Wade West at his home north of Ely on July 30, 2015 to discuss his concerns and frequent requests for arbitration of special elk incentive tag awards by NDOW. Although special elk incentive tag

awards have been rarely arbitrated (seven in total), five of those requests originated from Mr. West. Mr. West expressed dislike of the monitoring requirements due to the subjective nature of the process. Although no firm agreement could be reached that alleviated Mr. West's concerns, NDOW agreed to furnish trail cameras for his use if requested and agreed to look into a habitat occupancy model based on available telemetry data. A letter affirming these points was sent to him on August 12, 2015.

Game Division staff has been attending meetings of the Predatory Animal and Rodent Control (PARC) Committee. PARC was informed of the ability to comment on the existing FY 2015 Predator Management Plan reports.

The small game status report book was completed and posted on the NDOW website before the upland game seasons began. This was the earliest that this product has been completed. Commissioner Bliss pointed out that there was an omission in the bobcat dates. The Commission added a date in February for Eureka that was not reflected on the table. The date is reflected on the leaflet that goes out.

NDOW personnel spent 17 days trapping ruffed grouse and relocating them from Unit 061 in the Merritt Mountain area during late August-early September. Thirty-eight ruffed grouse were successfully trapped in the Eastern Region and translocated to the Southern Region over the course of the project. The release site was in the Stewart Creek drainage in the Toiyabe Range, Unit 173, Nye County. Trapping grouse is difficult, and everyone involved did an outstanding job overcoming numerous obstacles to accomplish a successful effort.

Raven monitoring, as part of the ongoing nonlethal monitoring undertaken through the FY 2016 Predator Management Plan that enables lethal take of ravens, a radio marked raven has now covered over 150 airline miles multiple times in the last 2–3 weeks.

Bald Mountain Update - NDOW is finalizing our review of Barrick's Bald Mountain Mine Expansion EIS and will provide comments by Sept. 28. After many years of evaluation and negotiations agreement has been reached on project modifications to accommodate migrating mule deer in the project plan. To ensure that movement corridors are maintained monitoring strategies have been incorporated with triggers and adaptive management actions to address any potential shortfalls.

Habitat Restoration and Rehabilitation – While Nevada has been extremely lucky on the wildfire front it has allowed our biologists the opportunity to focus on a number of pinyon – juniper removal projects targeted for habitat improvement. Staff are moving forward with contracts and agreements to treat thousands of acres this fall and winter.

The project to remove northern pike from Bassett and Comins lakes in White Pine County in August appears to have been very successful. Over 60 NDOW staff assisted in the effort that will allow re-establishment of a trophy trout and bass fishery in Comins Lake near Ely. Initial restocking of rainbow trout into Comins is scheduled to begin in October. Largemouth bass are being acquired for stocking into both Bassett and Comins lakes this fall also.

Another private pond in Eureka County has been found to contain a population of northern pike. Eastern Region staff will be treating that small reservoir to remove pike at the end of September with the permission of the landowner.

Development of an urban fishing pond in Winnemucca is near completion and it should be on line by spring 2016. Staff received both monetary and resource commitments for the project from Barrick, Newmont, Nevada Muleys, the Chukar Foundation, and NBU Midas. The only remaining step is completion of a long-term lease with the property owner by Humboldt County.

Department AIS staff with help from the National Park Service conducted a mass decontamination of boats following the US Open bass tournament at Callville Bay on Lake Mead on Wednesday September 16. We had six decon units operating and it generally went well with 85 of ~150 boats fully decontaminated, averaging about 20 minutes per boat. Because of traffic management issues some Nevada and Arizona boats were allowed to leave after an inspection and showing they were fully drained and dried. Boats were from 11 states, mostly California, Arizona and Nevada but some from as far away as Minnesota and Texas.

A fisheries survey was conducted at Walker Lake in September, the first one since 2012 due to lack of boat access. No fish were collected in gill nets or detected using the fish finder, nor were there any visual observations of tui chub. NDEP has not conducted water quality sampling to determine TDS since July 2012 at which time TDS was at 19,223 ppm. Since 2012, Walker Lake has dropped almost 14 feet in elevation and TDS is likely well over 20,000 ppm at this point.

We continue to see severe impacts to LCT populations in the Northwest GMU area (Humboldt County) due to drought and trespass livestock impacts to stream systems. Some key streams are down to three-fourth of a mile or less of occupied habitat and we may need to salvage and move some fish to maintain populations. This is a species that is listed as threatened by the USFWS.

Related to this, staff met with FWS, BLM and the allotment permittee on Crowley Creek in the Montanas to discuss the new exclosure fence protecting the creek's headwaters and a critical LCT population. The headwaters springs were severely impacted by trespass livestock use and illegal range improvements, and completion of the fence by BLM this summer (after 10 years of "effort") was a major accomplishment; Crowley Creek is actually showing slight improvement unlike most other streams in the area.

Trout Unlimited recently completed an important fish barrier project on Sage Creek in the Santa Rosa Range, to protect important populations of Lahontan cutthroat trout. NDOW funded half of the cost of the project (\$16.5 K) through our Habitat Conservation Fee program.

Department staff are coordinating with NDEP on the Gold King Mine toxic spill that occurred in August in southern Colorado. Toxic metals in sediment moved downstream into the San Juan River and Lake Powell. Based on available information downstream movement to Lake Mead could take a year or more and is a low risk to impact sport fish. We will be taking tissue samples from sport fish over the next several months to provide background data in the event a future risk to Lake Mead is identified.

Hatchery system staff spent extensive time responding to a failure of the domestic water system at Gallagher Hatchery in Ruby Valley. After considerable work and assistance from NDOW's Engineering Services all systems are back on line and functioning normally. We're also completing renovation of the brood ponds at Gallagher which will allow re-establishment of the

brood stock program for rainbow trout eggs and reduce our reliance on Federal hatcheries for egg supplies.

At Spring Creek Rearing Station near Baker, staff have completed construction of a filter screen and settling basin at the intake from Snake Creek that will address ongoing problems with heavy sediment that has been impacting the rearing ponds. This has been an issue for over a year as the National Park Service has been doing road work and campground improvements upstream. Staff's ability to do this work saved the Department several thousand dollars compared to contracting the project.

The USFWS has recently released 90-day positive findings on petitions to list two southern Nevada species under the ESA – the Virgin River spinedace which occurs in the Beaver Dam Wash and the Arizona toad which occurs in Meadow Valley Wash and along the Virgin River. We don't believe either species warrants listing and staff will be working with the Utah and Arizona FWS Field Offices to insure they have the best available data on these species in Nevada.

Summer surveys of the ESA listed Moapa dace in the Muddy River, Clark County, were completed in August. Over 2,000 dace were counted indicating a continued stable or increasing population which has increased from fewer than 500 fish in 2008, largely due to successful, cooperative conservation efforts including habitat improvement and removal of invasive fish species. Fisheries Division is funding additional restoration work by Southern Nevada Water Authority at the Warm Springs Preserve on the mainstem Muddy River and tributaries that will expand available habitat for the dace, using funds from a grant through the USFWS.

The Hemenway Park Interpretive Project, along with the associated NDOW-Boulder City MOU, was highlighted for a national audience when the National Recreation and Parks Association (NRPA) held its annual conference in Las Vegas the week of September 14. The project was included as a stop on a bus tour of recreation sites in Southern Nevada. Conservation Education personnel discussed the purpose of the project, funding and the process and benefits of partnering with Boulder City Parks & Recreation.

Southern Region Conservation Education Supervisor continues to participate in a series of meetings with a group of Sunset Park patrons who are concerned for the health and safety of both domestic and migratory waterfowl in the park. Their primary complaints are what they see as a lack of emergency medical services for wild birds and illegally discarded fishing line that sometimes entangles the birds' legs. Some participants are asking that fishing be made illegal at the urban ponds while others are seeking for regulations requiring public display of fishing licenses.

The Staff Conservation Educator for Outdoor Education obtained a commitment from the Northern Nevada Chapter of Safari Club International to sponsor the 30 year Hunter Education Instructor Award. Most NDOW hunter education courses are taught by volunteer instructors who donate their time and energy, year in and year out, to train the next generation of safe, responsible hunters. It has been a struggle to provide meaningful instructor awards as Nevada state purchasing regulations limit agency spending.

The Archery Education program received a \$12,500 grant for the National Archery in the Schools Program (NASP) from NBU. These funds help new schools purchase archery equipment. So far this school year two new schools have joined the NASP program; Shadow Ridge High School in Las Vegas and in Fallon Oasis Academy.

Western Region Hunter Education staff is busy meeting the needs of future hunters who must fulfill their hunter education obligation in advance of their purchase of hunting licenses. The first pulse of interest in any given year is in advance of the April big game application deadline. The second burst of activity occurs in the late summer months in advance of the upland bird and waterfowl hunting seasons. Over 80 classes are taught by volunteer instructors with over 1,700 students being certified in hunter safety education.

Western Region Wildlife Education staff continues to utilize volunteers and work crews to maintain and improve the Oxbow Nature Study Area in Reno. Volunteer organizations and law enforcement work crews have assisted in cutting back on annual spring and summer growth of vegetation along the trails of the 20-plus acre park which lies along the banks of the drought-stricken Truckee River.

Eastern Region Conservation Education staff participated in the Bassett Lake/Comins Lake treatment. Staff helped with the actual treatment process as well as provided media coverage, handling of public and media inquiries as well as responded to traffic on social media channels. There was a fair amount of controversy regarding the removal of northern pike from White Pine County waters. Staff worked with fisheries to explain to the public why northern pike are not conducive to the driest state's small high desert reservoirs.

Eastern Region staff also participated in the Nevada Outdoorsmen in Wheelchairs antelope hunt at the TS Ranch near Battle Mountain. Staff interacted with the hunters and sponsors helping to ensure a quality productive antelope hunt. Staff worked with the producer and host of Blue Collar Adventures which is putting together a nationally televised show on the hunt. Three hunters in wheelchairs were all successful in harvesting an antelope.

Programming changes are in progress for the volunteer database including developing some new timesheets, which will capture additional data desired by our 7 NDOW divisions. Additional changes will also shorten the length of time required to submit a volunteer application.

Nominations for the 2015 Wayne E. Kirch Nevada Wildlife Conservation Award are now open. The award is given annually to recipients who have demonstrated significant results towards conservation, management or enhancement of wildlife. An individual, non-profit organization, outdoor sports club or business can be nominated for the award. Nominations must be received no later than November 16, 2015. More information is available at NDOW.org.

Diversity biologists, with help from a collaborator and contractor are working on a project to understand the migration pattern of the Mexican free-tailed bat in Nevada. Rose Guano Cave in White Pine County is a migratory stopover for up to 3 million of these bats annually. In close proximity to the cave is the Spring Valley Wind Energy Facility, owned by Pattern Energy. Wind farms are a documented source of mortality for birds and bats; therefore, understanding migratory patterns of the bats in Rose Guano Cave has become more important. With funding from Pattern Energy, Wildlife Diversity biologists, researchers, and volunteers have banded

5,000 Mexican free-tailed bats this summer. The goal of marking large numbers of bats is to determine not only where bats come from, but also where they go to after visiting Rose Cave.

This is the third year of operation for Spring Valley Wind. During the first two years, bat mortality at the site was higher than anticipated and exceeded thresholds established in the project's Avian and Bat Protection Plan. To decrease this mortality the operator, working with Diversity biologists has installed an infra-red beam break to count bats as they leave Rose Guano Cave. On nights with high bat activity, the operator changes the cut-in speed of the turbines from three meters per second to five meters per second. This has been very effective and although bats are still migrating through the area currently, it is expected that the project will be under threshold limits this year.

The American pika continues to receive attention as a climate-sensitive species with researchers documenting recent and ongoing local site losses and range retractions, particularly in the Great Basin. The Wildlife Diversity Division is responding to these concerns by conducting surveys for pikas to better determine its distribution in the state and to inform the development of a long-term pika monitoring plan that will be able to document any future declines. Three Wildlife Diversity biologists spent one week in August conducting exploratory pika surveys in northwestern Nevada. These surveys resulted in detection of 10 currently occupied pika sites and/or evidence of recent/historic pika occupancy in a previously non-surveyed range in northern Washoe County. Fresh scat was collected for potential genetic analyses to examine population connectivity/isolation, and old scat was collected in areas with only old sign for potential radiocarbon dating that could help assess when the sites were last occupied. Surveys in three additional mountain ranges in northwestern Nevada are scheduled for September and October. The data will have significant implications for our understanding of the historic and current distribution of pikas in northwestern Nevada, and results will be submitted for publication later this year.

In an effort to locate sensitive raptor nest sites, Diversity biologists conducted Northern Goshawk and California Spotted Owl surveys in the Carson Range of western Nevada in 2015. US Forest Service broadcast survey protocols were used to survey 40 transects for Northern Goshawk and seven transects for California Spotted Owl around the Lake Tahoe area. Active nests containing juveniles were discovered for each species, marking the only known California Spotted Owl nests in the state of Nevada. Follow-ups on these nests and multiple other detections will help focus efforts for a second year of surveys in 2016.

It came to Department's attention in early summer that the Hawthorne Army Depot was having a problem with thousands of bats roosting in ammunition bunkers and boxes. Many of these structures are old and decaying, which allows bats access to the dark, cave-like interiors and therefore are very attractive to bats seeking suitable roosting structures. While work is on-going, preliminary surveys show that approximately 300 bunkers are occupied by several species of bats, one of which is a protected species. Genetic analysis will be used to confirm species identification and staff are working closely with personnel at the Depot to create alternate roosting sites and properly exclude bats from ammunition bunkers.

Staff is conducting ongoing tracking of nine golden eagles using satellite transmitters to determine territory size, seasonal movement patterns, and habitat use—especially related to renewable energy projects and power line corridors.

As we enter the third week of September, the 2015 boating season is finally coming to a close. We've had five boating related fatalities on Nevada waters; three on the Colorado River at Laughlin and two on Lake Mead. There have also been four fatalities on the Arizona side of these waters for a total of nine deaths. Since the Colorado River, Lake Mohave, and Lake Mead are concurrent jurisdictional areas with Arizona and the National Park Service we were the primary investigators in two of these additional fatalities on the Arizona side. NDOW officers having to investigate accidents on the Arizona side of the waters further stretches an already thin staff doing work that traditionally was handled by Arizona Game & Fish Department.

Southern Region game wardens again worked with US Secret Service in August to provide dignitary protection including personnel and a vessel during President Obama's visit to Las Vegas. This is a common request of our officers when the president comes to town.

Big game seasons are also in full swing around the state. As of September 21, we've received 41 calls to the Operation Game Thief Hotline since August 1. Many cases are already being investigated both from hotline calls and warden initiated field contacts.

Game Warden John Anderson recently investigated a case in which a Lincoln County juvenile allegedly killed a cow elk with a rifle during the archery only season. Significant evidence was uncovered in the investigation revealing the animal was killed with a bullet and not an arrow. Charges are pending.

Two men recently appeared in 11th Judicial District Court for poaching an antelope out-of-season and without a tag. The antelope was killed south of Battle Mountain in April of 2013.

- o The poaching was discovered when sheriff's deputies responded to a report of a strong marijuana odor coming from a Battle Mountain motel room. While investigating the drug odor, the partially butchered antelope was discovered in the bathtub. Game Warden Fred Esparza then responded and investigated.
- o The shooter in the case was fined \$4,500 and forfeited a rifle. He will also lose his hunting privileges for five years. The alleged accomplice in the case is awaiting trial. Another man has reached a plea deal in Ely in the killing of a doe mule deer in the wrong unit in 2013. This case also carried a charge of hindering a game warden, so the man and his son will both lose their hunting privileges for three years.

Commissioner Bliss said that the Small Game Status Book has valuable information and he would recommend that it be read as it explains in the director's letter how money is allocated throughout the program. He said he appreciates the work on Comins Lake and Bassett Lake. He thanked the Department for their effort in White Pine County and has heard many positive comments from the local community regarding the poisoning and restoring the fishery. He asked what the stocking plans are.

Fisheries Division Administrator Jon Sjoberg said trout are available now at the hatchery that will go into Comins Lake. They are looking at largemouth bass to put in Comins Lake and Bassett Lake this fall. They are currently looking at purchased fish from a commercial source. The idea of obtaining fish from other waters is not off the table.

Commissioner Bliss asked if there was a certain size of fish that are targeted.

Fisheries Division Administrator Jon Sjoberg said he believes the fish that are lined up now are large fingerling size bass. They are hoping that they will grow rapidly over the winter. It will be a process to reestablish those fisheries.

Commissioner Bliss said it seems like if they put fingerling bass in the lakes they might just be food for the trout.

Fisheries Division Administrator Jon Sjoberg said fingerling is 5 to 6 inch fish.

Commissioner Bliss said he appreciates it and has heard a lot of positive things.

Fisheries Division Administrator Jon Sjoberg said they look forward to rebuilding the fisheries and making them a show piece for White Pine County.

Secretary Wasley said the Fisheries Division was key in getting that done. They were also able to achieve a significance cost savings because of the drought.

Commissioner McNinch asked about the private pond in Eureka County where pike was found, and what will happen if there if treatment refused.

Fisheries Division Administrator Jon Sjoberg said the property is a private ranch that is owned by a large corporation who are working closely with the Department and we have the full permission of the land owner. It is a property that is not open to public access. The Department has full cooperation of the landowner to conduct the treatment that will be happening next week.

J Humboldt County Elk Management Sub-Plan Update – Commissioners Drew and Mori and Game Division Administrator Brian F. Wakeling
The Humboldt County Elk Management Sub-Plan Steering Committee met recently, and a brief summary of the meetings will be provided as well as a report on the Committee's progress.

Chairman Drew said he missed the last meeting. They meet the last Tuesday of every month in Winnemucca. Some numbers were discussed and there is a working draft plan available now. There is starting to be more engagement from the community. Chairman Booth seems to think by the November Commission meeting they will have something ready to present.

Commissioner Mori added that the draft sub plan has been referred to the technical review team and they will report on it. They have a good committee put together. Chairman Booth is doing a great job running the meetings and the process is proceeding.

Administrator Wakeling added that Chairman Booth is doing a tremendous job soliciting input. Some of the input the committee is receiving right now may indicate there is not a lot of support for elk. He would like to commend Chairman Booth who has spent a lot of time trying to solicit those comments from the public, which can be extremely difficult. The committee is addressing the challenges that livestock producers face and the challenges that the federal agencies are sometimes faced with, such as staffing and their ability to commit to things like monitoring of forage. The committee is trying to come up with an optimal way to delineate where they want to foster elk. They are also trying to combat a lot of misinformation. The committee is trying to

clarify that they are not talking about capturing, translocating and introducing elk; they are trying to develop a management plan to address pioneering native elk.

Added to Agenda Sept. 21, 2015, Agenda Item #11, Public Comment Period

11 Public Comment Period

Persons wishing to speak are requested to complete a speaker's card and present it to the recording secretary. Public comment will be limited to three minutes. No action can be taken by the Commission at this time; any item requiring Commission action may be scheduled on a future Commission agenda.

Trish Swain, TrailSafe, spoke from the Reno videoconference location and due to technical audio issues the sound was not clear. Ms. Swain said she will address an item not on the agenda cat trapping, and she had provided a written statement to the Commission prior to the meeting for the record:

Chairman Drew and Wildlife Commissioners: Many of us appear here today, or are with us in spirit, in response to the recent highly disturbing domestic cat trappings in Las Vegas. I am here in solidarity with our friends and colleagues across the state. You may ask: Why is this on your doorstep? To review: Neighborhood trappings such as these have been a focus for TrailSafe over the years. In response, we lobbied for and saw the passage of Senate Bill 226 in 2011. We hoped to create safe zones around residential neighborhoods and incorporated cities and towns. But instead we have a confusing profusion of regulations and jurisdictions and only a tiny percentage of Nevada neighborhoods protected. Recent passage of SB4 will just make it worse. Trapping legislation never goes far enough. Legislators assume you are the experts and leave details to you. They are afraid to challenge your authority. And you, in turn, are afraid to alienate the trappers. Therefore we do not have adequate protections in most of Nevada's incorporated areas. The TrailSafe website features several tragic stories such as the recent death of a Pomeranian and the maiming of a cat in a Fallon residential neighborhood. Who is responsible? The pet owner? The neighbor who sets the traps? NDOW? Animal control? What can you do about it? From my experience, I must respectfully tell you I don't expect you to initiate action. It would be a dream come true if you supported our efforts at the Legislature and demanded along with us an end to trapping and its excesses. But I don't expect this in my wildest dreams. The composition of the Trapping Regulation Committee and our exclusion from it convinced me that you support, endorse and legitimize trapping. Piecemeal, zonal so-called compromises do not protect the public nor animals – be those animals target animals or unintended maulings and killings. Protecting small areas while ignoring vast stretches of the state do not protect animals from traps, nor from the agony of the 96-hour trap visitation law. Let's get to the basics. The traps are the problem. Their very existence and their very use is the problem. The public is outraged anew with each incident, but don't know where to turn for protection or a consistent, logical, compassionate statewide solution. We have told you until we are tired of hearing ourselves: the traps are the problem. Leghold, snare, Conibear – they are all wrong for Nevada, wrong for animals, wrong for the public who look to you for solutions.

Fred Voltz read statement: With most Commissioners making practical decisions in the private business world on a daily basis, it is surprising that no one on the Commission publicly acknowledges the heavy, subsidized costs paid to perpetuate trapping and killing animals in traps for supposed fun and the profit of a few selling carcasses and pelts held in the public trust.

The recent bad press about Las Vegas neighborhood traps seriously injuring domestic cats, an assemblyman who has had repeated problems complying with trapping laws and multiple convictions of the current state trappers' association president all speak poorly about trapping and killing wildlife supposedly as an activity for fun and profit without severance payments. The Commission, its Trapping Committee and NDOW staff have spent thousands of collective hours to satisfy trapper opportunity and convenience for a mere 1,400 trappers out of 2.8 million state residents. The logical business decision for the Commission would be to eliminate all recreational trapping and trapping for profit from pelt sales in this state. The paltry trapper license fees are not worth the massive departments and commission time expended.

Sandy Rowley why are M-44s allowed on public lands in Nevada as serious threat to humans and pets, voiced her concerns and would like to know how many M-44s are in Nevada and benefits as many people walking their pets are unaware these cyanide traps are out there.

Gina Greisen, Nevada Voters for Animals, wants to make sure Commission aware of two domestic cats caught this past week in leghold traps in a Southern Nevada neighborhood subdivision. She said there a leash law but in Clark County but there are also legal feral cat colonies and cats allowed to roam. The cats were caught in leghold traps and people are not sure if trapper or kids, and there is a lot of concern as there have been previous incidents. Ms. Greisen said they are requesting an incident reporting process, and for incidents to be investigated. She said they have requested legal counsel on trapping near residential areas as all are interpreting the statute differently. There were 40,000 views on Facebook, and difficult to find the statute as not NRS it is NAC and in several places. Ms. Greisen said she is shocked that the four day trap check has not been moved down and we should not even have trapping and would appreciate an answer.

Stephanie Myers said provided her comments for the record: Chairman Drew and Commissioners: I'm glad I don't have your job. I don't know whether it is easy or difficult for you to learn about yet more beloved family pets - non-target domestic animals - who are caught and damaged in leghold traps. My Sunshine was severely injured in a leghold trap years ago - she barely lived another year, then was gone. I can never forget how the incident broke my heart - how I went to the CAB thinking they would care, and they just laughed at me. Since then there have been other pets. More pets. Many others. I'm sure you wish you could dismiss them. And maybe you can because they dribble in just one or two or a few at a time. You say, "Too bad, sorry," and then promptly forget. You listen to your sportsmen friends and then say, "That's *just* the cost of doing business." Maybe you laugh and then you forget. And many of the public have the same reaction. They see the photos and video and say, "That's a shame." Then they forget too. But many people do not forget slowly more and more people open their eyes and become aware that this practice of putting out leghold traps in long lines, of lethal snappers ready to hurt or kill whatever lands in its jaws, people become aware that this cruelty is still practiced - IN this century- IN this state. And that you, as a board, as a group of citizens, approve and bless this barbaric activity. It may not be too long before they hold you, our state Wildlife Commission, accountable for this misery that leghold traps produce for both wildlife and loved pets in our community - members of our families. How will these people look at you? Can you endlessly continue to defend and legitimize leghold trapping, as you have always done in the past? Trapping is NOT in the same category as hunting and fishing. Every one of you is too buddy-buddy with trappers....maybe it's time to distance yourselves. Please understand that I am not against hunting for game meat. It's one hunter, one animal. But leghold trap lines are in a different category altogether. These traps are out there to capture anything and they are out

there for days and weeks and even months. Hunters please wake up to the fact that trappers are giving you a black reputation. Traps themselves are the difficulty. I am not doing battle with game-meat hunters, so hunters, relax, no matter what the trappers tell you. It is not the hunting. Traps are the black eye. Will the people eventually vote with their hearts and their activism to ban the merciless practice of leghold trapping? We believe that day is coming. Before that day comes each one of you has the power to step out and step away from your trapping buddies, see the misery that trapping causes, and put smart but meaningful restrictions on leghold trapping in this state.

Caren Tayloe, Washoe County resident, said she has cats, and fosters cats thorough SPCA for many years. She said she keeps the cats inside as she knows the risks if they go outside from humans and wildlife conflicts; however, she supports the right of people who want to let their cats outdoors. She said we can debate all day on what kills wildlife, but the real question is will the Commission support true trapping reform to include public and trapper education. Target or non-target these issues keep landing on your doorstep. In her opinion the Commission has a public trust duty to provide the public information about the dangers of trapping and to come up with solutions. She personally believes most of these issues would go away if the Commission got rid of trapping, but if that is not done, she asked to please find it within your public trust duty to provide trapper education as well as public education about the dangers of trapping. Ms. Tayloe said she wanted to acknowledge the tragedy of the bear death that occurred at the golf course in Carson City, and people were really angry about that incident and she knows NDOW employees did not have any intention for that to happen and her heart goes out to them and others who were upset. However, the public deserves full public report on the incident. Also, kudos to Washoe CABMW for great meeting last week with two great presentations for the public at their CABMW meeting, and appreciates Chairman Shea's effort at public education.

Dr. Karen Layne said in terms of the two cats that were trapped she would echo concerns previously stated and her concern is that there has been lots of input on feral cats at CABMW meeting. There are trappers upset, who feel that people who trap cats to do trap, neuter, and release (TNR) on feral cats, do not purchase trapping license and cats are allowed to not be vaccinated. She said we heard that litany of complaints from trappers and now have situation with two cats trapped in leghold traps, and is not indicating to Commission that there is a connection between that or a trapper who did that, but is concerned with this discussion going on about feral cats by the trappers who feel their issues are not being addressed. She said in truth this is a local issue that has already been decided by Clark County. She said somehow or other we need to address their concerns and there are a number of people willing to meet with trappers and address some of these issues, very disconcerting in an area inside of the non-firearms area that this situation occurred. On Dayton bear issue she would reiterate what Ms. Tayloe said and also her concern is procedural as a NDOW person was on site at the incident so she does not understand why a Sherriff Deputy is making decision to tranquilize when NDOW policy states you don't tranquilize near body of water. This is issue that blows up and need to look and make clear what actually occurred. Also, mentioned that Camilla Fox will be in Las Vegas to talk about living with coyotes and invited NDOW to attend.

Miles Humphreys, Washoe CABMW, said at their CABMW meeting a Regional Transportation Commission staff person provided a presentation on Southeast connector project in Washoe County, and they had good turnout from the public which leads to his next question, is that they have people not aware of how to find information about their CABMW meeting and he would suggest CABMW meeting dates be in local newspaper. He said in regard to coyotes, he lives in

the Spanish Springs area in Washoe County, and that recently near the neighborhood park, his dogs were almost killed by a pack of coyotes. He said he would highly suggest that there be coyote trapping in outlying areas as need to keep public safe.

Paul Dixon, Clark CABMW, said he is speaking for himself, to say he did receive a letter from woman on Mt. Charleston regarding signage for mule deer crossing and he referred her to Conservation Administrator Teresa Moiola, if different let him know.

Trish Swain commended and thanked the Commission for videoconferencing the meeting (audio on comment inaudible).

Meeting Adjourned at 4:24 p.m.

Saturday, September 26, 2015 – 9 a.m.

- 12 Introduction, Call to Order, and Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Drew

Chairman Drew called the meeting to order and asked for roll call of the Commissioners. Present: Chairman Drew, Commissioners Wallace, Bliss, Hubbs, Johnston, McNinch, Mori, and Valentine. Commissioner Young excused absence for two day meeting. Chairman Drew asked for roll call of the CABMW members present: Paul Dixon, Clark; Gil Yanuck, Carson; Joe Crim, Pershing; Glenn Bunch, Mineral; Eric Clifford, Churchill; and Miles Humphreys, Washoe.

- 13 Approval of Agenda – Chairman Drew – For Possible Action

COMMISSIONER JOHNSTON MOVED TO APPROVE THE AGENDA. COMMISSIONER WALLACE SECONDED THE MOTION. MOTION CARRIED 8-0. COMMISSIONER YOUNG ABSENT.

- 14 Member Items/Announcements and Correspondence – Chairman Drew – Informational

Commissioner Johnston said he was contacted by Craig Wells of Las Vegas. Mr. Wells had previously contacted Commissioner Young via email with his email being read at the Eureka meeting and his issue has to do with landowner tag program and his stated dissatisfaction with how that program is operating in regard to out of state guides and professional hunters buying the landowner tags.

Secretary Wasley advised the Commission that discussions are underway with Arizona Game and Fish regarding a request for sheep, and Arizona staff may attend the February Commission to make the formal request. Also would like to acknowledge that today is National Hunting and Fishing Day with youth hunts occurring statewide. A proclamation from Governor Sandoval to that effect has been signed.

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

None.

- 16 Nevada Department of Wildlife Project Updates – Secretary Wasley – Informational
The Commission may choose to have project updates from miscellaneous projects.

Southern Region Supervising Wildlife Diversity Biologist Joe Barnes made a PowerPoint presentation (exhibit file) to the Commission regarding the biological status of the peregrine falcon. Biologist Barnes answered questions from the Commissioners Bliss and Hubbs during his presentation regarding – Ruby Valley and mercury contamination in the Lake Mead drainage.

Commission Regulations – For Possible Action/Adoption

- 17 Commission General Regulation 454, Firearm Carry During Muzzleloader and Archery Hunts, LCB File No. R007-15 – Chief Game Warden Tyler Turnipseed – For Possible Action

The Commission will consider permanent adoption of the temporary regulation which expires Nov. 1, 2015, relating to the carry of a firearm in the field while hunting under archery and muzzleloader regulations, including language changes from Assembly Bill 136 of the 78th Legislative Session. The regulation will change NAC 503.142 and 503.144 to allow the carry of personal protection handguns while archery and muzzleloader hunting. The regulation was in response to input from sportsmen and Assembly Bill 136 sponsor Nevada Assemblyman John Ellison to allow the carry of firearms while archery and muzzleloader hunting, for protection from criminal activity and wildlife attacks. A workshop on the temporary regulation was held on November 14, 2014, and adopted on Feb. 7, 2015, at the Nevada Board of Wildlife Commission meetings. At the workshop the Commission discussed different alternatives to handgun carry restrictions and the needs for archers to carry a handgun during archery only season. The language was updated to reflect the changes requested by the Commission by allowing a person to carry any handgun that is not scoped and has a barrel length less than 8 inches. The language change clarified the type of handgun to be carried in the field during archery only season. Further language changes were added as a result of Assembly Bill 136 to also allow handgun carry during muzzleloader season. An additional workshop was held on Aug. 7, 2015, at the Nevada Board of Wildlife Commission meeting and no further changes were made. Note: See support material for agenda item #6.

Chairman Drew read the history of the regulation into the record and noted that a workshop was held yesterday with no further changes made.

Chief Game Warden Turnipseed said this has been a temporary regulation. There was a question in the August workshop about referring to the LCB file number R107-14 instead of the NAC and the reason is because there were some changes to the NAC that were not codified yet. He briefly went over the history and detail of the proposed regulation.

Commissioner Hubbs said she is sure everyone thought about this proposal in all the previous workshops and that it complies with all of the other open carry laws. She appreciates the comments from the CABMW expecting hunters to have a gun. She is sure that through the workshop process that it is highly likely that it is compliant with all other aspects of gun control in Nevada.

Chief Game Warden Turnipseed said yes. It is in line with any sort of 2nd Amendment issues or CCW issues. A few people have wondered about the officer safety implications as far as game wardens in the field, but the vast majority of hunters are already armed. We did not want to give more opportunity for abuse. He said the agency worked with Assemblyman John Ellison on the limitations. The original bill allowed the carry of any firearm. We were able to get the language into a better place on the restrictions.

Chairman Drew said it was a temporary regulation and the bill sponsor had something different. The only difference was adding the muzzleloader season.

Chief Game Warden Turnipseed said the temporary regulation was only looking at the archery hunt and the Assemblyman wanted to include muzzleloader season too.

CABMW Comment: None.

Public Comment: None.

Commissioner Johnston commented on the potential misuse. He said the concerns do not warrant not moving forward with the regulation. Allowing a personal protection handgun versus the distance to accurately shoot a muzzleloader or a bow makes the notion someone would be tempted to shoot with the personal protection handgun not a serious issue.

COMMISSIONER VALENTINE MOVED TO APPROVE COMMISSION GENERAL REGULATION 454 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER JOHNSTON SECONDED THE MOTION. THE MOTION CARRIED 8-0. COMMISSIONER YOUNG ABSENT.

- 18 Commission General Regulation 455, Trapping Questionnaire Deadline and Trapping License Valid Dates, LCB File No. R008-15 – Management Analyst 3 Maureen Hullinger – For Possible Action

The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to trapping questionnaires and trapping license valid periods. The regulation will add language to specify the valid period of a trapping license as July 1 through June 30. The regulation amendment will also update the trapping questionnaire deadline language, changing the deadline from April 30 to May 31, making it consistent with other Department questionnaire language. The amendment includes adding authority for the Department to prohibit the purchase of a subsequent trapping license when a trapper fails to return a questionnaire. This amendment will allow the Department to administer the trapping questionnaire processes effectively in regard to the trapping seasons as established by the Commission, prohibiting sale of a trapping license until the previous years' questionnaire is provided. The regulation is intended to give trappers ample time to return their questionnaires but also provide an efficient license denial procedure if they fail to return their questionnaire. A workshop on the temporary regulation was held on November 14, 2014, and the temporary regulation was adopted on Feb. 7, 2015, at the Nevada Board of Wildlife Commissioners meeting. An additional workshop was held on August 7, 2015 at the Nevada Board of Wildlife Commission meeting where the word "may" on the last line of subsection 2, was changed to "shall" to eliminate ambiguity. Note: See support material for agenda item #7.

Chairman Drew read the history of the regulation into the record and noted that a workshop was held at the meeting yesterday and no further changes were made. Operations Division Administrator Haughian said the minor change in the workshop in August was address yesterday.

Chairman Drew said the temporary regulation has been in place. There was a question yesterday about e-verification when a questionnaire is submitted and receiving a receipt to make sure people know their questionnaire was received by the Department. How is the process working through the first year? Do you see things that need to be improved?

Game Division Administrator Wakeling said there have been a variety of ways they are accepting the questionnaires. Questions that have come up with people who cannot verify that they had submitted their questionnaire and the Department could not verify either. The Department has been working with people and have been lenient. We are getting the reports and collecting the fees associated with any late reporting. As we move into the future we do plan to have it online that would give some sort of e-verification to the applicant.

Chairman Drew asked if it is online.

Game Division Administrator Wakeling said it is not online. It is just a mail in.

Chairman Drew said it should be an option. He also asked about stiffer penalties. There may be an NRS that sets some of the maximum penalties.

Game Division Administrator Wakeling said the fee that is associated is established in NRS. The Department does not have any flexibility on what we can charge. The real fundamental difference is we are actually able to enforce this. It has been problematic prior to this.

CABMW Comment: None.

Public Comment: None.

Commissioner Hubbs said she heard the public discussion yesterday. She took extra time to look over the regulation. This is a sensitive topic to some people. She thinks that the regulation lends an enforcement arm where there was one lacking. She also believes that it allows the agency to be more efficient over time in terms of expense and processing. She sees the pros and cons, but feels that there is a deterrent and enforcement mechanism and that is a pro overall.

Chairman Drew said they have worked on this for a long time. It came out of their trapping committee discussions. It is a vast improvement. It is much more streamlined and allows the Department to be more reactive. It allows for better information. This is a night and day improvement.

COMMISSIONER JOHNSTON MOVED TO APPROVE COMMISSION GENERAL REGULATION 455 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER WALLACE SECONDED THE MOTION.

Commissioner Hubbs thinks this is an improvement and we can always improve more over time. It is a step in the right direction.

THE MOTION CARRIED 8-0. COMMISSIONER YOUNG ABSENT.

- 19 Commission General Regulation 456, Special Incentive Elk Arbitration Panel, LCB File No. R031-15 – Game Division Administrator Brian Wakeling – For Possible Action
The Commission will consider permanent adoption of the temporary regulation which expires November 1, 2015, relating to amending NAC 502.42283 by which the Commission may facilitate decisions by appointing or serving as the arbitration panel should arbitration of elk incentive tag awards become necessary; and other matters relating thereto. A workshop on the temporary regulation was held on March 20, 2015, and the temporary regulation was adopted on May 15, 2015, at the Nevada Board of Wildlife Commission meetings. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and no further changes were made. Note: See support material for agenda item #8.

Chairman Drew read the history of the regulation into the record and noted that a workshop was held at the meeting yesterday and no further changes were made.

Game Division Administrator Wakeling said this allows the Commission greater flexibility in the process by which arbitration may occur. The Commission has already handled one arbitration process through the temporary regulation.

CABMW Comment: None.

Public Comment: None.

COMMISSIONER JOHNSTON MOVED TO APPROVE COMMISSION GENERAL REGULATION 456 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER MCNINCH SECONDED THE MOTION. THE MOTION CARRIED 8-0. COMMISSIONER YOUNG ABSENT.

- 20 Commission General Regulation 457, Awards, Issuance, and Use of Tags, LCB File No. R030-15 – Game Division Administrator Brian Wakeling – For Possible Action
The Commission will consider a permanent adoption of the temporary regulation which expires November 1, 2015, amending license issuance and use clarification for elk incentive tags. Elk incentive tags were designed to be issued in association with "bull" hunts and seasons. Subsequent to initial NRS and NAC adoption, "spike" hunts have been developed, and "antlered" tags do not clearly denote the appropriate quota or season for which the incentive tags are intended. The amended formula will account for the harvest of "spike" elk, but identify seasons for incentive tag use; and other matters relating thereto. A workshop on the temporary regulation was held on March 20, 2015, and the temporary regulation was adopted on May 15, 2015, at the Nevada Board of Wildlife Commission meetings. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and the definition of TSH was changed to read "The total number of spike elk harvested in spike-only hunts in the previous year in the unit of units within the management area or areas in which the

private land is located.” The new language inserted was “in spike-only hunts.” This is to make clear that the TSH would be limited to the total number of spike elk harvested in a spike-only hunt.

Chairman Drew read the history of the regulation into the record and noted that a workshop was held at the meeting yesterday and no further changes were made.

Game Division Administrator Wakeling said this was brought to our attention and suggested by White Pine CABMW. Spike hunts opened the door to something not intended. Spike hunts were a new addition. The whole intent of this amendment is to retain the original intent: to keep bull hunts and incentive tags associated with those to not occur with spike hunts or spike seasons. It was modified to include the harvest of the spike. He is comfortable with how it is now and what is proposed.

Commissioner Hubbs asked if we are trying to differentiate essentially for data and recording how many spike-only animals were taken versus blending the bull and spike together.

Game Division Administrator Wakeling said this is clarification for bull elk hunts. With the recent addition of spike-only hunts, this new component that had not been considered when the special incentive tag process was developed. If a spike is harvested during the bull hunt as it normally would have been, then that harvest still counts, as part of the overall formula. The proposed change applies only to the spike-only hunts because the proposed change will include the harvest, but not the overall tag numbers because of dramatically different hunt successes in spike only hunts. Hunt success seems to be low in those hunts and so it alters the formula dramatically.

CABMW Comment: None.

Public Comment: None.

COMMISSIONER BLISS MOVED TO APPROVE COMMISSION GENERAL REGULATION 457 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER JOHNSTON SECONDED THE MOTION. THE MOTION CARRIED 8-0. COMMISSIONER YOUNG ABSENT.

- 21 Commission Regulation 16 - 02 Fishing Seasons and Bag Limits for 2016 - 2018 –
Division Administrator Jon Sjoberg – For Possible Action
The Commission will establish fishing seasons, bag and possession limits for the period of March 1, 2016 through February 28, 2018.

Fisheries Division Administrator Jon Sjoberg walked through the proposed changes and discussed the two handouts. There has been a significant drought, but we are not proposing significant changes to fishing this year.

Fisheries Division Administrator Sjoberg reviewed the changes proposed for Humboldt County. Chimney Reservoir will be modified to introduce sterile hybrid tiger muskie. The intent is to provide control for carp. We want it to be catch and release only to get the tiger muskie population established. He said in the future we are hoping to open it to a limited harvest and monitor the population.

Fisheries Division Administrator Sjoberg reviewed the changes in Lincoln County. Eagle Valley Reservoir will be modified to provide a clearer definition for anglers. There is no significant sport fishery below the reservoir so that will be changed to the general Lincoln County regulation. He said they are changing Eagle Valley Reservoir from only five trout to five trout and 15 warmwater game fish of which not more than 10 may be black bass. It is an emerging fishery. Black bass will be catch and release only in the reservoir to get the black bass fishery established.

Fisheries Division Administrator Sjoberg reviewed the changes in Nye County. He reviewed the changes in the Kirch Wildlife Management Area (WMA). The first change is the change to definition of warmwater game fish harvest. The original definition was to address the concern of crappie into the reservoir. They thought crappie was going to expand and so the total warmwater game fish number was expanded. That has not been the case. They want to return the definition to a regulation that is consistent to warmwater game fish harvest for other waters in the southern region. The other waters within the Kirch WMA including Dacey Reservoir are being changed as well. He went over the change. The rationale is a number of concerns relative to the population structure of largemouth bass. At Kirch WMA we are seeing a situation where the average size of bass harvested is increasing and the average size in the bass population is decreasing. A lot of anglers are targeting largemouth bass in the spring and it is negatively impacting the trajectory of that population. The changes will provide a better opportunity for black bass survival in that larger age class moving into the future. We also would like to remove the minimum size for black bass. This regulation has been in place for at least 20 years. We do not believe that it serves any useful purpose or is effective. A lot of small black bass get stacked up in the system that anglers are not able to harvest. Removing the size limitation will work towards building a better population structure. There was a bit of a conflict with the regulation for Dacey Reservoir. There was a conflict between the open periods and how that was described in the open and closed period for the fishery. We are recommending making Dacey Reservoir consistent with Adams-McGill, Cold Springs, and Haymeadow Reservoirs so it is open year round with the upper portion closed to trespass February 15 through August 15.

Fisheries Division Administrator Sjoberg reviewed the changes in Mineral County. He said they have been working with Mineral County and the Hawthorne Army Depot to create a new urban fishery. They would like to open Rose Creek Reservoir. An agreement has been completed. It will be on a permanent basis. Passes and keys will be provided on the Army Depot. There is a process set up where they work with them on a coordinating committee that includes the Department to address how to implement this and any concerns. He said they will be stocking tiger trout, a sterile hybrid. They are recommending a three game fish limit, which is consistent with other urban fisheries in the Western Region.

A brief summary of the comments received by the CABMWs was provided (exhibit file).

Another summary was provided of late changes that came in as part of CABMW recommendations that the Department wanted to be included in the final regulation (exhibit file).

There was a notice from Ruby Lake National Wildlife Refuge that they would be changing their open hours. The refuge would now be open to the public two hours before sunrise to two hours after sunset rather than one hour before sunrise and two hours after sunset. They want to make the fishing season recommendations consistent with that. For both Elko and White Pine Counties it is recommended to read two hours before sunrise and two hours after sunset.

One issue with Washoe County is the Truckee River, when the regulation was changed two years ago, it happened on a recommendation from Washoe County and it was not read through thoroughly and have since identified that there were additional concurrent changes needed both in format and for Storey County on the Truckee River. This needs clarification and cleanup so it was clear to anglers. This provides that recommendation based on what was received from the Washoe CABMW. The Truckee River is partially in Storey County so there is a common regulation for Storey County and Washoe County on the Truckee River. It is open year round except for closed areas. The limit is three game fish any hour of the day or night. They changed the regulation for Washoe County so that the limits and the seasons are now the same for above and below the Interstate 80 bridge. This is just a language clarification eliminating the reference to above and below the Interstate 80 bridge and puts everything on a single line.

Chairman Drew asked about the language of the Truckee River's tributaries. Are they now under a general regulation?

Fisheries Division Administrator Sjoberg said they will now be under a general regulation. The three fish limit was not necessary for the tributaries and diversion ditches. This has caused confusion with anglers. They want the three fish limit to apply to the Truckee River proper only.

Chairman Drew asked about the changes at Kirch WMA. It is a popular fishery for people out of Ely and Las Vegas. Maybe the fishing pressure has increased in recent years. Large portions of those bodies of water are already off limits primarily due to waterfowl. There is potential targeting of bass while they are spawning but it also seems like there are larger portions that are closed. Is the catch and release only temporary? What is it based on?

Fisheries Division Administrator Sjoberg said yes, some portions are seasonally closed through Aug. 15. The Department views this as a temporary strategy. It will be monitored intensely and frequently. There have been changes in the reservoirs themselves. It has been a long time since the Department has done any major renovation on some of the reservoirs. The field staff feels that we are seeing more bass concentrate in the areas closer or in the open areas of the reservoir in the spring for spawning. That is the reason they are getting hammered during the spring months. That is inherent in this strategy. It is something we will continue to revisit.

Chairman Drew said Dacey Reservoir has had a different season structure. Dacey Reservoir is more of what you are proposing since it has been closed for the first part of the season. Do you see a different age structure in Dacey Reservoir than in the other reservoirs?

Fisheries Division Administrator Sjoberg said they are seeing compliance with the restricted harvest and less pressure at Dacey Reservoir. It can sustain being open year around without having any particular effect on the Dacey Fishery. It has been managed on a different trajectory because of the trophy focus for trout. It probably can handle it because it does not seem to be getting the level of pressure. He said they will monitor it to see if it is an effective strategy.

Chairman Drew asked about the harvest. Instead of zero harvest maybe not having it open to a 10 fish harvest. It is more a concern of targeting fewer of the larger age class fish?

Fisheries Division Administrator Sjoberg said the issue is targeting the large age class spawning fish. A five or 10 fish limit does not make a difference in the big picture. He said he looked at his

data from anglers and the average harvest is less than five fish now. Overall anglers are not taking 10 bass. It averages about 3 ½ fish per angler per angler day for most of the reservoirs. The main benefit to keeping 10 bass is if someone is targeting the smaller age class bass that the Department would like to see removed. Other than that it does not make a lot of difference from a biological stance in terms of the impact to harvest.

Commissioner Bliss shares some of the same concerns Chairman Drew had. He had discussion with a lot of people from White Pine County and there is a lot of concern with shutting it down for catch and release for that time period. He said none of the people who I talked to disagree that there is not additional pressure and have voiced that concern for the last four or five years. He has a difficult time wanting to see a catch and release timeframe because he thinks it is in their best interest to still provide a fishery for people to go to. A lot of people will not fish if it is catch and release only. He does not want to drive people away. There was discussion about the spawning fish, maybe there could be a slot limit saying during a specific period of time they cannot keep fish of a certain size to protect the spawning fish, but it still allows fish to go home and into the freezer. Everyone agrees there is an issue. With Comins Lake coming back it will relieve some of the pressure off of Sunnyside. If they get the word out about Pahrnagat and some of the bass fishing in that area they may fish there as well. He hopes that in the future they could have some type of scoping meeting because there are a lot of people who are very passionate. A 10" bass has a filet big enough to eat. Smaller bass do not have enough meat. He would feel a lot more comfortable with something similar to what White Pine CABMW suggested and maybe in the next two years the Department can work with some of the local fishermen to come up with something better. He asked if the Department anticipated much negative effect of the game fish that are already in the reservoir with the introduction of tiger musky at Chimney Reservoir.

Fisheries Division Administrator Sjoberg said they do not just eat carp but they tend to position themselves in the water where they are primarily going to target non-sport fish species and carp. They are different than northern pike in terms of how they behave in a reservoir. Other western states have used tiger musky successfully in similar reservoirs.

Commissioner Hubbs asked about the severe drought. What is the effect the drought is having on the population size of fish in general? She said she heard Fisheries Division Administrator Sjoberg say that there are fish populations that are still subsisting in the rapidly shrinking water basins. What are the long term impacts and how does the Department work with the Governor's Drought Commission?

Fisheries Division Administrator Sjoberg said it depends where you are in the state and individual waters. He reviewed the information he presented in the PowerPoint on Friday. Some major fisheries have been severely impacted. He said we have been successful in most cases in avoiding total fish loss. Late summer precipitation had helped carry us through.

Commissioner Hubbs asked about Mineral County and said she is concerned about Walker Lake. What are we doing about Walker Lake and what is the Department's take on it in terms of the salinity and loss of water. Is there any type of restoration or long term changes that might be made?

Fisheries Division Administrator Sjoberg said Walker Lake is a long term issue. It has been impacted for 80 years or more by a variety of things that have occurred in terms of increasing irrigation demand in the Walker River system. There was a reservoir that was constructed in the 1930s that diverts water onto tribal lands. Walker Lake is a terminal lake. The salinity is increasing and has been for a long time. There was a time when the salinity increased enough that it severely impacted the cutthroat trout fishery and then it dropped a little bit. The long term strategy is finding a way to get more water to Walker Lake. It is an extremely complex process. There are programs that are working on that. There are issues with crossing tribal lands and the involvement with tribal water rights.

Commissioner Hubbs asked why there have not been any changes to the fishery in Walker Lake.

Fisheries Division Administrator Sjoberg said the only thing to do is bring in something that is significantly not native to Nevada or Walker Lake. That is a challenging decision to make. There would be some real challenges in putting something else in there that is not native to the state. They have been dealing with salinity issues for a very long time. Administrator Sjoberg said the Department continued to stock Walker Lake as long as they could based on water conditions. It has been 10 years or so since it has not been feasible. We probably lost the native tui chub population because the salinity is so high that they cannot reproduce.

Commissioner Hubbs thanked Administrator Sjoberg for the answer and said she realizes he has his hands full with the ongoing drought.

Commissioner Valentine asked about enforcement issues at Dacey Reservoir with the trout take versus any other reservoirs.

Fisheries Division Administrator Sjoberg said he is not aware of any. It is always a possibility. Varying regulations on adjacent bodies of water are always an issue. He said is not aware of any specific issues. It comes down to an honor system because the Department cannot have enforcement out there at all times. The regulation for Dacey Reservoir seems to have the desired effect.

Commissioner Bliss wants the Department to educate the anglers on the status of bodies of water and the ideas going forward. He is concerned about the locals. It thinks it would be a benefit to both sides.

Fisheries Division Administrator Sjoberg said the White Pine CABMW was supportive at the time the Department's biologist talked to them about it. People are taking bass home that we need to protect. They looked at possible things like slot limits, but they are only as good as the ability to enforce it. It is a little bit more complex than just the number of fish they are allowed to take.

Commissioner Bliss said he agrees, but there are a lot of good, honest people who fish at Sunnyside but some people might not understand and may take the 10 to 12 inch fish that are good for eating.

Fisheries Division Administrator Sjoberg said he reviewed the Department's data and they are seeing the average size of harvested bass going up and the average size in the population in terms of the size of fish going down.

CABMW Comment:

Paul Dixon, Clark CABMW, said they only reviewed the counties where Clark County residents go to fish (Nye, White Pine, Lincoln, and Clark Counties) and they support the changes.

Public Comment: None.

Chairman Drew said he is comfortable with the regulation. The Kirch WMA changes are a lot to swallow all at once, but there is not a big public outcry. He would like to see more outreach and monitor the situation to see if it is having the desired effect.

Commissioner Bliss said we have to remember White Pine CABMW came in with a totally different fishing regulation.

COMMISSIONER BLISS MOVED TO APPROVE COMMISSION REGULATION 16-02 FISHING SEASONS WITH THE FOLLOWING CHANGES TO THE LIMITS OF NYE COUNTY:

KIRCH WMA ALL OTHER WATERS WITHIN WILL READ "FIVE TROUT AND 15 WARMWATER GAME FISH OF WHICH NOT MORE THAN 10 MAY BE BLACK BASS. FIVE BLACK BASS FROM APRIL 1 THROUGH JUNE 30. MINIMUM SIZE FOR BLACK BASS IS 10 INCHES TOTAL LENGTH."

KIRCH WMA TULE RESERVOIR WILL READ "FIVE TROUT AND 15 WARMWATER GAME FISH OF WHICH NOT MORE THAN 10 MAY BE BLACK BASS. MINIMUM SIZE FOR BLACK BASS IS 10 INCHES TOTAL LENGTH."

KIRCH WMA DACEY RESERVOIR WILL READ "ONE TROUT AND 15 WARMWATER GAME FISH OF WHICH NOT MORE THAN 10 MAY BE BLACK BASS. FIVE BLACK BASS FROM APRIL 1 THROUGH JUNE 30. MINIMUM SIZE FOR BLACK BASS IS 10 INCHES TOTAL LENGTH."

COMMISSIONER MORI SECONDED THE MOTION.

Commissioner Mori said he could go either way because he has a difficult time going against the Department's recommendations. He supports the motion because there is an average of three black bass being taken.

Fisheries Division Administrator Sjoberg said the data shows an average of between 2 ½ and four fish per angler day. They are not typically taking 10 bass that we know of.

Commissioner Mori is concerned about White Pine County.

Commissioner McNinch will not support the motion. He falls behind the Department on this recommendation because the drought has things stirred up. Some changes are big but there are extenuating circumstances. Big changes are necessary.

Commissioner Bliss said the water levels at the Kirch WMA are fine right now. He checked Cold Springs on his way down and the water levels are fine. This is not a drought related issue. We might be behind the game a little bit because it has been talked about being over fished for the last five years. He hopes that the Department can educate the anglers and maybe get slot limits or something better for the fishery in the future. This is a big change and he cannot support the regulation the way the Department presented it.

Commissioner Johnston asked if they limit the black bass take limit from April 1 through June 30, would that address the concern. Would a three fish limit or a five fish limit address the concern or is the Department's view that it needs to be zero.

Fisheries Division Administrator Sjoberg said it highlights the issue for the public. Data is data and it is not every angler. We only know the ones who provide us information. It could have positive effect in terms of highlighting the situation, but in a practical sense it might not be a lot different than the existing regulation. He is more concerned about leaving the 10 inch minimum limit because that addresses the problem, which is a lot of small bass building up in the system. It potentially affects the size structure and the ability to provide room for larger fish. The five fish change highlights it and emphasizes it for the anglers to understand what the problem is while they work together.

Commissioner Johnston asked if the Departments preference would be if there is an allowable take from April 1 through June 30 that the 10 inch minimum be removed?

Fisheries Division Administrator Sjoberg said yes.

Chairman Drew said while he was there he did not think that most people targeted the smaller fish. He did observe kids fishing. For example a kid might catch a 9 ½ inch fish and he cannot understand why he cannot keep it. Too many small fish is not a good balance either. He said he struggles with the 10 inch limit and would like to see it be removed. He appreciates Commissioner Bliss's attempt to change it to something in between. He asked if the Department has quantified what the increase in demand on the bass fishery has been over the last 10 years. Has there been a significant increase in the popularity of the fishery and the number of days spent on the water?

Fisheries Division Administrator Sjoberg said it is anecdotal. He does not have data that gives him a good handle on total anger days, but he thinks that it has probably increased. With the loss of some other fisheries or poor conditions it has focused other people there. Kirch WMA has maintained good conditions and good water levels. It has been less impacted by the drought for now.

Commissioner Bliss said some are not familiar with Sunnyside. There are big portions of each reservoir that are shut down to fishing until August 15. It is a small area and there are a lot of area to the north that are closed that no one can access. The best fishing is May to June. The moss comes on later in the summer, which makes it harder to fish. There are a lot of restrictions. In the past the Department said everything would be fine because the entire north

end is shut down to fishing. Fish do not stay at 10 inches, they continue to grow. The fish look healthy.

Commissioner Hubbs said she does not understand the motion. She wants to follow the Department and let the data speak for itself. She wants to make sure she is voting accordingly.

Commissioner Bliss and Chairman Drew reviewed and clarified the motion for Nye County Kirch WMA.

Commissioner Mori asked to know the reason for the Department recommendation of zero black bass. He asked if it is for protection through spawning and if changed to zero won't there still be too many little bass. He thought the Department wanted to catch out the little bass.

Fisheries Division Administrator Sjoberg said Kirch WMA has relatively low growth rates. Small fish stack up in the system. The Department is trying to address two problems at once; the abundance of small fish and avoid the over harvest of spawning adults.

Commissioner Johnston will not support the motion. Catch and release allows the opportunity for the sporting community. He might be amenable to a limited take during April 1 through June 30, but the minimum size of 10 inches should be struck. He wants to balance the competing interest, but the motion goes too far one way.

Chairman Drew said he is not going to support the motion either. A little bit of a change would be fine, but he is not comfortable with a 10 inch minimum.

Chairman Drew called for the vote.

COMMISSIONERS BLISS AND MORI VOTED YES. CHAIRMAN DREW AND COMMISSIONERS JOHNSTON, VALENTINE, MCNINCH, WALLACE, AND HUBBS VOTED NO. THE MOTION FAILED 2 - 6. COMMISSIONER YOUNG ABSENT.

CHAIRMAN DREW MOVED TO APPROVE COMMISSION REGULATION 16-02 FISHING SEASONS WITH THE FOLLOWING CHANGES TO THE LIMITS OF NYE COUNTY:

KIRCH WMA ALL OTHER WATERS WITHIN WILL READ "FIVE TROUT AND 15 WARMWATER GAME FISH OF WHICH NOT MORE THAN 10 MAY BE BLACK BASS. FIVE BLACK BASS FROM APRIL 1 THROUGH JUNE 30."

KIRCH WMA TULE RESERVOIR TO REMAIN WITH THE DEPARTMENT'S RECOMMENDATIONS AND WILL READ "FIVE TROUT AND 15 WARMWATER GAME FISH OF WHICH NOT MORE THAN 10 MAY BE BLACK BASS."

KIRCH WMA DACEY RESERVOIR TO REMAIN WITH THE DEPARTMENTS RECOMMENDATIONS AND WILL READ "ONE TROUT AND 15 WARMWATER GAME FISH OF WHICH NOT MORE THAN 10 MAY BE BLACK BASS. ZERO BLACK BASS FROM APRIL 1 THROUGH JUNE 30 (CATCH AND RELEASE ONLY)."

COMMISSIONER JOHNSTON SECONDED THE MOTION.

Chairman Drew said he thinks that Dacey Reservoir has always been a trophy fishery. This gives an opportunity to see if the zero limit from April 1 through June 30 does have the intended effect. It also has the opportunity to see if the reduced limit gives them the intended effect. It strikes a balance between a trophy fishery and an opportunity to keep some fish in the other bodies of water. It strikes the 10 inch minimum.

Commissioner Bliss thinks the motion is counterproductive. People who want to take fish home will have to go to Cold Springs and other areas. He is stuck where he is at.

Fisheries Division Administrator Sjoberg said Dacey Reservoir is closed during that period so we are actually creating an opportunity rather than taking one away. It was not available for any harvest during the spring period currently.

Chairman Drew said it is providing an opportunity that was not there before.

Commissioner Bliss said he knows the lake and the system because he has been going there since he was three-years-old. The Department's ideas are too late, if this has been addressed five years ago they could have made a more moderate change. Now there has to be a drastic change because nothing was done five years ago. Now people cannot even take fish home at certain times.

Chairman Drew made sure everyone was clear on the motion and called for the vote.

CHAIRMAN DREW AND COMMISSIONERS JOHNSTON, VALENTINE, MCNINCH, AND WALLACE VOTED YES. COMMISSIONERS BLISS, HUBBS, AND MORI VOTED NO. THE MOTION CARRIED 5-3. COMMISSIONER YOUNG ABSENT.

COMMISSIONER MCNINCH MOVED TO APPROVE THE REST OF COMMISSION REGULATION 16-02 FISHING SEASONS EXCLUDING NYE COUNTY WITH ALL OF THE CHANGES RECOMMENDED AND PRESENTED BY THE DEPARTMENT. COMMISSIONER VALENTINE SECONDED. THE MOTION CARRIED 8-0. COMMISSIONER YOUNG ABSENT.

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

The next Commission meeting is scheduled for Nov. 13 and 14, 2015, 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 next Commission meeting is in November and possible agenda items for the meeting are as follows: Department review and recommendation to update Commission Policies as some policies need updating, Game Division harvest guideline update, and the completed predator plan report.

Commissioner Johnston said a Tag Allocation and Application Hunt Committee may be scheduled in November outside of the regular Commission meeting for the Commission Policy review.

Chairman Drew said in response to Director Wasley that his intention going forward for policies will be to identify the policies that need updating, and the Commission may utilize its Administrative Procedures, Regulation and Policy Committee. He said now that the Commission members have all been appointed, committee assignments will be prepared and updated before the November meeting.

Commissioner Johnston asked if the November meeting would be the time to propose a new policy such as developing a new broader policy for the Commission's legislative platform to assist with providing Commission positions' during the Legislative Session. He said currently it is difficult for the Commission and Department to stay abreast of legislation during the fast paced session. One way to respond to legislative changes is to develop "platforms" adopted by the Commission setting priorities and when legislative is changed or amended it can be evaluated based upon the policy adopted at the Commission policy. The policies could be reviewed by the Commission prior to each legislative session and would give the Commission a legislative voice.

Chairman Drew said there would be an intent to entertain the possibility of new policies and what Commissioner Johnston is referencing is that we did have Commission Policies that legislative was inconsistent with and the Commission was able to address that and did adopt platforms that were more specific. He said he will work with staff to make sure we have an agenda item that allows that.

Secretary Wasley said Wayne E. Kirch award nominations are due Oct. 2 and he listed Commission agenda items: Update from Game Division on harvest guidelines; Predator Plan report; Project updates from NDOW; and report from the TAHC.

23 Public Comment

Paul Dixon, Clark CABMW, said in regard to future committee meetings, he would request the Commission's Public Land Committee be convened to brief the public on the Barrick Gold Mountain Mine Environmental Impact Statement. The committee has not met for some time.

Miles Humphreys, Washoe CABMW, speaking for himself, said he does not recall the Commission discussing "fracking" and the issue has been brought to his attention that some questions people have asked are whether or not fracking is occurring in Nevada; if so, where; and as there already is high levels of mercury throughout the state. If fracking is occurring maybe that should be an agenda item to give the public knowledge and if fracking has a negative footprint similar to mining industry that should be put on the record.

Fred Voltz read written statement: While we hopefully have permanent videoconferencing for each future Commission meeting, its potential has not been fully realized. Multi-national, multi-billion dollar corporations conduct meetings using videoconferencing. NDOW staff, the deputy attorney general, CAB members, and Commissioners are wasting time and money in travel to this two-day meeting time, probably incurring \$20,000 in total, avoidable expense. All four groups need to attend this meeting at the location closest to their regular work or residence site. Let's save this unnecessary expense for programs and activities that actually help wildlife.

Meeting adjourned 11:35 a.m.

Note: The meeting has been videotaped and is available for viewing at ndow.org and the minutes are a summary of the meeting. At the Department of Wildlife Headquarters in Reno is a complete record of the meeting.