

**Nevada Board of Wildlife Commissioners' Meeting**  
**Telephonic Commission Meeting April 15, 2015**  
**Approved Minutes – COMPLETE VIDEO OF MEETING AVAILABLE AT NDOW.ORG**

The public is invited to attend and provide public comment from the following locations:

Nevada Department of Wildlife  
1100 Valley Road  
Reno, NV 89512

Nevada Department of Wildlife  
60 Youth Center Road  
Elko, NV 89801

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

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.

NOTE: County Advisory Boards to Manage Wildlife (CABMW) members and public comment allowed on each action item and regulation workshop items and at the end of the meeting.

Nevada Board of Wildlife Commissioners present for telephone one day meeting:

Chairman Jeremy Drew	Vice Chairman Grant Wallace	Commissioner Chad Bliss
Commissioner Brad Johnston	Commissioner Karen Layne	Commissioner David McNinch
Commissioner Pete Mori	Commissioner Paul E. Valentine	Commissioner Bill Young

Recording Secretary Suzanne Scourby

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

Deputy Director Jack Robb	Deputy Director Patrick Cates
Kim Jolly, Management Analyst 3	

Meeting Attendees

Rex Flowers, self	Bob Brunner, Coalition Nevada Wildlife
Mike Bertoldi, Coalition Nevada Wildlife	Daryl E. Capurro, self
Doug Martin, self	Karen Boeger, Backcountry Hunters/Anglers
Tina Nappe, self	
Mitch Buzzetti, Elko CABMW	
Joel Blakeslee, Nevada Trappers Association, SNWC, Coalition Nevada Wildlife	

Wednesday, April 15, 2015 – 1 p.m.

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

Chairman Drew called the meeting to order at 1:04 p.m. Commissioner Young is absent for the entire meeting.

Roll Call Advisory Board Members: Doug Martin, Carson CABMW present.

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

Public Comment - None

**COMMISSIONER MCNINCH MOVED TO APPROVE THE AGENDA. COMMISSIONER JOHNSTON SECONDED THE MOTION. MOTION CARRIED 8 – 0.**

- 3 Legislative Committee Report and Actions – Chairman Drew – Informational  
The Commission will hear a report from the April 1, 2015, Legislative Committee meeting.

Chairman Drew briefly reviewed the list of bills and their current status and positions taken from the Commission's Legislative Committee meeting that had met April 1, 2015. The list was the support material (exhibit file) for this agenda item. (1:09 p.m.)

- 4 2015 Legislative Session Update and Commission Bill Positions – Chairman Drew – For Possible Action  
The Commission may take action to be neutral, support, or oppose proposed legislation pending in the 2015 Nevada State Legislature, and may also take action to reconsider previous Commission positions' on legislation pending in the 2015 Nevada State Legislature.

Chairman Drew said his intent is to review each bill from the spreadsheet from agenda item # 3 one at a time, and determine the Commission's position starting with SB 4. He said SB 4 originally exempted trap registration on private property. An amendment has been offered to change registration to "may" along with language added to prohibit the Wildlife Commission from setting regulations in regard to shed antler collection and to transfer the regulatory authority from the Commission to the counties. He said the committee did not have an opportunity to review that amendment.

Commissioner Layne said her concern is with the amendment submitted by Assemblyman Hansen and recreating situation that SB 213 needed to address. She said that really impacts her view of this particular legislation, and she will not be in favor. She said the Commission should take a strong stance to oppose.

Chairman Drew said the concern is to reference NRS 207.200 and he brought that to sponsor's attention and the sponsor had no desire to change that citation in NRS 207.200. He said there were no discussions held in regard to the shed antler regulation and his personal opinion is that

he is not supportive of abrogating responsibility for shed antler collection responsibility to the county commissions.

Commissioners Wallace and Valentine were in agreement with not delegating the shed antler regulation to county commissions.

Commissioner Johnston said he is opposed to shed antlers being under county commissions as it regulates shed collection for commercial collection but does not include CABMW input to the Commission as documented in Commission's statutory guidelines, and he also had concerns that shed issue could spread across county lines with different regulations in neighboring counties.

#### CABMW and Public Comment –

Joel Blakeslee, Nevada Trappers' Association (NTA), said trap registration is a misnomer, as it really is "trapper" registration. He said if it was "trap registration" there would be avenues to recover your traps if stolen. Trap registration interferes with commerce and legislative intent was to protect trappers from theft of animals and traps, and registration was not put in place to be punitive. It has morphed as the first 15 years were mandatory and he does not recall any prosecution for trap theft or animal theft. He said one bad thing happened which prompted change from mandatory to voluntary, and was changed back. He said he has hundreds of traps with his number that he has sold and there are other trappers similar to him. He urged the Commission to oppose SB 4 and other states have same problem and not any good. CABMWs have spoken against it.

Commissioner Johnston asked if NTA supports the wording of "may."

Mr. Blakeslee said NTA has no problem with "may" if trappers want to register their traps.

Larry Johnson, Coalition for Nevada's Wildlife, said in regard to shed antler issue the reason this is being considered is the Commission did not listen to CABMWs and is a county issue particularly in Lincoln and White Pine. He said the way the regulation was enacted criminalized picking up a shed in January in Washoe County. He hates to see the authority changed to counties, and he said the Commission needs to be forward thinking in its regulations.

Doug Martin, Carson CABMW, said he is not speaking on behalf of the CABMW, and that state boards and Commission have specific sole authority for regulation of taking of shed. He recalls discussion involving component of education, and this is a wildlife issue that belongs under Commission authority.

John Hiatt said in regard to trap registration that the legislature put that in so NDOW would have a starting point to find trappers violating rules, and language putting registration back to "may" puts us back. Inappropriate to have shed antler regulation with county and having different regulations between counties does not make any sense. Geared toward commercial collection of antlers.

Stephanie Meyers, Lee Canyon, said NRS 503.452 states traps "must" have a number assigned to trap. She said they worked hard for SB 213 and is essential for public safety. She asked how citizens can fix this issue as 38 states regulate trapping.

Mitch Buzzetti, Elko CABMW, said they voted to support shed antler season as they feel there is harassment of wildlife with animals being constantly pushed. He said they want to keep this with the Wildlife Commission and CABMWs.

Commissioner McNinch said he agreed on shed antler matter that he does not want people cited for incidental pick-up of a shed by kids, as that was not the Commission's intent. He earlier heard comment that the Commission should have forward thinking developing regulations and said that the Commission is working on this and trying to be protective of our wildlife. He does not support county regulation of sheds and as far as trap registration he is having a hard time with the wording change.

Commissioner Johnston said he is comfortable with "may" as not really registration and is a just starting point and of minimal value. His recollection as former CABMW member was support overall for shed antler collection with certain counties not having same problem as other counties. His position is support SB 4 as now marked up and the amendment, but does not support amendment to allow counties to have regulatory authority over shed antler collection.

Chairman Drew said when the committee discussed this, it was under purview of AB 338 which had the recommendation to remain neutral on trapping because both sides feel need of legislative fix. In regard to shed antler season, he heard criticism and understands it. He said he spent three hours pulling up minutes and CABMW action reports. He said the Commission regulation that went to the Legislative Commission had two parts of which one was setting a statewide season on shed antler collection and the vote on having a license provision was split and came out of the regulations. He said in terms of support for a shed season, he listed the CABMWs who supported that section with a shed antler season: Clark, Lincoln, Nye, Carson, Douglas, White Pine, Pershing, Churchill, Eureka, and Mineral and Elko and Humboldt on a split vote. He said that tells him that there is a majority of counties that feel there is an issue that needs to be resolved and issue has not come back to Commission and he remain committed to work with CABMWs and the Commission through our process should the authority not be stripped from the Commission to figure out a better solution than a statewide season.

Commissioner Bliss said he discussed the shed antler amendment with a county commissioner and the county commissioner told him that he would not want any part of that, as it is a wildlife issue under the Wildlife Commission and CABMWs.

Commissioner Mori said he supports the trapping part of this bill, but is against the shed antler part.

Commissioner Valentine said he is still not clear on what is being discussed on trap registration.

Chairman Drew said "trap registration" has been changed to "voluntary registration."

Commissioner Layne explained that SB 4 was originally proposed to address issues with the Commission's trap registration regulation which was not approved by the Legislature's Legislative Regulation Committee due to the private property issue. SB 4 was to resolve the issue with the language of "must" and now what we have is we have gone back to is the way the legislation was written prior to SB 213 with another amendment added from another Commission regulation to deal with shed antlers which was also not approved by Legislative Regulation Committee with the intent to give that authority to the counties. She said with shed antler added to SB 4, the Wildlife Commission will have hard time supporting the bill and leaves in question what happens if not passed.

Chairman Drew said would suggest to the Commission a position or platform on each separate issue of shed antler collection and trap registration.

**COMMISSIONER MCNINCH MOVED TO OPPOSE THE AMENDMENT DELEGATING AUTHORITY TO MANAGE SHED ANTLERS TO THE COUNTY COMMISSIONS. COMMISSIONER JOHNSTON SECONDED THE MOTION.**

Commissioner Johnston said he thinks when the Commission reports back to the legislature that we oppose proposed amendments concerning shed antlers, that we also give commitment to legislature to continue to work with public and CABMWs on this issue, and secondly this sets a dangerous precedent as next group of legislators can ask that fishing, hunting, trapping, or whatever, be regulated by the counties. He said he does not want this issue to come up time and time again. He offered that as an amendment to the motion.

Chairman Drew said the motion is clear and he will convey the sentiments that Commissioner Johnston stated.

**MOTION CARRIED 8 – 0.**

Chairman Drew said the discussion will now be on trapping provisions of SB 4. He said we have the original portion of SB 4 that cleaned up exemption for traps on private property and now have a proposed amendment that makes trap registration “voluntary” rather than “mandatory.”

The Commission went through three motions that failed due to split 4 to 4 votes, and one motion that was withdrawn by the motion maker and second.

Chairman Drew suggested to the Commission that they proceed with no position on trapping provisions as thinks that is where we are at.

Commissioner Johnston said the Commission is split on one issue, and that should be conveyed to the legislature that the Commission supports those provisions of SB 4 related to trapping on private property; however the Commission is evenly split 4 – 4 with respect to trap registration.

**COMMISSIONER JOHNSTON MOVED TO SUPPORT SB 4 IN CONNECTION WITH THOSE PROVISIONS THAT RELATE TO TRAPPING ON FOR PRIVATE PROPERTY AND TO REPORT TO THE LEGISLATURE THAT THIS COMMISSION WAS SPLIT VOTE 4 – 4 WITH RESPECT TO TRAP REGISTRATION. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED 8 – 0.**

#### AB 217 Off-Highway Vehicle Registration (OHV)

Chairman Drew said the committee position was to support a platform for continued OHV registration as well as any amendments to improve efficiency and ease of registration program.

Public Comment –

Karen Boeger, Backcountry Hunters and Anglers, said there was a misprint in amendments as it does not indicate that small OHVs would be included in registration. She said Assemblywoman Titus said intent is for program to continue.

John Hiatt supports AB 217 and continuing with registration.

Chairman Drew said he would love to support amendment but is comfortable with platform.

Commissioner Valentine agreed that the Commission's committee platform states it all.

**COMMISSIONER VALENTINE MOVED FOR RECOMMENDATION OF AB 217 TO SUPPORT CONTINUATION OF OHV REGISTRATION AS WELL AS ANY AMENDMENTS TO IMPROVE EFFICIENCY AND EASE OF REGISTRATION. MOTION SECONDED BY COMMISSIONER LAYNE. MOTION PASSED 7 – 0 - COMMISSIONER MORI WAS ABSENT FROM ROOM. 2:11 P.M.**

Chairman Drew said on page 2 of support material that AB 261, AB 335, AB 338, AB 361, and SB 221, SB 235, and SB 398 all did not make legislative deadline and he will defer discussion. Chairman Drew said the next bill listed is AB 408 which prohibits federal government from owing land in Nevada, and that AB 408 had substantial amendments and is not sure if the Commission's Legislative Committee recommendation is valid with those changes. He asked for public/Commission comment on the bills he listed and there was none.

#### SB 417 - Protected Data

MA 3 Jolly said SB 417 was amended with due pass out of Senate Natural Resources and the Department in collaboration with the Nevada Conservation League and the Coalition presented an amendment to the bill which was included in support material for this meeting. The amendment provides a one year cooling off period from date of collection of wildlife data and makes it unlawful to use wildlife location data to detect or harass wildlife. The amendment also includes a definition of aircraft and harass, and there was no opposition or neutral testimony. The committee voted it out.

Chairman Drew said the committee platform was to support concept of prohibiting access to public information requests for collared data, and wildlife survey data for a time specified by the Department, and he is a lot more comfortable supporting this with the proposed amendment.

#### Public Comment –

Bob Brunner said the Coalition for Nevada's Wildlife supports SB 417.

John Hiatt said he is in support of the bill.

Mike Reese, Clark CABMW, asked if there are a lot of inquiries for data that NDOW obtains.

Deputy Director Robb said there have been requests in the past and persons have obtained frequencies to see sensitive species.

**COMMISSIONER JOHNSTON MOVED TO SUPPORT 417 WITH PROPOSED AMENDMENT AS ADOPTED OUT OF COMMITTEE. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY 8 - 0.**

## SJR 11 – Constitutional Amendment for Right to Hunt, Fish, and Trap

Chairman Drew said there were two amendments and he read the amendments as denoted in support material (exhibit file). (2:35 p.m.)

Commissioner Layne said she is not willing to support SJR 11 even with the amendments, as she has concerns and does not want the Commission digging a hole for themselves in the future because with the drought this could be used to limit the Commission's ability to do things. She said with all the trapping issues that the Commission had over the last few years that makes her not willing to support.

Chairman Drew said in response to Commissioner Layne's mention of drought that there is a provision in the amendment that covers management through statute and regulations and that covers the drought scenario and he is comfortable if the legislature deems this appropriate it will go to the voters. He is supportive as long as it preserves Commission ability to manage wildlife.

CABMW and Public Comment –

Bob Brunner, Coalition for Nevada's Wildlife supports SJR 11.

Joel Blakeslee, support SJR 11.

Doug Martin, Carson CABMW, said his CABMW did take action to support this constitutional amendment.

Mitch Buzzetti, Elko CABMW, supported SJR 11.

John Hiatt, said there is no need for this, and is bothered by some language such as "traditional methods" as that needs to be defined as "spotlighting" at night can be a traditional method.

Stephanie Myers said frivolous bill as a right is irrevocable and there is difference between privileges and right, and this does not rise to need of constitutional amendment. Hopes Commission does not support it.

Mike Reese, S. Nevada Coalition, said his organization sponsored this, Second Amendment is right to bear arms, which is a right, as is putting food on table. That helps cover traditional means which he discussed with NDOW, doesn't negate that. He said 13 states have adopted constitutional amendments and would like Nevada to be right there with them.

Commissioner Johnston said SJR 11 is not solution in search of problem nor frivolous, people are making attacks on hunting and fishing, and he wants to preserve the right of hunting and protecting activities we enjoy for future generations.

Chairman Drew asked about the two amendments, and MA 3 Jolly confirmed that amendments adopted with the mock-up showing them. She explained that a constitutional amendment takes two sessions, and a vote by the public. Chairman Drew said he has no problem advancing this and letting more folks determine if the right to hunt, trap, and fish, rises to constitutional amendment.

Commissioner McNinch said he shared Chairman Drew's view and on the fence if this belongs in the Constitution for him and with this early in the process he can support it.

Commissioner Valentine echoed what Commissioner Johnston stated, and wants to secure rights for future.

**COMMISSIONER JOHNSTON MOVED TO SUPPORT SJR 11 AS AMENDED. COMMISSIONER WALLACE SECONDED THE MOTION. COMMISSIONER LAYNE OPPOSED. MOTION CARRIED 7 – 1.**

AB 35 – NDOW Vessel Bill

Chairman Drew said NDOW's vessel bill AB 35 was signed by the governor.

AB 78 – NDOW's Elk Fee Bill

Chairman Drew reviewed amendments to AB 78 which originally was to allow the elk application fee to be raised from \$5 to \$10. He said there have been substantial amendments: Adding CABMW public input, essentially what the Commission does, with a provision that mandates the Commission provide a written explanation to CABMW if a season, quota, or bag recommendation is rejected. Pages 9 and 10 is specific to \$3 predator fee language with substantial changes in how predator program is developed, the biggest change is Commission would have to consider the recommendations of State Predatory Animal Rodent Committee (PARC) which is created in statute under Department of Agriculture. Mandated by language to expend no less than 80 percent of the amount of money collected to Subsection 1 in immediate preceding fiscal year. He said the make-up of PARC is also included, and much of this came out of Senator Goicoechea's work group several weeks ago.

Commissioner Layne said we are basically saying that AB 78 has been hijacked to deal with \$3 predator fee and now require that 80 percent of the money be for legal predator management and control. She said it also considered recommendations of PARC among other changes, and she will not be able to support amendments to this piece of legislation.

Commissioner Johnston said there were concerns about the Commission listening to the CABMWs and he reviewed the NRS and it only deals with CABMW meetings, and actual CABMW input to Commission is much more limited than anyone thought and these changes will codify that CABMWs meet in advance of all Commission meeting. He said he attended the workshop when discussion of predator fee discussed and overall this is a fair compromise to address previous concerns and this may not be the cleanest of bills, but he can live with it and supports the bill.

Chairman Drew said three unique components, and intent in workgroup was to use AB 78 as vehicle to move forward. In regard to CABMW changes that is what the Commission currently does, and from an efficiency standpoint, he is concerned with written explanation. Chairman Drew said in regard to elk fee, he is still in support of that, as gives latitude for what we need to do. On the \$3 fee money he said originally money was designated to go to Department of Agriculture which caused heartburn from diversionary standpoint on federal regulations and is sportsman's dollars out of purview of NDOW and the Commission, and did not sit well with him and is not happy with everything and on page 10 it states that the recommendation of PARC will be considered first, and this is a misprint or lost in translation, as in his opinion, the Department has to be in there. Not sure 80 percent of money collected in immediate preceding fiscal year is best way to go, and is curious what members of committee think. He would ask that motion be broken up into three sections.

Commissioner Mori asked if Department's position is still support.

Chairman Drew said all the testimony from NDOW up to this point was pre-amendment, and the amendment presented is a floor amendment and will go back to committee, and unclear at this time if there will be amendments.

Commissioner Bliss said in regard to 80 percent being spent on lethal projects, and when allocated there are wages, odds and ends that come out of the account. If 80 percent is for lethal projects, how will the Department pay salary and other expenses.

Deputy Cates said over the years 50 percent spent on lethal control and the rest has been wages and 80 percent is quite a bit and not sure if 20 percent will cover that. The plan will be to pursue money to make up the difference and he is concerned with using previous year as thinks it would be better to be current fiscal year.

Public Comment –

Tina Nappe said she was present when bill first surfaced. Lots of talk of North American model, and there is no science except desire to kill lions and coyotes for ranchers. She said this is another way for ranchers to protect herds. We have expanded definition of nuisance wildlife since inception and would rather some of the money be used for urban predators. She said in effect this is a major step backward and for Commission and Department to have credibility they need to base it on study, Commission will take brunt, if programs not science based. PARC not science based, and no control of environment. For project to be tested, conditions have to be established which is rare. Ranchers will be happy if someone goes out and kills lions and coyotes, and this is a major step backward, conditions of which these fees were initiated in 1993 are not conditions of what they are acknowledged in today's world, the Commission needs to be careful as Nevada constituency has changed since 1993 and there will be repercussions on Department and Commission on how these funds are expended that were not so great in 1993. She believes strongly in Department and Commission process, but this is major step backward and need to be cautious.

Joel Blakeslee said he thinks that it is a major step forward and agreed with Chairman Drew's testimony. He said legislative intent was to protect big game and that was why it was put on big game tags and that is why he thinks it is not appropriate to use money for urban situations. He likes idea of CABMWs having input as advisory capacity that works for him.

Daryl Capurro, representing himself, said the bill is on secretary's desk as requires two-thirds vote for passage and reason the bill is on secretary's desk is it has a \$5 fee with respect to depredation. Frankly, bill is hostage due to numbers on Senate side, and the problem holding it up is elk fee. Section 4 of bill clearly states that Commission is the one that has to come up with plan in regard to predator control, nothing has changed other than consult with PARC, CABMWs and general public. PARC is in there as Department of Agriculture has Wildlife Service's authority. The rest is as it is today.

Deputy Director Cates said one concern is development of plan itself, old language authorized Department to expend money and develop program under guidance of Commission, that language was struck and now is Commission developing program with no reference to even consulting with Department and that is problematic and still have concerns with diversion of funds.

Mitch Buzzetti, said in regard to CABMW input that he was in favor of letter and sure does not want CABMWs not to show up as you get full gist when you attend. Frustrating those CABMWs will have 20 people attending and not getting what they want. As far as 80 percent of lethal control on ground, thought was to increase wildlife and is frustrating that money not spent that way.

John Hiatt, said in regard to amendment to write written response to CABMWs, he thought that would be burdensome, CABMWs are advisory and minutes are posted and available. Concerned with \$3 fee as takes science out of the mix and we have learned that science is helpful in understanding and killing of predators is contrary to game management.

Mike Reese, Coalition of S. Nevada Wildlife, said control of coyotes and ravens was how \$3 fee was adopted and most people do not know the other two components such as education. That is how it was sold to them and if we don't do that, then abolish \$3 fee. He knows the letter is burdensome, but there have been times when the Wildlife Commission went 180 against the CABMWs and a letter would be good to have.

Deputy Director Robb said in reviewing past actions by Commission when decision goes against CABMWs that would be hard for staff to sum up when you have multiple Commissioners voting for different reasons.

Chairman Drew requested that the motion be split into three components, the first part the original portion of AB 78 as originally proposed, which had Commission support one year ago. His thought is to leave Commission support as is and not sure if motion even needed.

Commissioner McNinch agreed to leave original Commission position, and Commissioner Bliss agreed. Chairman Drew said let's move to CABMW portion, pages 2, 3, and 4 of amendment. Chairman Drew said no reservations on encouraging CABMW or public participation, the written explanation will be more efficient than anticipated and can live with it. He said personally simple explanation at the meeting followed up in the minutes works for him.

Commissioner Johnston said the amendments came about from other bills where it did not fit, and while this is not perfect and legislative process needs to be understood that initial proposal was to turn Department into division and that is how it got into AB 78.

Commissioner Layne said her concern is that as long as CABMW membership is set-up with people who have fishing, hunting, and trapping license, and on the Commission you have broader representation -- she doesn't have major problem with this but not unifying and should be part of regulation not statute.

Commissioner McNinch said he sees no problem with CABMW changes and clarifying what we already do, but is not sure the written comment back is necessary as he likes to make it clear on the record. The written comment back seems burdensome and repeats what is on the record and is an acknowledgment letter or is there something else we are trying to address that is not being taken care of through the process of Commission deliberations.

Commissioner Mori said the reason this was put in was the sentiment that on occasion the Commission did not listen to CABMW recommendations and to make that clear, the intent of this language is that if Commissioners know they have to provide written explanation they may make different decision or listen to CABMWs more, he has no problem with that.

**COMMISSIONER JOHNSTON MOVED TO SUPPORT THOSE ASPECTS OF AB 78 AS HAVE BEEN AMENDED ON THE PROVISIONS FOR CABMW INVOLVEMENT WITH THE FOLLOWING CAVEAT THAT THE COMMISSION BE GIVEN THE LATITUDE TO PROVIDE AN EXPLANATION TO THE CABMWS ON THE RECORD AT A PUBLIC MEETING OR IN WRITING FOLLOWING THE MEETING. COMMISSIONER MCNINCH SECONDED THE MOTION.**

Commissioner McNinch said he supports that as he understands the explanation is specific to season and bag regulations and the public deserves that.

**MOTION CARRIED 7 – 1. COMMISSIONER LAYNE OPPOSED.**

\$3 Fee Portion

Chairman Drew said he does not support this portion, the Department needs to be incorporated into the bill, on page 10. Eighty-percent is high, but thinks clarification needs to be on where the money comes from and where it will be spent.

Discussion on predator fee and percent for salary and match. (3:34 p.m.)

Commissioner Mori said as stated before, the author of the bill received information that 80 percent of money not being spent for lethal control, and he himself has served on the committee and seen issues coming up with projects and there have been differences with NDOW staff and guidance within the Department. He said he supports this as would make Commission job a little easier when votes taken.

Commissioner Wallace said he is a member of PARC committee since 2008 and PARC has held at best three meetings in that time frame, and he has a problem with putting this in PARC and having them give recommendations to the Commission. He agreed on 80 percent as Commissioner Mori stated but not keen on putting responsibility with PARC Committee, and has a problem with that part of the amendment.

Commissioner Layne said her concern is that right now willingness of Commission committee to go with 80 percent, only one urban member, the other members are rural and fact of matter is in urban area there is less willingness to spend that money on totally lethal predator issue and those discussions held when Policy 23 changed, and will limit ability of Commission.

Commissioner Johnston said he understands the comments being made, and one item they tried to convey was to let the new process get underway and understood somewhat because original proposal was to give 80 percent to Department of Agriculture. He said we do not want to send message back to bill sponsor and need to tread lightly as a lot in bill that was supported and clean-up of language such as 75 percent so there is something for salary, and given how this has come about, it would be bad message from Commission.

Chairman Drew said he understood and stated that individuals can't speak for this body, and the body's positions, unless a platform or position is formally adopted.

Commissioner McNinch said he hates to politicize wildlife but understands that and is going against Policy #23 as sees potential for waste of sportsman's dollars and is wasted on frivolous projects.

Commissioner Johnston said there has to be recognition if they don't like what we are doing they intervene and not good for us, and he is just suggesting all take into account how we got to this point today.

Chairman Drew said there was lack of NDOW presence with this and 80 percent has been conveyed to bill sponsor by him, and he does not disagree on recommendation going forward.

Commissioner Bliss said as far as comment wasting sportsman's dollars is a broad statement because he has not heard sportsmen complain about removing predators from fawning areas and winter range, but has heard about waste of paying for removal of roadkill. He has heard support for removal of predators at right place at right time to benefit wildlife. Wasting sportsman's dollars can go both ways.

Commissioner McNinch said they are also not saying be prescriptive, and sportsman trust Department to utilize the money with good plans and reintroducing wildlife, and in his mind is just a step back.

Commissioner Bliss said survey stated 75 percent thought that predators have a negative impact on mule deer populations.

Commissioner Mori said with current personnel with the Department right now, he absolutely thinks that the 80 percent number is unnecessary as they don't have a problem shooting for that; however inevitable that there will be personnel changes, and as Commissioner McNinch alluded to, we have gotten into problems and that is why he agrees that this account is derived of sportsman dollars with having a target and everyone on same page before starting planning. He said he agreed with Commissioner Wallace on giving responsibility to PARC; however maybe Mr. Blakeslee commented that is advisory role only and final decision still lies with Commission. Leaning towards support.

Commissioner Johnston said if any number comes from the Nevada legislature as elected officials, he has to believe that has full support of public.

Chairman Drew said Commissioner Mori made two points, he supported bill as amended and he himself cannot support the bill unless the Department is firmly seated in the process, as that is a deal breaker. He said it may not have been intent but that is the way the language reads. As far as percentage, he agreed with Commissioner Johnston that percentage will be set by legislature and need better understanding of what it should be set on as thinks the preceding fiscal year presents serious problems. In regard to PARC Committee if they want to provide advisory comment they are free to do that and if they cannot meet own obligation in terms of setting and holding meetings per the Open Meeting Law that is on them. Not much we can do to mandate someone else hold a meeting and if they don't provide inputs they don't provide inputs.

Commissioner Mori said there is other language that includes Department, referencing page 2, page 4, and on page 10 he assumed Department was included. He wants to make it clear not in favor of excluding Department on page 10 line 1. Chairman Drew said the first one on that list should be the Department. Commissioner Mori agreed with Chairman Drew that the Department should be first.

**COMMISSIONER JOHNSTON MOVED TO SUPPORT AB 78 WITH RESPECT TO \$3 PREDATOR MANAGEMENT FEE AS AMENDED WITH THE FOLLOWING PROPOSED CHANGES: THE AMENDMENT TO NRS 501.181 PAGE 9 AND 10 THAT IT SHOULD READ,**

**IN APPROVING ANY PROGRAM DEVELOPED OR WILDLIFE MANAGEMENT ACTIVITY OR RESEARCH CONDUCTED PURSUANT TO THIS SECTION SHALL FIRST CONSIDER THE RECOMMENDATIONS OF THE DEPARTMENT. SUBSECTION B SHALL READ, SHALL NOT APPROVE ANY PROGRAM FOR THE MANAGEMENT AND CONTROL OF PREDATORY WILDLIFE DEVELOPED PURSUANT TO THIS SECTION THAT PROVIDES FOR THE EXPENDITURES OF LESS THAN 80 PERCENT OF THE AMOUNT OF MONEY ALLOCATED IN THE PROGRAM FOR THE PURPOSES LETHAL MANAGEMENT AND CONTROL OF PREDATORY WILDLIFE. SO THAT AFTER MONEY, YOU PUT ALLOCATED IN THE PROGRAM AND STRUCK “COLLECTED PURSUANT TO SUBSECTION 1 IN THE IMMEDIATE PRECEDING FISCAL YEAR. THAT WOULD TAKE PROGRAM AND AMOUNT EXPENDED WOULD BE 80 PERCENT THAT THE LEGISLATURE HAS DONE WITHOUT REFERENCE TO THE PRECEDING FISCAL YEAR. CHAIRMAN DREW SECONDED THE MOTION FOR PURPOSE OF DISCUSSION. 4:02 P.M.**

Chairman Drew said Section B would read: The expenditure of not less than 80 percent of the amount of money allocated in the program. Commissioner Johnston said a word may be missing...and his language was to keep it at 80 percent of the amount of money allocated in the program. Annual program together with 80 percent of expenditures in any program are to go to lethal management and would say allocated in that program. Chairman Drew said the motion would include those two changes. **(4:05 p.m.)**

**COMMISSIONERS IN FAVOR OF THE MOTION: VALENTINE, BLISS, MORI, WALLACE, AND JOHNSTON. OPPOSED: LAYNE, MCNINCH, AND DREW. MOTION PASSED 5 – 3**

#### AB 136 – Accommodations/Firearm for Self-Defense

Chairman Drew said AB 136 deals with ADA accommodations and hunter safety courses, as well as carrying a firearm for self-defense. He said the Commission opposed as introduced but supported the NDOW amendment which was incorporated.

Public Comment - None

**COMMISSIONER JOHNSTON MOVED TO SUPPORT AB 136 AS WRITTEN WITH POINTING OUT THAT CLARIFICATION OF WHICH FIREARM YOU CAN USE WHILE HUNTING, BLUE LANGUAGE SECTION B: YOU CANNOT USE SELF-DEFENSE WEAPON TO HUNT WILDLIFE. COMMISSIONER MCNINCH SECONDED THE LANGUAGE.**

Commissioner Layne noted her opposition to carrying a firearm for self-defense.

**MOTION CARRIED 7 – 1. COMMISSIONER LAYNE OPPOSED.**

#### AB 142 – Removes Demerits/Revocations

Chairman Drew said for him not sure if appropriate to put the entire demerit schedule into NRS and understands the bill sponsor’s purpose; however, some of the changes do not make sense such as reverting the crime of shooting animals from aircraft from 12 to six demerits.

Chief Game Warden Turnipseed said under the new amendment the Department would have authority to revoke licenses and difference is the demerit scheduled would be in NRS rather than NAC. In moving the demerit schedule to statute, the sponsor has proposed to amend the demerits significantly lower. Nineteen reduced from 12 to three, and many from nine to six. Also, added was the ability for someone to take hunter education class which would remove four demerits from the total and no limit to how many times they could do that, and reduces penalty for illegal killing of a mountain lion to a misdemeanor.

Chairman Drew said Commission previously opposed to the revocation of the Department's privilege to suspend or revoke a license. He said the Commission's Legislative Committee did not have this amendment and the Commission probably needs a new position based on updated bill.

Public Comment –

Joel Blakeslee said the Coalition for Nevada's Wildlife position was in agreement to take demerits back to original number. He said not sure if analysis in update provided is correct as some of these things came after the original bill. He said he would think that our position would be whatever started as 12 demerits would be kept at that and would not take it back to six if not there in first place. He said thought was to go back to original legislative intent, and once again, legislative intent was to protect sportsmen, not punish them which is very important to understand. Mr. Blakeslee said speaking for himself that he did not realize the four demerit thing was forever, and thought that would be once as does not see reason you have to wait until you have to get to nine before you can take it, and now is speaking for himself, he supports being able to take hunter education before nine demerits have been reached.

Chairman Drew asked Mr. Blakeslee if taking the demerits back to original legislative intent, if their position to do that is through NRS or leave it with the Commission. Mr. Blakeslee answered that the Coalition did discuss it but was fairly ambivalent and no position.

CABMW and Public Comment -

John Hiatt said he cannot support AB 142 and Commission should retain authority.

Commissioner McNinch said demerit system is a deterrent and encourages compliance, and is for protecting wildlife. He said he is struggling with mountain lions as they are big game mammal and should be treated the same, and as written he feels this is a step backward and is against the bill.

Chairman Drew said he tends to agree, and he opposed the original intent and opposes the current bill.

**COMMISSIONER MCNINCH MOVED TO OPPOSE AB 142 IN ORIGINAL OR AMENDED VERSION, KEEP DEMERIT SYSTEM AS IS. MOTION SECONDED. MOTION CARRIED 8 – 0.**

SB 163 – Creates the Advisory Council on Wildlife Education Conservation

Chairman Drew said the bill establishes an advisory council on wildlife education and conservation within NDOW eliminating issue with federal diversion of state funds. There are new provisions since the last review and the mock-up has the new funding mechanism which is the Wildlife Heritage account allowing NDOW to spend up to \$250,000 annually from the

Wildlife Heritage Trust account balance for the new council for four consecutive years beginning on Jan. 2015.

Deputy Director Cates said the original bill passed out of committee with an amendment offered by the Coalition that changed the council, removed the term “advisory” and added language for what the funds could be used for and still had that fee. He said NDOW has been working with the Coalition on alternative language that would be funded with Heritage funds, creates the council within the Department and thinks we have good language that was shared with LCB legal, and have not seen the bill draft. He said NDOW had significant concerns with the council being independent as that being a diversion of federal funds and that is part of how the alternative language was arrived at. He said NDOW is 99 percent in agreement on language with a sticking point in Section 5 with the Council reviewing the annual budget and financial reports as provided by the Department. He said that federal agency is not comfortable with that and he suggested changed language stating subject to final approval by the director, and not sure if Coalition is okay with that, but feels language is prudent and comfortable with mock-up bill.

Public Comment –

Mike Bertoldi, Coalition for Nevada’s Wildlife, said what Mr. Cates said is accurate and said they have issue with the director having final approval. He said that basically turns a seven people council into one person council, and they understand the diversion issue. Yesterday he asked for input from director’s office at NDOW and did not hear from them so he contacted Nevada’s congressional delegation for assistance for a Department of Interior opinion on diversion. Mr. Bertoldi said if it is not a diversion they would like it removed as they would like autonomy. He said they gave in on other things, and they want same type of program as Heritage.

Doug Martin, Carson, said the CABMW voted to support the bill back in January and he reminded the Commission of their support.

Bob Brunner said he supports this and has worked on it, and the concern is they want to make sure the program stays true even with changes to director as other states with the program relayed that could be a problem. He said they have a concern with giving Department total control over message and money.

Mike Reese, Coalition for Southern Nevada’s Wildlife, agreed with Mr. Brunner, and said this is a bipartisan bill with Legislators Hammond and Joiner as co-sponsors with the purpose of highlighting wildlife to the public and the Southern Nevada Coalition whole-heartedly endorses the bill.

Discussion of Heritage account and balance – and further discussion of the program,

Chairman Drew said he has been supportive of the general concept from the beginning; however when the language came out that made him nervous as it did not meet the intent of what Michigan and Colorado were doing and thinks that has been addressed and incorporated in this language. He is pleased there is no fee increase and does not have a problem with spending down the Heritage account as that money is not being utilized at this point but is a little uneasy about 25 percent in perpetuity but if no push against that he can live with it, and will say that this money coming from sportsmen and the public umbrella he would really encourage the group to avoid diversion situation and if that is a lack of autonomy then that is what it means. He said the Commission does not have complete autonomy, and if you want autonomy you form a

non-profit. Chairman Drew said he wished he had more input on the 25 percent and he wants the diversion issue decided.

Commissioner Layne said you may want to talk to media outlets to be realistic in expectations and what to provide for them.

Commissioner Bliss said this will be a great vehicle for message to get out and believes in program and concept and knows that from his experience with the Silver State tag; and hopefully others step in and fill in the holes to make sure it works the way they want it to.

Chairman Drew said with the federal diversion issues unknown at this time, the Commission may have to take a platform position.

**CHAIRMAN DREW MOVED TO ADOPT A PLATFORM IN GENERAL SUPPORT OF SENATE BILL 163 PER THE AMENDMENTS WORKED OUT BETWEEN THE SPONSORING GROUP, THE DEPARTMENT AND GENERAL SUPPORT OF COUNSEL'S DUTIES, THE FUNDING MECHANISIM THROUGH HERITAGE SO LONG AS WE DON'T JEOPARDIZE POTENTIAL DIVERSION SITUATION FOR FEDERAL REGULATIONS. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED 8 – 0.**

#### Assembly Joint Resolution 2 – Raven Control

Chairman Drew said the Commission and Legislative Committee already supported AJR 2. There was no comment and no change to the Commission position of support.

CABMW and Public Comment – None

#### Senate Joint Resolution 1 – Federal Land Transfer

Chairman Drew said there has been an amendment which amends the first resolve clause to read that public lands subsequently transferred shall become state public lands to be managed in accordance with state and local plans that multiple uses as well as ongoing net revenue generation and environmental health, productivity and sustainability. He said there was a second resolution from Clark County that would basically exempt that any such legislation should exclude the following lands from consideration for transfer except as otherwise directed by Congress.

Commission comment and discussion (5:20 p.m.) and Chairman Drew said he is inclined to leave the Commission position as is, which was opposed due to conflict with Commission Policy #64.

CABMW and Public Comment –

Bob Brunner, Coalition for Nevada's Wildlife, said they are opposed to this, due to access and cost of managing those lands such as firefighting, re-seeding, because they do not see how the state can afford to pay those costs. Historically, when they have sold the land, the calculations as to how valuable the lands are has been based on other states.

Karen Boeger, Backcountry Hunters and Anglers, said they support Coalition for Nevada's Wildlife comments and in amended version the proposal states the plan is to sell checkerboard lands and amendment gives some voice to multiple use and sustained yield for rest of land for

Phase II, still no preclusion to selling those lands. She said no state process exist for input into state land use, such as the federal NEPA process, and would have no legal recourse.

Chairman Drew said he is not comfortable with changing opposition and would not care if we left opposition in place and proposed a platform going forward. He said he suggested to Congressman Amodei's staff that they may want to look at developing a local group of folks to look at checkerboard lands more diligently and as a phase to identify which areas makes sense for transfer and those that make sense to leave as mandated open space.

Commissioner McNinch said his inclination is to be more definitive by staying with current position, and important to let them know it does not go where we need it to in terms of wildlife value and the conflict due to Policy #64.

#### Senate Joint Resolution 5 – Support Sagebrush Ecosystem Plan

Chairman Drew said there have been amendments and strongly urges the USFWS to not list the bird as endangered, requests BLM and Forest Service to adopt a state conservation plan as the management alternative for Greater Sage-grouse. If the bird is listed they are asking for a 10-year-extension of time through Fiscal Year 2025 to allow the state plan to go into place and prove its worth. He said he is not inclined to change the Commission position and asked for comment.

Commissioner McNinch said he does not see the need to go to 2025 as we are supportive of the efforts and just seems divisive and now is not the time to put off the listing for 10 years. He said he is supportive of what the council has done but would not have that put in there, and won't be making a motion for any changes.

CABMW and Public Comment – Mike Reese, Sothern Nevada Coalition for Nevada's Wildlife, thanked the Commission for this meeting.

Chairman Drew concluded agenda item #4.

- 5 Future Commission Meetings– Secretary Tony Wasley – For Possible Action  
The next Commission meeting is scheduled for May 15 and 16, 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.

Chairman Drew said there needs to be a Legislative agenda item on the May agenda.

Bob Brunner, said feral cat colonies are killing Nevada's wildlife and something needs to be done. Washoe County has second hearing on April 28.

MA 3 Jolly said that is the second reading of the ordinance, and is not sure of what will change.

Mike Bertoldi said they discussed at last Coalition meeting making the Truckee River corridor a sensitive wildlife corridor, and would like to solicit support from the Commission and keep the area exempt from cat colonies as that is where the wildlife is being killed.

Mr. Joel Blakeslee said we need to keep the feral cat colonies off public lands and riparian areas and the Truckee River corridor.

Tina Nappe said she recommends excluding feral cat colonies from Washoe County Parks and secondly the Nevada Public Land Trust is currently looking at Truckee River as unified area for planning.

## 6 Public Comment Period

Tina Nappe said that assuming AB 78 passes, with 80 percent sub-contracted to Wildlife Services and 20 percent basically to basically manage the grant is nothing but a kill and stack program and will be hard to convince people that you are good guys when you have a predator control program like that. She said in the future how you present this project is going to be important because as a former administrator herself you cannot do much with 25 percent of money as you cannot design projects, you can't monitor or follow up, and all you can do is put out an RFP but not sure if even that is doable. She said how will you do this and will other monies be used this is quite serious as animals are publically owned not private and asked how the Predator Control committee will deal with that shortage of money.

Meeting adjourned at 5:45 p.m.

Note: The meeting has been videotaped and is available for viewing at [ndow.org](http://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.