

APPROVED MEETING MINUTES

ADMINISTRATIVE PROCEDURES, REGULATIONS, AND POLICY COMMITTEE
MONDAY, JUNE 13, 2016 - 3:00 PM
NDOW HEADQUARTERS, MAIN CONFERENCE ROOM,
6980 SIERRA CENTER PARKWAY, RENO, NV 89511

Attendance: All committee David McNinch, Grant Wallace, Paul Valentine, David Newton DAG, Harry Ward DAG, Kim Jolly Mgmt Analyst 3, public below, Pat Jackson Game Staff, Brian Wakeling Game Div. Administrator.

1. Call to Order, Pledge of Allegiance, Roll Call of Committee Members

2. Approval of Agenda – Committee Chair David McNinch - For Possible Action

The Committee will review the agenda and may take action to approve the agenda. The Committee may remove items from the agenda, continue items for consideration or take items out of order at any time.

3. *Approval of Minutes – Committee Chair David McNinch - For Possible Action

The Committee will review and may approve the DRAFT Minutes from the meeting on May 12, 2016.

4. *Review and Recommend Clarifying Changes to Nevada Administrative Code (NAC) 501.195-“Miscellaneous Petitions” – Committee Chair McNinch - For Possible Action

The Committee may take action to revise or approve the draft changes to the Petition regulation for submittal to the LCB for drafting.

AGENDA ITEM 4 –

McNinch commented that he had meeting with Director Wasley and Chairman Drew regarding petitions and what they wanted to do. What constitutes initiating rulemaking to fulfill the process. Consulted with DAGs. Requirement is for by the 30 days from the date that the department receives the petition...

Sometimes not a commission meeting within that time. We drafted a new petition language and consulted DAGs. Commissioner Valentine had suggestions. Staff Jolly made comments.

PUBLIC COMMENTS

1. Fred Voltz – two major elements missing no staff questioning and no commissioner conversation in advance. There would be two parts in addition of the department getting back to the petitioner,

McNinch asked for clarification – Voltz- And if the dept. has feedback from NDOW staff questions. And send commissioners petition document for comments and questions. Commissioner Wallace - Walking quorum.

Jolly – asked clarifying question that the way she drafted the flowchart, it would be fundamentally moving the petition process of accept/deny from the commission to the department. Is that a clear understanding? Yes.

DAGs- yes. Primary review done by the department because of the 30day timeframe. NDOW to provide technical feedback and outline their questions and Information - no response from Commissioners. Just informational. Asked Voltz to come back up, clarify petition.

There was commissioner committee discussion. McNinch said we can do that conversation and questioning now, don't need to include that the staff will analyze.

No other public comments.

Commissioner Valentine – then the commission would hear the petition.

McNinch - As part of the policy in part of petitions the NDOW staff review and questions.

Valentine – made specific suggestions to simplify the language in #2, listen to recording.

Chair McNinch entertain a motion to progress? Any action we take as a committee would include forwarding to LCB. And not come back here. Valentine- moved to approve mockup as revised and suggested, and move to LCB. Under paragraph 1A- after the start of the 30 days, add “as stipulated in NRS 233B.100, and in paragraph 2, after rulemaking (.) the petition shall be notified in writing of the approval or denial of the petition. Should the petition be denied, the notification will include the reasons for the denial.

Commissioner Wallace seconded. All in favor. We will come back at end when approved changes to rules of practice, and revise the policies.

5. *Review Draft Commission Policy for Wildlife Contests – Committee Chair McNinch - For Possible Action

The Committee will review and possibly edit the draft Commission Policy for Wildlife Contests, for subsequent recommendation to the full Commission. NOTE: Any changes or new policy requires two separate readings of the full Commission before it is approved.

Agenda item #5 – Chair McNinch asked Brian to present it.

Game Administrator Brian Wakeling – clearly been a topic that the commission has dealt with multiple times. Those that participate in contests, and those that dislike it. Coyotes contests are what this prompted, but other contests like angling. In and of themselves aren't always bad. Fundamentally what the agency heard and tried to capture in this draft. What the commission may perceive as an acceptable contest, vs. unacceptable. May be beyond the scope of what the commission may be capable of regulating. But needs to be clear on what behaviors they believe are not acceptable. This tries to do that. Read through the draft policy.

Commissioner Valentine- I received feedback form the Southern Nevada Wildlife Coalition. Had edit to purpose statement in second sentence because he is not in the wildlife mgmt profession. Reword or remove “but the wildlife mgmt. profession does not generally recognize the use of contests as a tool with substantial wildlife mgmt. effect.”

Wallace – I am not in the wildlife mgmt. profession either, but I agree with that statement. Jennifer Simeo and So NV Coalition sent comments to committee members.

Staff Jolly said we also received public comment please send any to me for exhibit file.

Agenda Item #5 - PUBLIC COMMENTS

1. **Fred Voltz** – no reference to science or mgmt. of the wildlife resources of species. Registration process for any contest, sponsor would need to submit something to NDOW, with 30 days, would look at if it would impact wildlife species. And secondly, many contests have gaming element to them, a clearance from the gaming commission that no gambling is going on, supposedly controlling all gaming. Not serving interest of wildlife. Not susceptible to any self-regulation (such as trapping) compliance factor doesn't work with self-regulation.
2. **Joel Blakeslee** – general public today. NDOW doesn't need to be getting into the social or moral aspects of hunting, fishing, or trapping. This is way to California for me. The 5 bullets that support contests are OK, and would see that coyote derbies fall under the supported ones. Ambiguous under the do not support bullets. Are you suggesting that we eat coyotes? Need definition of insensitive photos, inappropriate behaviors, etc. are ambiguous.
3. **Bobby McCullum** – repeat what Fred said on gaming. Bedding and calcuttas should be discouraged.
4. **Mel Belding** – Agree with what Joel said using all parts. I was pretty offended by what came out on the wanton waste a few years back. You are being asked to start a regulation – by first speaker. That isn't intent of policy. Don't tell me how to socialize with others.
5. **Elaine Carrick** – thank you for a first step. Using verbiage of wildlife contests – not all the same. Coyote contests not same as fishing contests. Spell out in policy “such as coyote killing contests” species that aren't allowed. Focus on ethical (under last section). Number killed and sizes killed. Simply including the word “ethical” is not going to fix it. Who will determine what is ethical or respectful? Consequences? Traditions make it ok? Should they be allowed today? Promoters could just get rid of pictures and prizes.....
Either list permitted ones or not permitted ones.

6. **Don Molde** – thank you to dept for putting a draft together. We need to do something. The only contests ever been complained about in this state are coyote contests. No other ones. That is only on we are complaining about. Not sure why chose to expand to all wildlife contests. Maybe have 2 policies? One about coyote contests and one general one. Wildlife Commission does simply regulate human behavior. Yes, already doing it. Fair Chase issue would play into this....50 caliber, night vision.
7. **Jana Hoffevitz of North Valleys** – she brought flyers from coyote hunt, will scan and send to you. She made a flyer. Contacted Jason Schroeder on flyer, and he did not have a permit from BLM to do this contest. No one should be night hunting on public land. She started patrolling herself. (will be scanning and sending to committee members). Contacted Media, and Norm Harry from the Paiute tribes had a drum circle. I was very official looking. Ran into motocrossers, ATVers were really afraid and not in support. Illegal on public lands to kill. Pup season, babies nursing. Someone went in to buy a ticket to the contest – was told that she could hunt anywhere in Nevada. Jason called her back. Huge outcry to ban coyote contests. I'm overrun with rodents and mice. I am glad Brian Wakeling is here he has made known his thoughts.
8. **Carol Ann Weave Carson City**- once we see the pictures after these coyote contests, we know these are not ethical. Coyotes still alive in the pile, squirming in the dead pile. We can already tell you treated like disposable. What then will you include in this draft? We have the pics and video. What will you do as consequence?
9. **Fauna Tomlinson resident of south Reno** – oppose coyote killing contests. Do what Don Molde said – focus on coyote contests only. He admitted he doesn't eat them. That is wasteful like that. Referenced a list of hunting ethics. Just because it's legal to hunt them like we do, doesn't mean its right. Slavery was legal, circus elephants used to be legal. Bad for NV business, gives ethical hunters bad name. no commissioners participate in it. Game chief opposes them. How do we go forward from here?
10. **Beverly Harry** – Member of an indigenous tribe of the lower 48. Speaking on behalf of coyote population. Wildlife Survey should be done on coyote population shouldn't be treated as a "stock". Shouldn't be treated as a deer, fish, or any type of ungulates. Should be trusted separately, keenly written regulatory policy. Look at the science of population – relationship with rabbits, with rodents, sure there is budgetary control (ability) to do fly-bys to count coyote populations in urban and ranching settings. Include policy what it is to "take" absolute killing of the coyote. Regulatory control is needed. A salmonid or like ungulate.
11. **Grace Piotr** – live in Lemmon Valley – the north valleys coyote contests is an embarrassment. We spend a lot of time at Swan Lake, photographing there. This is an embarrassment to our neighborhood, and should be for the whole state. The BLM

materials said not legal, but the contest persons said go wherever. These contests are about drinking, gambling, and making a buck. It devalues our predators, and is offensive. Shared a picture, and said they throw coyotes from top of car onto the ground, and then put thermometer up their ad--. Charge a registration fee, need its own warden, licenses, they are not following the laws. (BLM laws) so embarrassed for my community – my father was a huge hunter, he would be embarrassed. All it is for Drinking and getting rowdy. You can't even sell the pelts.

12. **Trish Swain, Trailsafe** – not much else to say. You already know from the 2 petitions and all testimony. Hope this does become a regulation with registration. One in North Valleys, one in Austin, very illusive, they want to have low profile. Its big business. Bug ones advertised nationwide, one in Las Vegas, Junior song dog contest. Predator hunters/ annual coyote contests, Annual Olympic arms youth coyote hunt. Horrible that children being encouraged to participate in this. At least the major hunts could be dealt with.

13. **Leslie Mix** – Nationally recognized Hispanic communicator, as a business leader in this state, it is inherently poor business to hold coyote killing contests in the state of Nevada. I have worked with many Governors on economic development. Follow millennial for they don't support contests. I will be lobbying on this issue in NV legislature. Was part of the "observation unit" that went out in the desert. Incredibly disrespectful, frightened OHVers. Separate coyote contests from the policy. Keep the policy as written that you use the entire carcass policy of the coyote. NO problem with hunting or 2nd amendment, just have issue with this as deterring businesses from this state and hurting all the good.

END OF PUBLIC COMMENT on 5.

Commission discussion on Item #5.

Comm. Valentine – it's groundhog day. We were tasked with drafting a policy. And personally I can see the ethical issues, I will never enter a coyote contest. But we were tasked with a policy – its one step forward.

Commissioner Wallace – I have never entered one of these contests, and do not plan to. But the coyote is an unregulated species in this state, but we cannot go further. I do not support it, but can't tell someone else. I think it's the coyote, not the contests. (crowd disagreed, and said no, it's the contest).

Chair McNinch – I see where Wallace is coming from. Partly for the individual animal for some people. It's not wrong, it's just the way it is. (public asked question).

Staff Jolly – called the meeting to order and that public cannot talk out of turn over the commissioner.

Chair McNinch – I got it. I understand what Comm. Wallace is saying. Scale of acceptance is different. I will never participate in coyote contest. But I do feel that certain activities I will not defend for wildlife conservation. Where to go now. Defense to the department – generally speaking, they had direction on where to go. Based on input provided to the Department (from Chair). Work up the comments that were made by the Committee members, and report back to the commission. Purposely broad to develop a platform.

Commissioner Valentine – Staff to take Voltz’s suggestions related to science-basis for a contest at certain time or location, then perhaps the events should not occur. Some analysis done on that.

Commissioner Wallace – I have zero interest in participating in any type of coyote contests at all. I do not feel we should glorify the death of wildlife. This is how we feel - that is what a policy is. When you add in 6 other commissioners could be totally different. 6 more opinions. Hate to pass the buck onto the commission, but need to get more opinion. Now maybe we pass it up along. (doesn’t want to take position, just pass along).

Comm. McNinch – I agree with you two. And also, if hunts are going to continue, they should be regulated, if not banned. We don’t regulate BLM lands. The 3rd bullet is a statement, but what do we do about it? Report back to the Commission in Elko (no action at Elko) and get back feedback from the Commission. They are anxious to hear wants going on.

Staff Jolly – LE was invited and could have provided feedback on the BLM permit question, but Tyler is out of town. No other comments.

DAG Ward – I may lose you and provided phone number. Closed item 5.

6. Future Committee Meetings and Agenda Items –Committee Chair McNinch - For Possible Action

The Chairman may determine set future committee agenda items, or meeting dates, times, and locations.

Chairman - we will meet again the week of the August Commission meeting, committee to meet first couple weeks in August. Hold in conjunction with the August Commission in Reno. Either Thursday night 11th or Friday morning August 12.

No public comment.

Public Comment Period – Committee Chair McNinch
Agenda item 7 – General Public Comment –none.

Persons wishing to speak on items not on the agenda may do so in the Public Comment Period. No action may be taken by the Committee. However, the Committee may consider items brought up in the Public Comment Period to be scheduled on a future Committee agenda.

Adjourned at 4:52.