

DRAFT 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.

COMMITTEE MEMBERS: CHAIR DAVID
MCNINCH, GRANT WALLACE, AND PAUL
VALENTINE

STAFF TO THE COMMITTEE:
MANAGEMENT ANALYST 3 KIM JOLLY,
kjolly@ndow.org, 775-688-1510

AGENDA

NEVADA BOARD OF WILDLIFE COMMISSIONERS 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

Public Comment will be taken on every action item after discussion but before action on each item, and are limited to 3 minutes per person. Persons may not allocate unused time to other speakers. Persons are invited to submit written comments to the Committee Staff on items or attend and make comment during the meeting which will become part of the record. All persons present are asked to complete the sign-in sheet for attendance, whether speaking or not. To ensure the public has notice of all matters the Committee will consider, Committee members may choose not to respond to public comments in order to avoid 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 which antagonize or incite others are examples of public comment that may be reasonably limited.

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

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

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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.

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.

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.

7. Public Comment Period – Committee Chair McNinch

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.

8. Adjourn

*Support material provided including updates, and posted to the NDOW website (www.ndow.org) and may be requested from the Committee Staff Kim Jolly (775-688-1510), posted to the NDOW website, and will be available at the meeting.

Notice to the Public: Nevada Department of Wildlife receives Federal Aid in Fish and/or Wildlife Restoration. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, creed, religion, national origin, age, sex, or disability. In accordance with NRS 241.020, this agenda closes three days prior to the meeting date and has been posted at the meeting location, and at the following Department of Wildlife offices: 1100 Valley Road, Reno, NV 89512; 6980 Sierra Center Parkway, Reno, NV, 89511; 380 W. “B” Street, Fallon, NV, 89406; 815 E. Fourth Street, Winnemucca, NV 89445; 60 Youth Center, Elko, NV, 89801; 1218 N. Alpha Street, Ely, NV 89301; 744 S. Racetrack Road, Henderson, NV 89015; and 4747 W. Vegas Dr., Las Vegas, NV, 89108. Individuals with hearing impairment may contact the Department at 775-688-1500 via a text telephone telecommunications device by first calling the State of Nevada Relay Operator at 1-800-326-6868. Individuals with a disability who are in need of special services should contact the Department with as much prior notice as possible at kjolly@ndow.org or 775-688-1510.

DRAFT MEETING MINUTES

NEVADA BOARD OF WILDLIFE COMMISSIONERS
ADMINISTRATIVE PROCEDURES, REGULATIONS, AND POLICY COMMITTEE
THURSDAY, MAY 12, 2016 – 2:00 PM, NDOW HEADQUARTERS, 6980 SIERRA CENTER
PARKWAY, RENO, NV 89511

Attendance: Committee Chair David McNinch, Commissioner Grant Wallace, Commissioner Paul Valentine, Deputy Attorney General Harry Ward, and Committee Staff Management Analyst III Kim Jolly, and Administrative Assistant IV Cassandra Grieve. No members of public in attendance.

1. Call to Order, Introduction and Roll Call of Committee Members

The members Pledge of Allegiance and the meeting convened when all members were present, at 2:47pm.

2. Approval of Agenda - 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.

There was discussion to approve agenda as is. No public Comment. **Commissioner Wallace moved and 2nd by Commissioner Valentine to approve, all in favor.**

3. *Approval of Minutes – Chair David McNinch (For Possible Action) The Committee will review and may approve the DRAFT Minutes from the meeting on April 13, 2016.

Discussion regarding the draft minutes for approval. No public comment. **Motion: Commissioner Valentine; 2nd Commissioner Wallace. All in favor.**

4. *Review and Recommend Clarifying Changes to Nevada Administrative Code (NAC) 501.140-501.190 Appeals - Chair McNinch (For Possible Action)

The Committee may take action to approve clarifying draft amendments to Nevada Administrative Code 501.140 - 501.190 “Practice and Procedure Before the Board of Wildlife Commissioners – Appeals” for submittal to the LCB for drafting.

Committee Chair McNinch provided some comments and proposed changes to page 1, #3 “The commission will include...” include the word “or hold” a special meeting. Then staff provided additional clarity on language added that was not part of the conversation of the last meeting: The DAG suggested a change on p. 3. to instead read “Attorneys General” instead of “Attorney Generals” from the DAGs. Committee Chair is okay with additions.

There was discussion about whether this NAC mockup will be presented tomorrow to full Wildlife Commission meeting. MA3 Jolly clarified that there is no need to at this point, since the Commission will hear it in formal workshop and hearing per requirement. There was discussion that they don’t want to confuse the board with double hearings as committee bringing forward twice – so no need for commission level until it is actually

Legislative Counsel Bureau (LCB) language. The Committee Report will be where the Chair can report on approved language that will be seen in a future workshop. The commission will see it when the CABs get it, etc.

There was discussion about the need an "R" number from LCB, etc. before going before the commission and the time length that would take before it could be placed on for Commission Workshop. Then committee discussed the clarifying draft amendments as presenting with the following change, include the word "hold" section 3, present to LCB for drafting.

It was moved and seconded (Commissioner Wallace, 2nd Commissioner Valentine to move forward item 4, the DRAFT Appeals NAC to LCB for an "R" number, all in favor.

5. *Review and recommend changes to Commission Policy 1-Guidelines for the Commission, for recommendation to the Commission – Management Analyst 3 Kim Jolly and Chair McNinch (For Possible Action)

The Committee may take action to amend Policy 1 "General Guidelines for the Commission" for recommendation to the full Commission. (*Support material)

Committee Chair McNinch asked staff to go over the item. MA3 Jolly said this version is on commission agenda for first reading. If changes are made to this document, we will note them and ask them if they want to move ahead with the changes. I would like to move all 3 together.

Committee Chair McNinch said he has individual suggestions to edit the Mock-up and then asked if anyone else had any. Neither commission had additions.

Page 2, #5, Official duties. Okay with that but my notes had something else "performing duties of the commission". Is the committee okay with the writing?

There was discussion about p. 5 and the actual NRS reference.
Commissioner Wallace and Valentine both indicated there were okay with it.

Committee Chair McNinch: 6A, in which case. Strike "in which case". P. 4, section C, is that supposed to be D? #7, per statute.... Is generated? Will provide

MA3 Jolly suggested adding a missing verb. How about will be provided/is provided?
In agreement. Then there was discussion about what the actual language said in the Trust Fund reporting - will or shall? MA3 Jolly clarified that NRS says shall but we don't have to include that as this is a guideline. Nothing changes NRS.

Motion: Commissioner Valentine, motion to approve policy 1 guidelines with the following changes, #6A, #6, C to D, #7 "will be" after money in the 2nd paragraph. Commissioner Wallace 2nds. With one addition from MA3 Jolly: p. 2 (#5), comma after compensation. All in favor with that addition.

Committee Chair McNinch noted that these minor P-1 changes will go to commission tomorrow on top of those already in support material.

**6. *Review and Recommend Changes to Nevada Administrative Code (NAC) 501.195
Miscellaneous Petitions – Chair McNinch (For Possible Action)**

The Committee may take action to approve clarifying draft amendments to Nevada Administrative Code 501.195 “Miscellaneous Petitions” for submittal to the LCB for drafting.

There was a presentation by staff MA3 Jolly regarding research on petition regulations of other agencies, and what is required by the statute referenced NRS 233B.100. The key phrase is in the last sentence on #1 (in the reference box) dictating the minimum required action by the agency must be within 30 days. It does not say we have to have a hearing, which was inserted by us in our NAC. Ms. Jolly outlined how other agencies, DETR, etc., receive a letter requesting change, they have to respond in writing accepting or denying the petition and then proceed if they agree. Environmental Commission’s process was outline in a hand-out (is appointed commission like NBWC) is more formal and stringent, requiring people to fill out a form on-line in addition to a small business impact form. Handout of their NAC and petition reg.

Jolly - To apply this method/process to NDOW and the Commission, NDOW Staff and the Secretary of the Commission could look at the form, analyze it and give a recommendation at the commission meeting and the board talks about it and they move forward. Involves more technical review by the agency. That would be more involvement from the dept. would probably be helpful.

Jolly - Our existing petition form is a common form. A flow chart previously developed by former NDOW DAG Nhu Nguyen, Former Chief Game Warden, and me or the ideal, simplified process for petitions going forwards. NRS Authority review from staff and DAG, help out with the form portion that only staff knows, talk to the commission about technical, NRS matters, then accept or deny.

Committee Chair McNinch: Is there really a requirement for a hearing of the petitioner? No, not in NRS, only in our NAC. But the response in writing to the petition is the 30 days – that is locked in NRS 233B.100. No provision for extension of 30 days. That is it?

There was discussion about the initiating rulemaking, the language agency shall respond, DAG: Hands tied. Language “shall” = mandatory. And there were questions about what connection there is to the commission and hearing and whether it was necessary, versus the department approving or denying.

There was then policy discussion on if there is value to the petitioner presenting at a commission meeting.

Committee Chair McNinch: as the policy making part of the agency. The NRS does not say commission. It says the Dept.

DAG: This NRS does not bind the commission. It binds the agency. The NAC binds the Commission, but we can change that.

Committee Chair McNinch: What is agency's job? If I'm the agency, we have a petition, but I don't make the rules, the commission makes the rules

DAG: The Dept. is bound by the NRS; they would have to make the decision whether to engage the commission. The problem is the OML which ties the hands of the commission, ties the hands of the agency

Commissioner Valentine: the agency could deny a petition?

DAG: yes.

Commissioner Valentine: If there is no upcoming meeting – is that reason for denial?

MA3 Jolly: No. With this NAC we have to place it on the very next commission meeting, regardless. That has been our present DAG's advice. But also, practically, we wouldn't want to deny something that might be a good idea. There are instances where we get ideas for regulation changes other than a petition. We still respond to letters even though they are not petitions.

Committee Chair McNinch: If I'm the dept., I would initiate rule making. The dept. says anything comes through here we won't deny, we'll let the commission deal with it.

Committee Chair McNinch: goes to next commission meeting. But based on this.... What about an ad hoc committee? Two steps: deny or accept for rule making. Accepted for rule making through a committee, the 30 days kicks in.

There was discussion about the idea for an Ad-Hoc Petition Committee; but then what if the ad hoc committee (like with appeals) denies it and they want to resubmit to the full commission.

Committee Chair McNinch: The ad hoc would be part of the process. Staff would be involved in clarifying it, researching it, etc. Petition given to ad hoc committee, agency says no conflict, but.... Reasons why you might deny it, but you can respond with denial. And submit back to petitioner.

Commissioner Valentine: at some point regulations will be initiated.

Then there was discussion about accepting all petitions, and whether some would be worth investing staff time even if not practical or policy worthy. The whole trigger of the meeting – the commission will – inserting the commission into the process instead of the agency.

Committee Chair McNinch: accepted petitions, rule making process and then denied them. The front end: the key thing is to deny it in 30 days or if a committee moved it forward to

the commission because of an application, etc., it's a good proposal and goes to the commission.

DAG: argued that it was advancement – taking into committee.

Commissioner Valentine: Clarify NRS 233B.100; I don't see the commission involved? It says agency.

DAG: The agency would be the NDOW, but the NAC says the Commission. NRS overrules NAC and we are here discussing amendments to the NAC.

Committee Chair McNinch: if the commission stuff is removed from the NAC, where does that leave the agency? The agency is not the rule making body; the commission is. Is this an agency issue?

Commissioner Valentine: The agency initiates the reg. and brings it to the commission for approval or denial. Or just make decision to deny?

MA3 Jolly: depends on how many people feel slighted by the process or not. Depends on how long some of these took; the missing piece is the technical review and response from the agency. Petitioners are asking for direction. Whole process just because it is a petition; not based on good or bad petition.

Committee Chair McNinch: Almost as if the Commission should decide this. No rush here. Opportunity is to get it submitted by 7/1 to LCB, but not required. We can talk to Tony and have a broader view of what the agency's role is in this situation. The NAC changes, once established, would be easy to do. No motion at this time. Look at NAC?

Commissioner Wallace: we need a direction first.

Committee Chair McNinch: I will reach out to the Director, and Chairman Drew to see their thoughts on this dilemma here and bring that back to the committee.

Commissioner Valentine: Caught off guard by this new information that the NRS says agency is responsible.

Committee Chair McNinch: where's our role? I thought this was to the commission and the time frames applied to us, not the agency. Not sure the Commission should be plugged into this thing.

MA3 Jolly: Well, other than the NAC which we can change, that is your decision on how to interpret and implement the NRS petition requirement. The Arizona Commission has a staff regularly look at all ideas. They don't have the 30 limit in state law like we do though. Holding tank and look at them when they review their regulations.

Committee Chair McNinch: conversation about changing the NRS from 30 days to 60 days.

Commissioner Valentine: NRS 233B.100?

DAG: yes, NRS 233B.100. Assume agency is the agency, not the commission. Protect the commission from having special meetings every 30 days.

There was discussion about ideas to reduce the size and scope of government and this NRS 233B.100 has not been amended in a long time, since 1977.

Committee Chair McNinch: No action. Will reach out to Secretary of the Commission and Comm. Chair for guidance on future action in next day or two prior to the Elko Commission meeting.

7. Future Committee Meetings and Agenda Items –Chair McNinch (For Possible Action)

The chairman may designate and adjust items, or meeting dates, times, and locations at this time.

Committee Chair McNinch: will try to meet before the Elko meeting. Maybe phone meeting. Two items: Policy 1 if rejected by commission, and petition issue. Also, the wildlife contest policy petition. Fair chase policy? Or its own policy.

MA3 Jolly: Heritage, Finance will be meeting in June.

Committee Chair McNinch: Mid-June. Or, in conjunction with the Elko meeting.

MA3 Jolly: Or before June 24, 25th in Elko.

Committee Chair McNinch and the members decided a phone meeting well in advance of the Elko Commission meeting would be best. Get something for the June packet. No public comment.

8. Public Comment Period – Chair McNinch

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.

Committee Chair McNinch: No public comment.

9. Adjourned at 3:51pm.

Miscellaneous Petitions

NAC 501.195 Petition to adopt, file, amend or repeal permanent regulation. (NRS 233B.100, 501.181)

1. A person who wishes to request that the Commission adopt, file, amend or repeal a permanent regulation must submit a written petition *by email, mail, or fax, to the Commission* on a form provided by the Department. The petition must include:

(a) The name, *phone number, email address*, and mailing address of the petitioner, *and date of the petition. The date the petition is received by the Department is deemed the start of the 30 days.*

(b) A statement of the reason for the adoption, filing, amendment or repeal of the permanent regulation.

(c) The language of the permanent regulation to be adopted, filed, amended or repealed or a description of the subjects and issues involved in the permanent regulation;

(d) An estimation of the authority in statute for the Department and/or the Commission to proceed with the proposed regulation.

(e) A person shall accompany the petition with relevant data, views and arguments.

~~—(d) An estimate made by the petitioner of the economic effect that the permanent regulation to be adopted, filed, amended or repealed will have on the general public and on any business which the permanent regulation regulates or will regulate. Those effects must be stated separately and in each case must include:~~

~~—(1) The adverse and beneficial effects; and~~

~~—(2) The immediate and long term effects.~~

~~—(e) If the adoption, filing or amendment of a permanent regulation is requested, an estimate made by the petitioner of the estimated cost to the Department for enforcement of the permanent regulation.~~

~~—(f) A statement indicating whether the petitioner is aware of any federal regulations or regulations of other state or local governmental agencies that overlap or duplicate the permanent regulation to be adopted, filed, amended or repealed.~~

~~—(g) If the adoption, filing or amendment of a permanent regulation is requested, a statement indicating whether the permanent regulation establishes a new fee or increases an existing fee.~~

~~—(h) The signature of the petitioner and the date the petition was signed.~~

2. *Within 30 days after the Department receives the petition, the Department shall A petition requesting the adoption, filing, amendment or repeal of a permanent regulation shall be in consultation with its Deputy Attorney General, review the petition and determine whether there is existing statutory authority. If there is not sufficient statutory authority to proceed, the department will deny the petition in writing. If there is authority to proceed, the petition will be approved in writing and forwarded to the Commission, therefore initiating rulemaking. deemed to be submitted to the Commission on the date of the next regularly scheduled meeting of the Commission that occurs after the petition is received by the Commission.*

3. *Within 30 days after a petition is submitted, the Commission will:*

(a) –The written denials and approvals of petitions Nnotifying the petitioner in writing of its decision to deny the petition, will including the reasons for the denial; or.

~~—(b) Initiate the regulation making procedures set forth in chapter 233B of NRS, if the petition requests the adoption, filing, amendment or repeal of a permanent regulation, except a permanent~~

*DRAFT MOCKUP OF NAC AMENDMENTS FOR APRP COMMITTEE MEETING –
June 2016*

~~regulation relating to the classification of wildlife or the designation of seasons for hunting, fishing or trapping by the Commission pursuant to the provisions of title 45 of NRS.~~

~~—(Added to NAC by Bd. of Wildlife Comm'rs by R029-00, eff. 6-20-2000; A by R198-05, 2-23-2006)~~

NRS 233B.100 Petition for adoption, filing, amendment or repeal of regulation; amendment or suspension of regulation by Governor.

1. Any interested person may petition an agency requesting the adoption, filing, amendment or repeal of any regulation and shall accompany the petition with relevant data, views and arguments. Each agency shall prescribe by regulation the form for such petitions and the procedure for their submission, consideration and disposition. Upon submission of such a petition, the agency shall within 30 days either deny the petition in writing, stating its reasons, or initiate regulation-making proceedings.

2. Any regulation of any agency is subject to amendment or suspension by the Governor pursuant to the provisions of [NRS 416.060](#).

(Added to NRS by 1965, 965; A [1977, 551, 1388](#))

Citizen has idea for adoption, filing, amendment or repeal of any regulation

Per NRS 233B100, completes agency petition form (only to include reasoning, draft language, effects) and shall accompany petition with relevant data, views, and arguments and submits to agency.

Agency in consultation with Deputy Attorney General reviews petition ONLY FOR existing authority in NRS for dept./ Commission to proceed or not. **Must determine this within less than 30 days**

Authority Exists in NRS = Petition approved and within 30 days forwarded to the Commission to initiate rulemaking.

No authority exists in NRS = Agency denies Petition in writing within 30 days, stating no statutory authority to proceed.

END of Petition Process
in compliance with NRS233B.100;
Rulemaking at Commission level has begun.
Discussion and debate held in public Board meetings.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number

Number:

Title: Wildlife Contests

Reference: NRS 501.100, 501.105

Effective Date:

PURPOSE

This policy is to inform the public about the Nevada Board of Wildlife Commissioners (Commission) perspective regarding organized contests and the take of wildlife. The purpose, scope, and means of wildlife contests in general vary greatly, but the wildlife management profession does not generally recognize the use of contests as a tool with substantial wildlife management effect. Contests traditionally are used to encourage participation, recruit new participants, and provide a social contest in wildlife recreation. The Commission recognizes that it is the responsibility of the contest organizers and participants to follow all pertinent laws, regulations, and ordinances. Further, the Commission recognizes that contest organizers and contestants are responsible for exercising good judgment and respect for all wildlife, contestants, the general public, and outdoor traditions that oftentimes cannot be regulated. Contests can involve lethal take, observation, or photographs, but the effect of all must be considered when balancing sound judgement, ethics and competition.

THE COMMISSION SUPPORTS CONTESTS THAT

- Focus on the ethical, personal skill necessary to the contest;
- Encourage participation in wildlife-related activities and outdoor traditions;
- Follow all relevant wildlife laws, regulations, and ordinances;
- Adhere to the principles of the North American Model of Wildlife Conservation; and
- Encourage respect for the wildlife pursued, attention to the traditions exercised, and enjoyment of wildlife resources.

THE COMMISSION DOES NOT SUPPORT CONTESTS THAT

- Glorify the death of wildlife through insensitive photographs, inappropriate behaviors, or contests that simply enumerate take;
- Intentionally violate wildlife laws or intentionally conceal inadvertent violations of wildlife law;
- Do not use all parts and edible portions of the wildlife taken; and
- Are blatantly disrespectful to the wildlife being pursued.

POLICY

It shall be the policy of the Nevada Board of Wildlife Commissioners to encourage all organizers of and participants in wildlife contests to follow all wildlife laws; show respect for the wildlife pursued, taken, or photographed; and to exercise sound personal

judgement and high ethical standards.

This policy shall remain in effect until amended, repealed or superseded by the Commission.

**BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS REGULAR SESSION,
Month , Year.**

**Chairman
Nevada Board of Wildlife Commissioners**

DRAFT

Wildlife Commission Administrative Procedures, Regulations, and Policies Committee
 PLEASE SIGN-IN (for attendance, even if not speaking) – Meeting Date 6/13/16

Please PRINT Name/Email/Phone/City & County of residence, Organization Representing	Making Public comment on agenda items (yes/no)	List Agenda item number(s):	Support/ Oppose/ Specific suggestions in writing appreciated!
Comments received June 10 th via email from Jennifer Simeo/ Email: jennifersimeo@icloud.com, Reno, self.		4-Wildlife Contest Policy	See specific suggestions in exhibit file, and sent to committee members.
FRED VOLTZ	Y	4+5	OPPOSE AS CURRENTLY STATED
Fauna Tomlinson		4 +5	oppose
SOEL BLAKESLEE	Y	5	oppose
Bibbie McCollum	?	5	oppose
Carol Anne Deed	-	5	oppose
MEL BELDING	Y	5	
Elaine Carrick	Y	5	
Jana Hefedlitz		5	oppose
Julie Mix		5	OPPOSE
DIAN CARURICE		5	OPPOSE
Don Molde	Y	5	"
MARSHALL POSTMAN		5	OPPOSE
Crista Wertz		5	OPPOSE
Jana Hefedlitz (Bum kawon member)	Y		
Grace Seabrook	Y		
Beverly Harry	Y		

From: [Jennifer Simeo <jennifersimeo@icloud.com>](mailto:jennifersimeo@icloud.com)
To: davidmcninch@att.net; sheeps1am1447@gmail.com; nvwildlifecommissioner@gmail.com
Cc: [Kim Jolly](#); [Suzanne Scourby](#)
Subject: Comments for June 13 Committee Meeting
Date: Friday, June 10, 2016 11:06:30 AM

Dear Nevada Board of Wildlife Commissioners:

I would first like to say that I very much appreciate the Board taking up the topic of wildlife killing contests.

These events, in my opinion, represent the ultimate glorification of senseless killing, are cruel by nature, are not publicly supported, hurt the image of hunting and fly in the face of our science based knowledge regarding predators. I continue to be shocked by the fact this activity is legal.

With that being said, I do not believe your proposed language is strong enough to prevent future wildlife killing contests in Nevada.

Due to these contests, by nature, falling short of the Board's elements listed under the section "The Commission Supports Contests That", I ask that the Board take the full and common sensical step to prohibit them from our State all together, for example, striking the word "generally" from the sentence in the first paragraph that notes "the wildlife management profession does not generally recognize the use of contests" and using the items under the section "The Commission Supports Contests That" as reason why these contests are prohibited in Nevada.

Thank you for your time,

Jennifer Simeo
Reno, NV

Sent from my iPhone

From: mreese@prismview.com
To: [Kim Jolly](#)
Subject: Southern Coalition position on contest policy
Date: Monday, June 13, 2016 5:24:38 PM

Kim,
This was sent to the committee, Jeremy Drew and Tony Wasley.

Gentlemen,

The Southern Nevada Coalition for Wildlife wholeheartedly believes that NDOW is not in the "Moral policy" making business and should steer clear of any such arena. NDOW and the commission exists to set seasons and quotas. The reasons are many and I have attached the draft policy and a copy of a current NDOW advertised derby to illustrate one such example.

A kids carp "derby" is also a contest where one will be rewarded with the biggest carp. We as sportsmen understand that when an over abundance of such carp exist they need to be culled. However who eats carp? I'm sure we can find someone but our point is that a vast majority of these will end up in the trash dumpster or anyplace else besides a frying pan or a garden. What will the non consumptive user say about this? The sportsmen will comment that its legal and needs to happen from time to time in order to help keeping a body of water from getting over run with this specie.

Replace the word carp with Eurasian Dove, Jackrabbit or perhaps the Common Coyote and now the discussion will eventually lead to a moral issue and when that happens you now bring into the discussion of why would someone want to catch a poor defenseless fish with a hook in its mouth and the pain inflicted on such a creature? A moral discussion is not where NDOW should be much less have a policy about it.

If the commission chooses to come out with their perspective on contest then we expect to see position statements from NDOW on all forms of wildlife management and activities. This will result in wasted time, money and efforts with no benefit to wildlife or the consumptive users who help to fund NDOW. Get back in the business of managing Nevada's wildlife through sound science.

Please stay out of the moral police business.

Mike Reese President

--

Mike Reese President
Southern Nevada Coalition for Wildlife

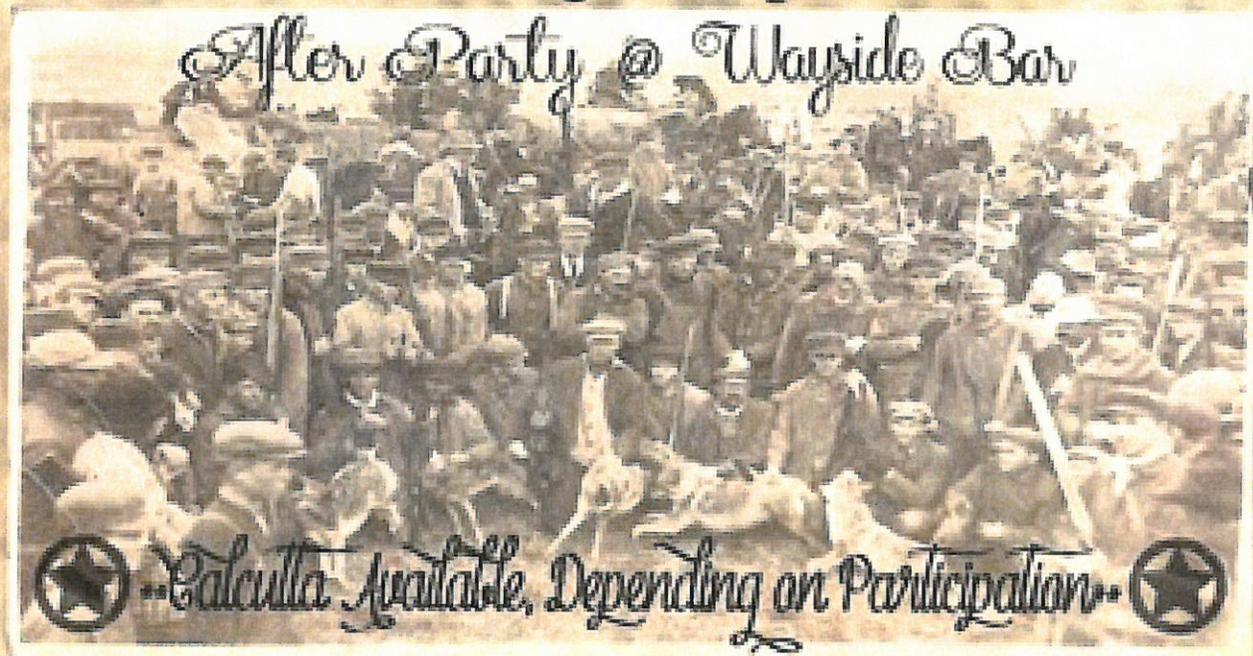
[P.O Box 752632](#)
[Las Vegas, Nevada 89131](#)

WWW.southernnevadacoalitionforwildlife.org

Mike Reese President
Southern Nevada Coalition for Wildlife
P.O.Box 752632
[Las Vegas, NV 89131](#)
[702-400-6501](tel:702-400-6501)
Www.southernnevadacoalitionforwildlife.org

3RD ANNUAL North Valley Coyote Hunt

After Party @ Wayside Bar



• Calcutta Available, Depending on Participation •

Buffet Dinner Tickets \$40 ea



All-U-Can Drink Wristbands \$40 ea

Sign In Friday May 13, 2016

5:00 .m. til 9:00 .m.

Wayside Bar

9015 Lemmon Dr

HUNT BEGINS AT THE BREAK OF DAWN

SATURDAY MAY 14, 2016

FINAL CHECK IN 6:00 P.M. SHARP

Big Dog Little Dog •

\$10

SIDEBETS

For More Information:

Jason Schroeder (704) 685-2008

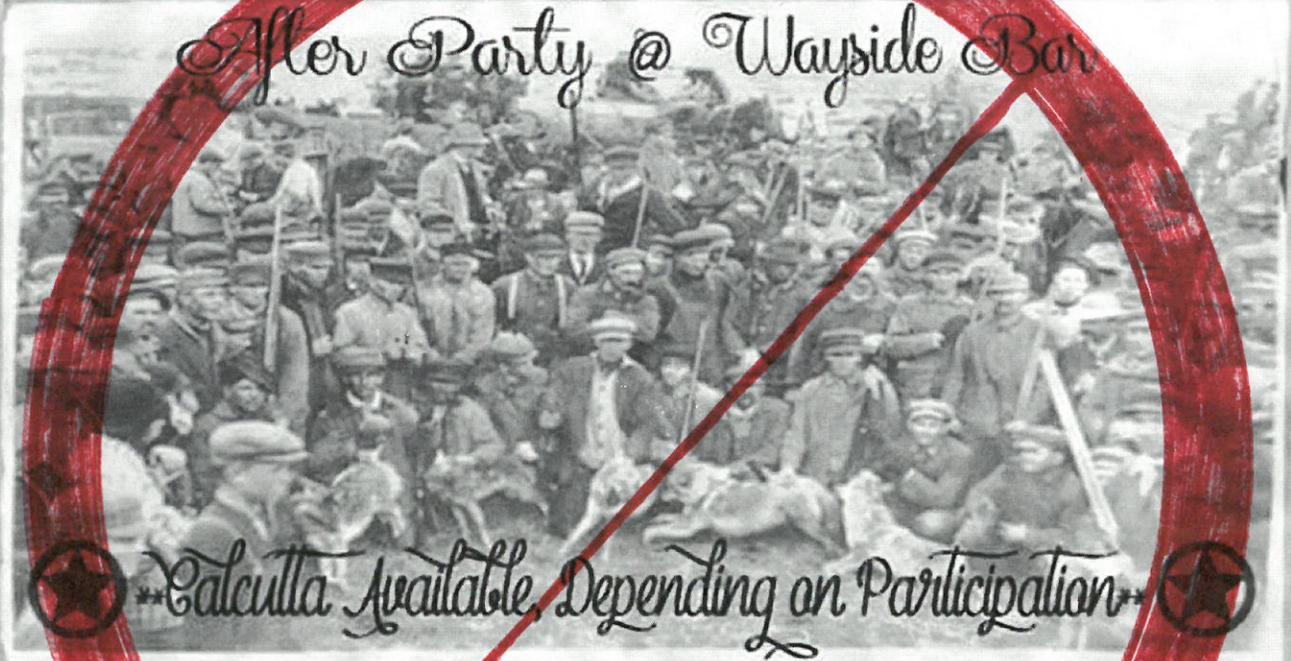
Teams: 2 person \$50

3 person \$75

for more info: call Jana (425) 213-9261

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FINAL CHECK IN 6:00 P.M. SHARP

Lemmon Valley Drum

Big Dog Little Dog
\$10
SIDEBETS

For More Information: *Circle 2:30 Sat.*

Teams: 2 person \$50
3 person \$75

email Fshngme@aol.com to **BRAN!**

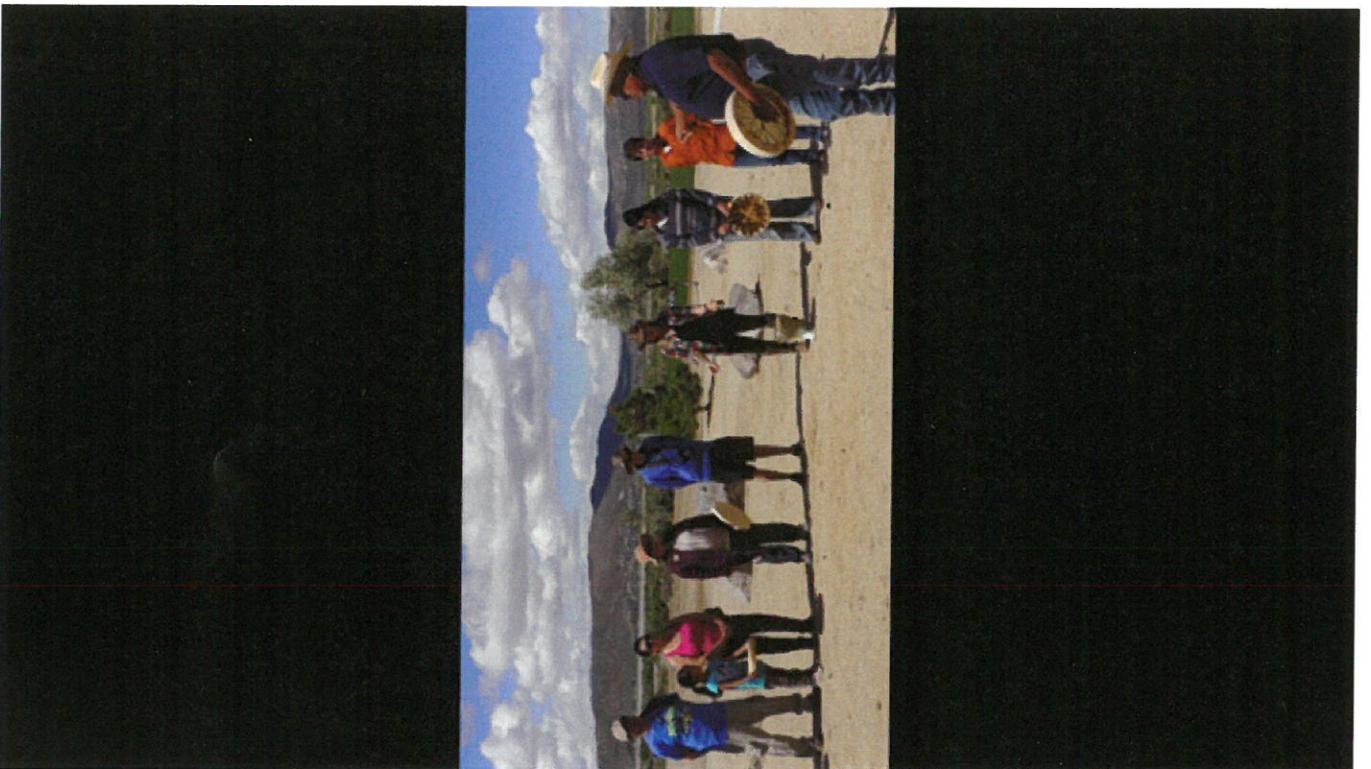
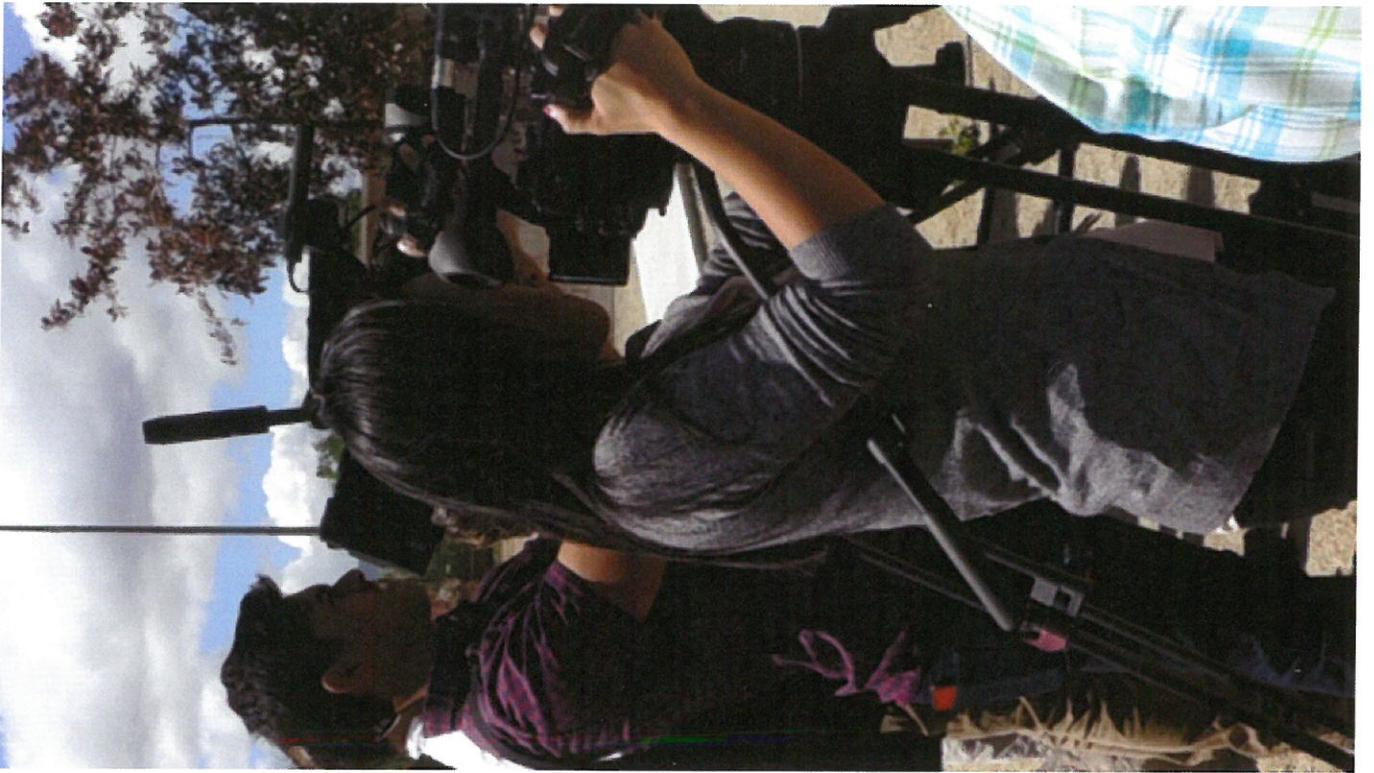


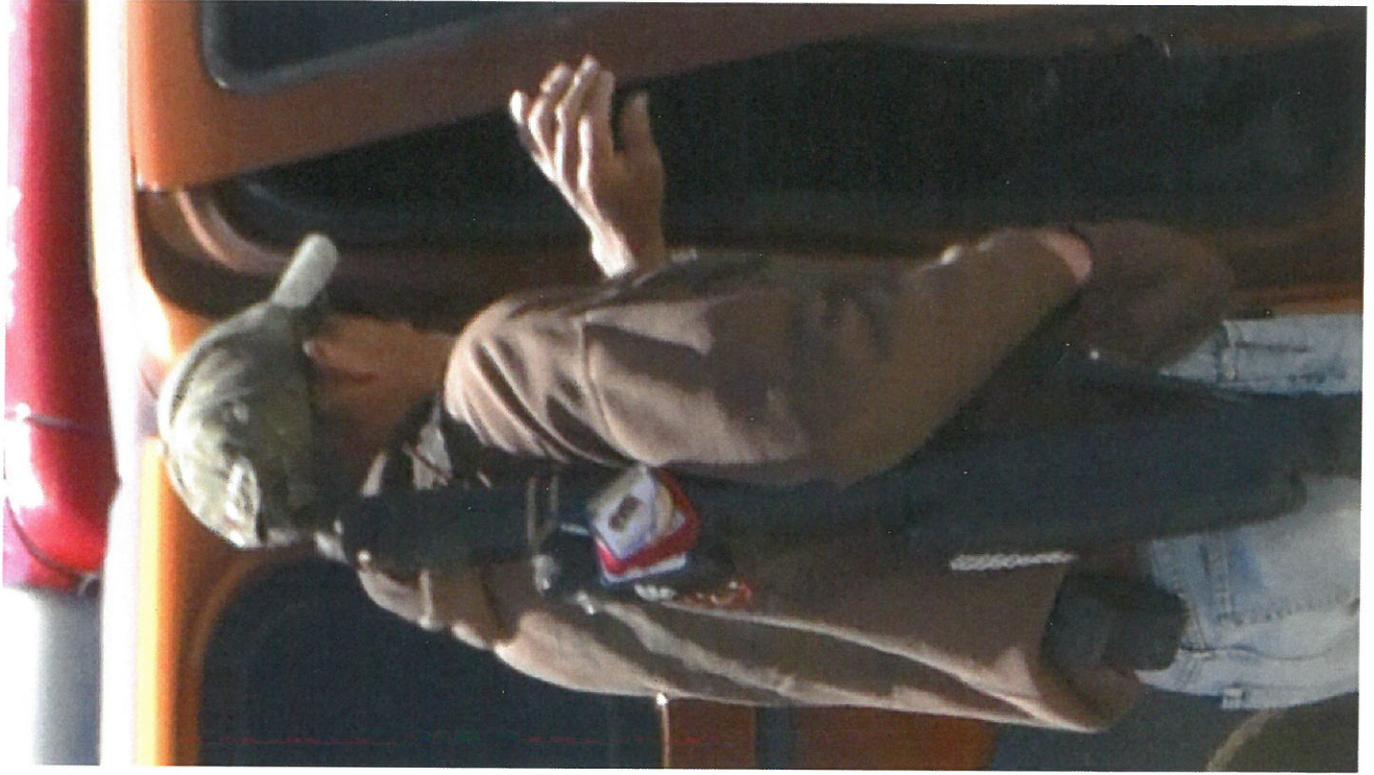
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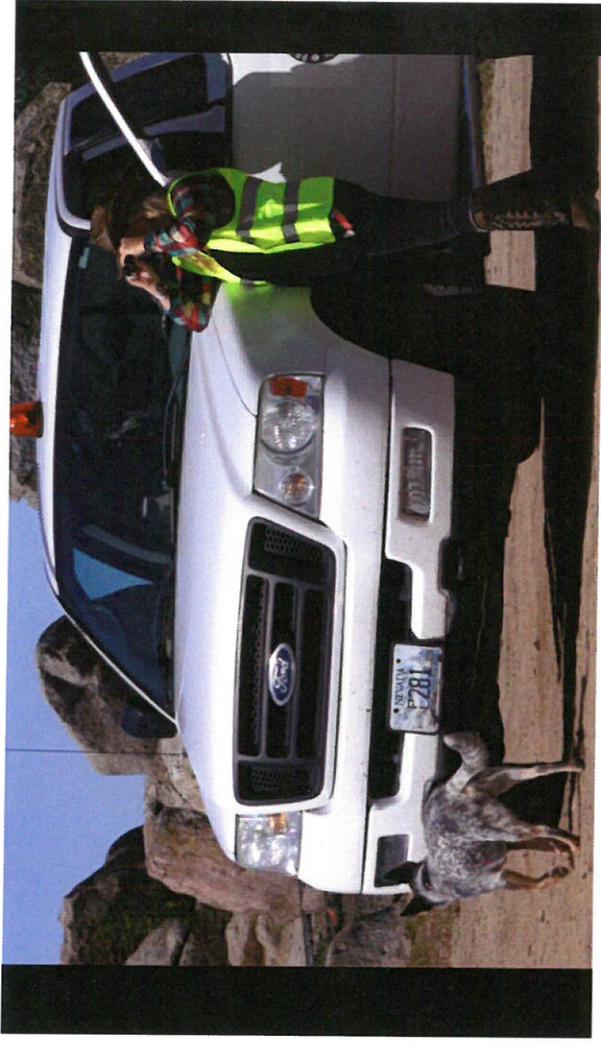
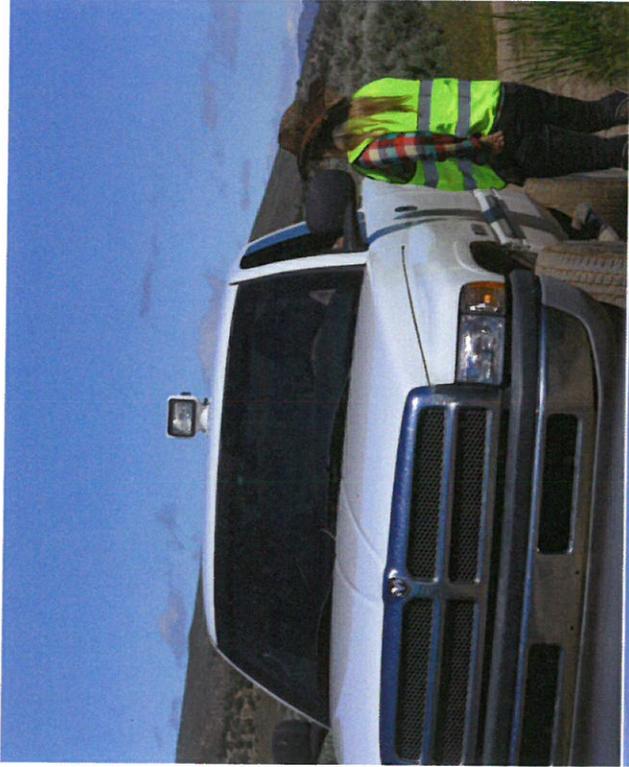


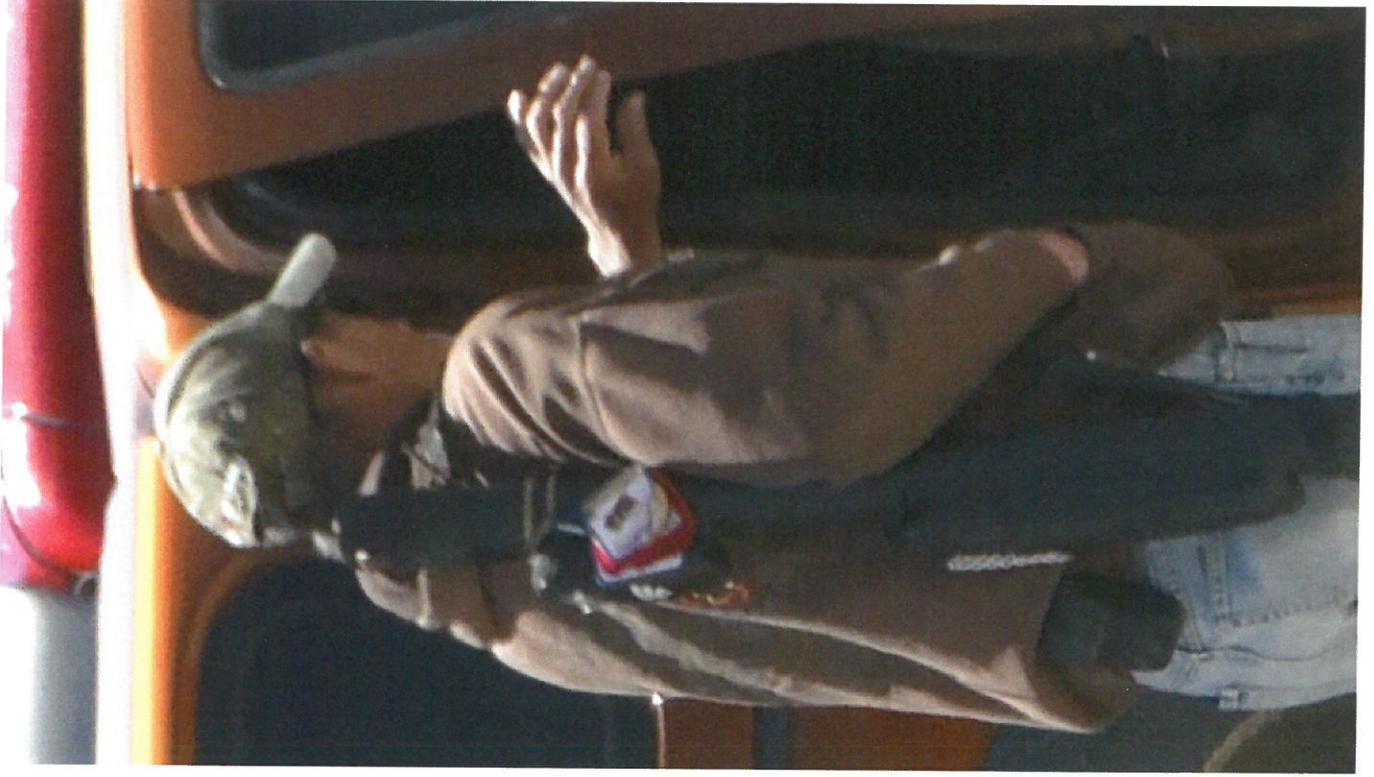


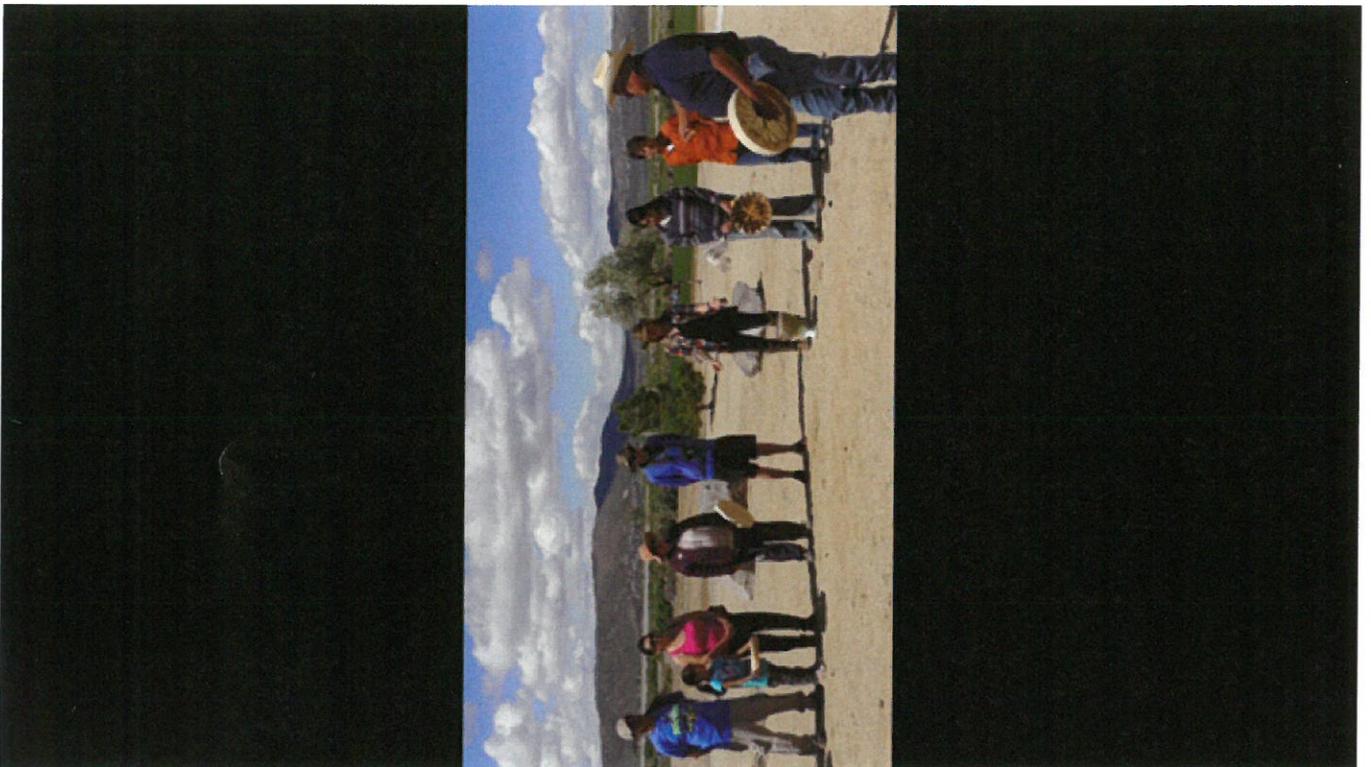
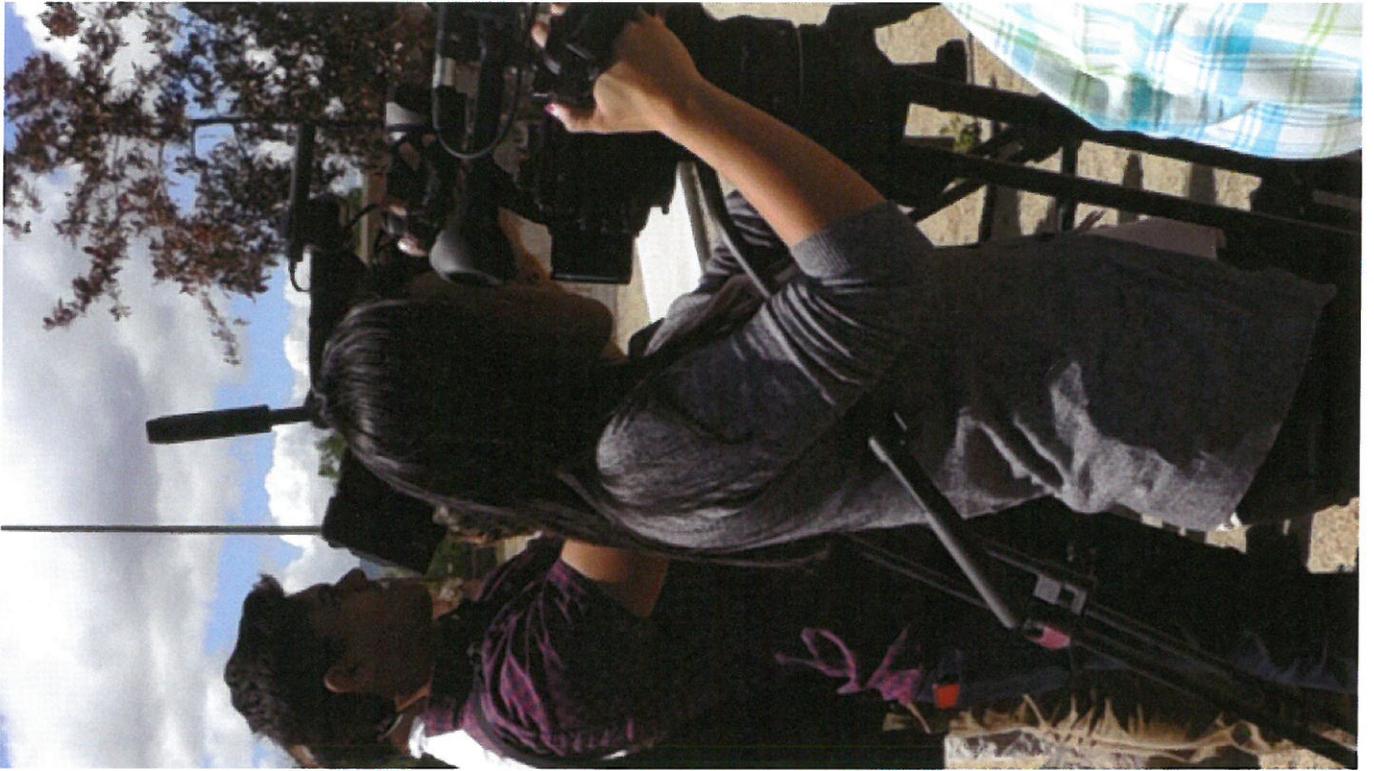


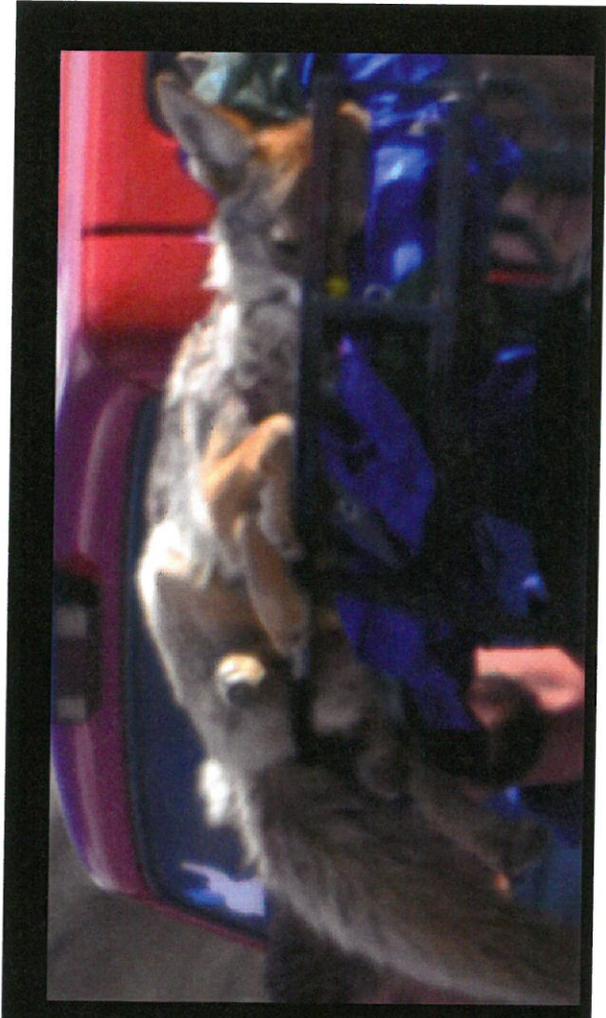
















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The Hidden War on Wildlife: KILLING CONTESTS IN NORTH AMERICA

What are Wildlife Killing Contests?

Most Americans are shocked to learn that

thousands of coyotes, mountain lions, foxes, bobcats, prairie dogs, crows, and even wolves are targeted each year in wildlife killing contests

where contestants win prizes for killing the most or largest of a given species. Many non-target

species, including pets and endangered species, are killed or injured as collateral damage. These

contests (also called derbies and drives), which are largely unmonitored by state and federal

wildlife agencies, are legal in every state in the U.S. except California and often occur on

our public lands.

Wildlife killing contests violate the public

trust doctrine, which maintains that wildlife is

a public trust asset that must be conserved and protected for future generations. The contests

are symptomatic of a larger problem with state wildlife agency mismanagement of predators,

and an arcane prejudice against native carnivores that is rooted in fear and misunderstanding.

The belief that killing unlimited numbers of

native carnivores is a legitimate form of wildlife

management is perpetuated by special interest groups — hunters, trappers and agricultural lobby

groups — and exists, in large part, because it is considered more expedient to kill wildlife than

to implement responsible, science-based

conservation and management.

Who Participates in Wildlife Killing Contests?

A very small segment of the population

participates in the contests. However, there are efforts underway by this small community

to expand their numbers by pursuing youngsters. Children as young as ten are encouraged to

participate, and social media pages show them posing with rifles beside the bodies of

the animals they killed. These contests send a chilling message that killing is fun, that life

is cheap, and that wild animals are disposable.

Wildlife Killing Contests are Unethical and Disrupt Wildlife Ecology

Wildlife killing contests are counterproductive

to sound wildlife conservation or management. These contests can create instability and

social chaos in the family structures of the animals who are killed, often leaving orphaned

young to die and killing the experienced individuals who would pass down appropriate

hunting behavior and knowledge to younger animals. Left on their own, adolescent animals

are more likely to prey on livestock just to survive. The use of lures and distress calls to

attract target animals removes any notion of fair chase in these cruel and unethical events.





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Hunter Harassment

Joel Blakeslee

I could title

- 1- Don't care to go down this road at all, its way to Californiaesque. So much so that California people are here today giving testimony, Can they petition? wicked apology
- 2- The five bullet points that support are OK. In fact I would suggest that NDOW should sponsor coyote derbies. They accomplish the five things that are listed. Why follow that lead?
- 3- The "do not support" points are ambiguous
 - a- Are you suggesting that we eat coyotes
 - b- Can you tell me what an insens tree photo is? Can you tell me what is inappropriate.
- 4- I don't think its up to this commission to tell me how I should socialize with other people. If so then definitions are in order.

Claine Corrick

Thank you all for taking this first step in putting together a policy on wildlife killing contests. You'll be hearing some ideas today that hopefully you can incorporate into this policy. The words "wildlife contests" throws all wildlife into one big pot, giving the opinion that all wildlife contests are the same. This is not the case. The public accepts some wildlife contests such as fishing contests but are strongly opposed to others such as coyote killing contests. This needs to be spelled out in the policy. One way could be to specify those wildlife killing contests which are totally unacceptable to the public such as coyote killing contests & list those animals that cannot part of a contest. Or, to approach it from another prospective, list the kind of wildlife contests that would be allowed such as fishing contests.

The policy states the Commission supports contests that "focus on the ethical" & encourages respect for wildlife pursued. If this is what the Commission supports, how will it determine if a wildlife contest is ethical? Coyote killing contests are held for the purpose of having fun, killing as many coyotes as possible within a period of time to win prizes for the number killed & sizes killed. Can this kind contest really be ethical? Simply putting these words into the policy is not going to make it so. The reality is people's ethics & their morals for what they feel is right or wrong are different for each person. That's one of the reasons we have wardens in the field to report wrongdoing. Who exactly is going to determine if these contests are ethical or respectful when the organizers & people involved have their own idea on what is right & wrong? And if a contest is not ethical, what will be the consequences? Fines, punishments? There is no mention of this.

The other word used in the policy is "traditions." In the recent North Valley Coyote Contest, the poster showed a large group of men proudly showing off their dead coyotes. The picture appears to be from the 19th century. If people are having coyote killing contests today, can that be simply called "tradition" which makes it OK? Because there have been coyote killing contests in the past, should they be allowed & continued today as a good "tradition?" "The organizers will simply be more clever in their promotions & eliminate offensive pictures & say they will have ethical & respectful contests. But the killing will go on as usual. For this reason, the policy must specify & list which wildlife contests are not permitted or list which ones are.

I'm hoping with the comments given to you today, that you all can continue to clarify your position on these wildlife contests for the public.