

## TAG ALLOCATION AND APPLICATION HUNT COMMITTEE

### Minutes of the November 16, 2016 Meeting

The Tag Allocation and Application Hunt Committee (TAAHC) met at 3:00 p.m. on Wednesday, November 16, 2016 at the Department of Wildlife, 6980 Sierra Center Parkway, Reno, Nevada, 89511.

**PRESENT:** Chairman Brad Johnston  
Paul Valentine (by phone)  
Rex Flowers

**COMMITTEE MEMBERS ABSENT:** Joe Crim

**STAFF:** Bob Haughian – NDOW  
Maureen Hullinger – NDOW

**OTHERS PRESENT:** Meghan Brown  
Jim Puryear with NOGA  
Judi Caron

**NOTE:** A tape recording of these proceedings is retained by the Department of Wildlife and is available for review upon request.

#### 1. **Call to Order and Roll Call of Committee Members – Commissioner and Chairman Johnston**

Chairman Johnston called the meeting to order at 3:00 p.m.

#### 2. **Approval of Agenda – Commissioner and Chairman Johnston – 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.

Paul Valentine motioned to approve the agenda.

Rex Flowers seconded the motion.

Motion carried 3-0.

#### 3. **Approval of Minutes – Commissioner and Committee Chairman Johnston – For Possible Action**

The Committee may approve Committee minutes from the October 26, 2016, Committee meeting.

Rex Flowers said he is abstaining from voting as he was absent from the October 26, 2016 TAAHC meeting.

Paul Valentine motioned to approve the minutes.

Chairman Johnston seconded the motion.

Motion carried 2-0.

#### 4. **Member Items/Announcements and Correspondence - Commissioner and Committee Chairman Johnston - Informational**

Committee members may present emergent items. No action may be taken by the Committee. Any item requiring Committee action may be scheduled on a future Committee agenda. The Committee will review and may discuss correspondence sent or received by the Committee since the last regular meeting and may provide copies for the exhibit file (Committee members may provide hard copies of their correspondence for the written record). Correspondence sent or received by the department will also be discussed.

Chairman Johnston asked committee members if they had any announcements or correspondence to report. There were none.

#### 5. **No Loss of Bonus Points for Active Duty Military Who Leave the State Of Nevada – Operations Division Administrator Bob Haughian - Informational**

The committee will hear Department proposals to address a recommendation to allow Nevada residents, who are active duty military members and leave the state under military orders, to retain their bonus points indefinitely until such time that they return to Nevada. The committee may provide direction to the Department. See TAAHC Open Topic List Item A.1.22.

Bob Haughian stated this topic item has been on the TAAHC open topic list for a while, and he has provided the committee with a two page list of options that the department has come up with. The intent of the original proposal was regardless of the length of time of non-application while on active duty, military members should not lose their earned bonus points when residing outside of Nevada. This was originally intended to be for Nevada residents who are in the military and specifically are on active duty and reside outside of Nevada. Residing doesn't mean that this is their permanent residency but they are residing outside of Nevada because of permanent change of station orders. This also could be applicable to those that get deployed overseas. NDOW doesn't have an objection to this, but there really needs to be some sort of periodic validation of eligibility because the original intent was that it would be an open ended with no validation, yet service members' military status can oftentimes change. Bob reminded the committee of their previous acknowledgement of the need for some sort of validation of eligibility. Bob explained the three different options that the department has come up with. He also informed the committee that the department is going to meet with a military representative in the next couple of weeks to discuss the different types of military ID card that are issued through a system called the Defense Eligibility Enrollment Reporting System (DEERS) to discuss the different types of forms and to understand the difference between them. The more complicated we make this the greater the challenges for NDOW staff in determining the documentation for proof of eligibility.

Chairman Johnston stated that if a military person was stationed overseas or outside of Nevada, the last thing on their mind is submitting paperwork to the department to maintain their bonus points. Once they apply again even if it is not until three or four years later and the next time they apply, realizes that they have lost their bonus points, let them submit the required paperwork to the department showing at that time they were stationed elsewhere. This way the department would have the documentation needed to reinstate bonus points lost due to stationing out-of-state or a deployment.

Rex Flowers said he would be in favor of this and it would be the applicant's responsibility to initiate this by contacting the department. This would be easier on the department rather than having to police this. Rex Flowers asked what would need to be done if we go forward with this proposal.

Maureen Hullinger stated that in order to do this there would need to be a change to the NAC. Information would need to be put out to the public and we would have to make sure it was published accordingly.

Chairman Johnston asked if the department would draft up a paper showing how this would work and if the committee is in agreement, take this out to the CAB's for their input, then the committee would take this forward to the commission and let them know we would like to pursue regulation change.

**6. Bonus Point Applications for Nonresidents for Rocky Mountain Bighorn Sheep and Mountain Goats - Commissioner and Committee Chairman Johnston - For Possible Action**

The committee will consider and may take action on a proposal to allow nonresidents to apply for bonus points for Rocky Mountain Bighorn sheep and Mountain Goat even though there may be no quota set for nonresidents. See TAAHC Open Topic List Item A.1.29.

Chairman Johnston felt if a nonresident wanted to apply for bonus points on a species that did not have a quota, then to let them. He said he could not find a reason not to as long as nonresidents understood there is no guarantee of such a hunt in the future; such a hunt would depend on the quota.

Rex Flowers stated he was not in favor of the one-time buy back of bonus points. Rex was referring to an earlier committee meeting (See TAAHC meeting minutes of August 11, 2016) where a member of the public acknowledged the years of bonus points accumulated for Rocky Mountain Bighorn sheep and Goats by hunters who might likely not be able to hunt these species due to the possibility of continued closed hunts. And because of this situation the Department should provide a refund (i.e., buy-back) to this group of hunters.

Paul Valentine commented that if the proposal was to proceed that it should also apply to residents.

Rex Flowers said he favors the ability to apply for a bonus point for closed hunts as long as the risk is made very clear to the applicant. And he stressed again, he does not support a buy-back of bonus points.

Maureen Hullinger informed the committee if they chose to go forward with this change there would need to be changes made in NAC. Maureen also suggested not only having the language changed on the closed hunts for nonresidents but also to include residents if a hunt was closed.

Chairman Johnston said he would like to see it changed to include both residents and nonresidents, and if a person fails

to purchase a bonus point for a species in two consecutive years where the hunt is closed, this would not result in losing the bonus points they already accumulated. Once the hunt is open and they don't apply for those two years, they then would lose those points.

Chairman Johnston asked if there were any more comments from the committee. There were none.

Chairman Johnston motioned to the committee to make a recommendation to the commission for Nonresidents and Residents to be able to purchase bonus points when hunts are closed, provided that if they do not purchase a bonus point when a hunt is closed for two consecutive years it would not result in a loss of their bonus points, and with no buy-back of bonus points for those years the hunts were closed.

Rex Flowers seconded the motion.

Motion carried 3-0.

**7. Specialty Sheep Tags and Closed Units – TAAHC Proposal - Commissioner and Committee Chairman Johnston – For Possible Action**

Resulting from previous TAAHC meetings, CABMWs and public input was requested regarding the Department's three initial proposals to address challenges with specialty tags and bighorn sheep unit closures. During their October 16 meeting, the committee proposed an alternate solution. This alternate solution was presented to CABMWs and the public in a letter dated October 31, asking for input by November 15, 2016. The committee may take action based upon feedback received. See TAAHC Open Topic List Item T.18.2.

Chairman Johnston reported the only feed-back on this he has seen so far was from the Fraternity of Desert Bighorn Sheep who was in support of the proposal as written.

Rex Flowers asked for clarification on how the TAAHC came up with the quotas for the sheep. He said on the Desert bighorn sheep the unit will not be closed if there is a quota of 10 or more, and for the California bighorn sheep is 7 or more.

Chairman Johnston explained this was based upon the difference of the numbers of specialty tags. For Desert bighorn sheep there are five tags and for California bighorn sheep there are three tags. Also when you look at the quotas in certain units, we tried to adjust for that.

Rex Flowers stated the way it is set up, in unit 253 for Heritage and Silver State tags, you would be excluding the PIW and Dream tag holders from ever hunting in this unit again.

Chairman Johnston explained that the committee discussed this at the last committee meeting and felt that the PIW tag holder would not be upset if they were unable to hunt that unit. This was a compromise solution that the committee had come up with. The committee wanted to maximize the value of the Heritage tag to benefit wildlife, and have the Silver State tag be equivalent to the Heritage tag. For the PIW and Dream tag, he believes hunters who draw these tags would be thrilled to draw either tag, regardless of potential unit closure.

Maureen Hullinger informed the committee if this goes forward, this will be at the commission regulation level (not NAC), and if needed, adjustments could be made in the future.

Jim Puryear informed the committee that NBU was to send the TAAHC a letter giving a couple of different options. He asked if the committee had received them.

Chairman Johnston stated NBU did send a letter to the committee prior to the October 26 TAAHC meeting, and this concept was developed based upon the input from NBU and the Fraternity of Desert Bighorn Sheep.

Chairman Johnston said he would like to inform the commission that the TAAHC has not received much feed-back as hoped on this issue and would like to send this out again to the CAB's for more input. The TAAHC will then make this part of the report to the commission in the near future.

**8. Allow Restricted Nonresident Guided Deer Hunt Applicants to Apply in the Main Draw, to Include Applications for Partnership in Wildlife (PIW) and Silver State Tags – Management Analyst 3 Maureen Hullinger – For Possible Action** The committee will hear current information from the Department regarding the

informational paper to address proposed changes to the drawing sequence for PIW and Silver State tags in the main draw. The proposal also includes the allowance of Restricted Nonresident Guided Deer Hunt applicants to apply in the main draw and applications for PIW and Silver State tags. This proposal was intended to be presented to the Commission at the November meeting in the form of a Commission General Regulation (CGR 466). However, at its October meeting, the TAAHC and Department determined further clarity of the proposal is required. As such, instead of a CGR, the Department will provide an informational paper to the Commission for the purpose of seeking further direction. The TAAHC will review the informational paper and may make further recommendations to the Department in anticipation of the November Commission meeting. See TAAHC Open Topic List Item – T.11.14.

Chairman Johnston recalled when the TAAHC went through this topic, and that the committee had only intended to re-order the draws. This is not quite that simple because currently, if you are eligible, you can only apply for a PIW deer tag only if you apply for a deer tag in the main draw. So if you re-order the draws, as requested by the Washoe County CAB, then are we changing the eligibility as to be able to put in for the PIW draw and not the main draw?

Maureen Hullinger stated that at the last committee meeting it was determined there was more than one way to approach this request. By moving the PIW draw, there were other questions that needed to be answered. It was determined that instead of a commission presentation of a regulation, some questions needed to be answered by the commission first in order to draft regulation language. So the department put together a memo and action report with some back ground on how the current fee process works and options that were identified at the last TAAHC meeting. Method #1, there will be no change to the method of application. You would still need to mark the box for the PIW draw but you would also still need to be eligible for the main draw to participate. Programmatically the PIW draw would move in front of the main draw. The benefit to this would be additional dollars for the heritage account. If everybody was able to participate in PIW draw, then \$10 would be collected from everyone and not just from those unsuccessful applicants. Method #2 proposes a change to the method of application and to move the PIW drawing programmatically. PIW tags would then become a totally separate application process. On the eligibility, would you want those who are currently in a waiting period to be eligible for the PIW draw or keep them ineligible for PIW draw? If this was done, by statute and regulation, we would have to apply all of the nonrefundable fees. As of now, in the current method, those fees would not be applied because currently PIW is not a standalone application process. Another point previously made by System Consultants, our contractor, is that PIW is not invoiced because it is invoiced off of the main draw, and if PIW became its own draw process then it would need to be invoiced by System Consultants. Lastly on the action report a question is posed to reinstate eligibility on the Nonresident Restricted Guided Hunt applicants to be eligible to apply in the main draw and to also be eligible to apply for PIW and Silver State. This was a request from the Nevada Outfitter's and Guide Association (NOGA).

Bob Haughian told the committee that he and Maureen Hullinger had attended Washoe CAB meeting and had also received responses from Douglas, Lincoln and Clark CAB's. Lincoln CAB was in support of method #2 and in support of all of the associated nonrefundable fees. They also were in support of option #1, those who are in a waiting period still be ineligible for applying in PIW. On their answer to question #1, they supported referring to it as a "participation fee." For question #2, Lincoln CAB was not in support of the nonresident guided deer hunt applicants participating in the main draw. Douglas CAB also supported method #2, and is in support of option #1, those who are in a waiting period be ineligible for applying in PIW. On question #1, Douglas CAB supported referring to it as an "application fee." Douglas CAB was also in support of nonresident guided deer hunt applicants being allowed to participate in the main draw, PIW and Silver State draws. Clark CAB was in support of method #1 and question #1, and supported referring it as a "participation fee." For question #2, Clark CAB was in support of the nonresident guided deer hunt applicants participating in the main draw, PIW and Silver State draws. Washoe CAB was in support of method #1 and question #1, and supported referring it as an "application fee.:" For question #2, Washoe CAB was not in support of nonresident guided deer hunt applicants participating in the main draw, but to allow them to participate in PIW and Silver State draws only.

Jim Puryear said he was vice president of NOGA when this regulation was passed and put through years ago, it did include at that time the ability to put in for the main draw. The reason it went through easily was because it had no effect on the resident hunters, just on the nonresident hunters. He said he would like to talk about the 2000 economic survey for nonresident guided deer tag and mountain lion hunt. These numbers are quite skewed because the information is 16 years old so he will add 50% to these dollar figures. He stated that NDOW has received \$120,000 for these sales during the lottery because they are double the price. These numbers didn't include the additional \$16,000 that was received for processing the applications. The cost of a guided hunt in 2000 averaged about \$3,300; a hunt totaling about \$900,000 of revenue coming into the state. This represents an expenditure of \$495 per day for the average stay of 6.9 days on a guided hunt. This compared to the average expenditure of about \$628 per trip for a non-guided hunt is not quite a \$100 per day. He stated that he employs nine sub-guides and pays their insurance, workman's comp, and provides ½ million

dollars insurance to NDOW, Forest Service and BLM. There is a positive economic impact to the state if this was allowed to pass and go back to the way it was originally done. He said he doesn't see there is any negative impact to the resident hunters. He sees a positive impact to Nevada's economy and to the wildlife department. For this reason alone, it's a good system.

Rex Flowers said he attended a Washoe CAB meeting when this was first brought up and they felt this did not affect the resident hunters but it did have an impact on the regular nonresident hunters and would take away from their opportunity. Those who choose to participate in the nonresident guided deer hunt understand they have a limited opportunity, just like the other nonresidents who participate in the general draw. The difference in the tag cost is \$60--it is \$240 for a regular nonresident deer tag and \$300 for a NRGH deer tag. All of the nonresident tags are sold so it is not like the department is losing any money in the long run.

Paul Valentine said he didn't realize that just putting the PIW drawing prior to the main draw would have opened up so many other issues. Paul said he was in support of method #1 and was not in support of question #2.

Chairman Johnston said with respect to implement changing the PIW drawing sequence, he preferred method #1. The PIW tag is more of a desirable tag even though it was initially brought about as a second chance to draw a tag if unsuccessful in the main draw, but as Washoe CAB has demonstrated, taking the successful main draw applicant out of the PIW draw would cost the department money and since it is the more desirable tag, we should programmatically reorder the draw and do it that way. He said on question #1, he supported referring it as an "application fee" and for question #2, he was in support of allowing nonresident guided deer hunt applicants to participate in the main draw, PIW and Silver State draws. He said he understands the argument of "two bites of the apple" but the guide's association has come forward and has explained that this was how it once was. They have also explained they have clients who want to put in for the nonresident guided deer hunt, and if they don't draw a tag they would also like to put in for the main draw. Then if they are successful in drawing a tag, they may hire one of the guides for that hunt which is good for their business and would have a good economic impact for the state.

Paul Valentine said he would like to hear more from the CAB's to get a better feel for where they are on this, and that he doesn't agree with Chairman Johnston on allowing the unsuccessful nonresident guided deer hunt applicants to participate in the main draw.

Chairman Johnston asked if there were any more comments, there were none.

Chairman Johnston motion that the TAAHC memo and action report be presented to the commission, and that there is no consensus amongst the committee members and responding CAB's as to the responses to the action report.

Rex Flowers seconded the motion.

Motion carried 3-0.

**9. Consideration of Items on the Open or Closed TAAHC Topic Lists - Commissioner and Committee  
Chairman Johnston – For Possible Action**

The committee will review any new suggested topics received from County Advisory Boards or the public and may take action to add and/or rank those topics on the TAAHC Open Topic List for future consideration for implementation, and may take action to move existing topics on the TAAHC Open Topic List to the TAAHC Closed Topic List.

Chairman Johnston asked if there were any new items to add to the TAAHC open topic list. There were none. He said he would need to check with Chairman Wallace as to whether the TAAHC will be entertaining the landowner topic issues.

Maureen Hullinger reported that at the last TAAHC meeting there is a committee for the landowner issues but it is not currently active.

Rex Flowers felt this topic should not be on the TAAHC topic open list and should be put on the closed topic list.

Chairman Johnston asked if there were any public comments. There were none.

Chairman Johnston motioned to the committee to move all topic items under T.5 – Landowner Program and topic item

T.8.2 Season Structure – Landowner Program to the TAAHC closed topic list and to report to the commission to let them know that these topic items were moved to the TAAHC closed topic list because the TAAHC believes these topic items should be addressed by a separate committee.

Rex Flowers seconded the motion.

Motion carried 3-0.

10. **Public Comment Period**

Persons wishing to speak may do so at this time. Public comment will be limited to three minutes. No action can be taken by the Committee at this time; any item requiring Committee action may be scheduled on a future Committee agenda.

Judi Caron asked if the nonresident guided deer hunt applicants are unsuccessful in this draw and they have bonus points, and we change it so they are allowed to put into the main draw to compete with the other nonresidents hunters for those tags, if they are successful, is it in statute, and are we addressing that they will lose their bonus points that were accrued in the nonresident guided deer hunt draw?

Maureen Hullinger clarified that bonus points are accrued by category which is antlered deer or antlered elk, etc., so if they draw an antlered deer tag they would lose their bonus points. It doesn't matter if they draw a tag in the nonresident guided deer hunt or in the main draw, their points will revert to zero.

Jim Puryear said he may have slightly misspoken. He said he had received a fax late last night which he would like to submit to the committee. He said this fax basically states that in 2000, the average nonresident guided deer hunt hunter spent \$495 a day in Nevada, as where the regular nonresident hunter spent \$96 a day. He stated that he felt this was important to include in the formula.

Rex Flowers asked if we allowed the nonresident guided deer hunt applicants to apply in the main draw, would they be applying with those bonus points that they gained in the nonresident guided deer hunt.

Maureen Hullinger stated yes they would, but they would lose those points if they drew a tag. This would be no different than if a resident who applied in the main draw and was unsuccessful, then applies again in the 2<sup>nd</sup> draw. They can only accrue one bonus point per year, per category of species.

11. **Future Committee Meetings – Commissioner and Committee Chairman Johnston - Informational**

The Committee may confirm the date and location of the next TAAHC meeting.

Next TAAHC meeting will be scheduled in February in Reno. Time and location to be determined.

Meeting adjourned at 5:10 p.m.