TAG ALLOCATION AND APPLICATION HUNT COMMITTEE

Minutes of the August 11, 2016 Meeting

The Tag Allocation and Application Hunt Committee (TAAHC) met at 6:15 p.m. on Thursday, August 11, 2016 at the Department of Wildlife, 6980 Sierra Center Parkway, Reno, Nevada, 89511

PRESENT:	Chairman Brad Johnston Rex Flowers Joe Crim Paul Valentine
COMMITTEE MEMBERS ABSENT:	Peter Mori
STAFF:	Bob Haughian – NDOW Maureen Hullinger – NDOW
OTHERS PRESENT:	Don Sefton - SCI Jack Robb – NDOW Bob Rittenhouse Ron Lara Mitch Bailey Mitch Buzzetti Mel Belding Darin Elmore Megan Brown

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 6:15 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 unanimously.

3. Approval of Minutes – Commissioner and Chairman Johnston – For Possible Action
The Committee may approve Committee minutes from the June 23, 2016 Committee meeting.

Rex Flowers motioned to approve the agenda.
Joe Crim seconded the motion.
Motion carried unanimously.

4. Member Items/Announcements and Correspondence - Commissioner and 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 said he had received correspondence related to the specialty sheep tag issue, and also received the Lincoln CAB action report. He also received an email from Humboldt CAB, and a phone call from Mel Belding and Judy

Caron on the specialty tag issue. Chairman Johnston asked if committee members had any announcements or correspondence to report. There were none.

5. Select Items from TAAHC Open Topic List:

5a. High Number of Bonus Points/High Age for Consideration of Hunting Advantage – Commissioner and Chairman Johnston – For Possible Action

The Committee will consider allowing those clients who meet certain "criteria" (certain age, length of residency and high bonus point count, etc.) to have an application/hunting "advantage." See TAAHC Topic Item A.1.8.4.

Paul Valentine told the committee the main reason why he wanted to present this topic was because he has family members and friends who are advancing in age and would like the committee to determine if there is any way one or two Desert Big Horn sheep tags could be set aside each year for those individuals who devoted numbers of years consistently applying to draw one of those specialty tags. These tags would come out of two different units in the regions--one out of the north and one out of the southern region.

Chairman Johnston opened up the discussion to the public.

Mitch Bailey stated that he agrees with Paul Valentine. He recalled that in the beginning when the bonus point system was introduced it was misrepresented to the public as the person with the most bonus points wins, but this was not the case and he believes it was not done this way because of financial reasons which would rule out a lot of people because they did not apply. This allowed everyone who applies to have a chance, and the argument is that this is a fair system, but it is not a fair system. It is based on luck, and luck isn't fair and if luck was fair, everyone would win the lottery. Now you have a situation where someone can get a tag due to luck and there are people out there who have maximum bonus points but do not draw a tag. He said he felt the system isn't fair because it is done on luck, and luck rules a lot of people out. Why do we have to wait until someone is 70 years old before they get a tag? Why not put them in a pool to give them a better chance at drawing a tag? The system should be based on those who have the most bonus points. There is no excuse for a 12 year old to have a sheep tag in their pocket when you have a guy with 30 points that has never had the opportunity for a sheep tag. This needs to be addressed and not just for one or two tags, but for a minimum of bonus points before you are eligible.

Megan Brown believes there should be some consideration not only for bonus points and putting in for tags but also what the sportsmen have done for wildlife. The Nevada Board of Wildlife Commission and sportsmen have shown a long legacy of action on the ground. It would be interesting to add in people who put time in on the ground, whether it's work on guzzlers or other activities, and it would be interesting to include those people who have shown their dedication, whether in state or out of state.

Mel Belding said he agrees with Mr. Bailey and doesn't think you should have to be 70 years old to draw a sheep tag in this state. He said he drew his sheep tag with maximum bonus points in 2009 and spent 50 days on the mountain. He believes that it is time to give preference to those higher-end bonus point holders. He said he also agrees that a 12, 13, 14, or 15 year old has no clue what they have in their pocket when they draw a sheep tag. They haven't been in the game, they haven't been in the grind, they haven't built a guzzler or beat sagebrush...they only got lucky. It is time to give preference to those with higher bonus points. Don't give it to them all, start at 50% or negotiate it and see where we are at. Those people who don't have as many bonus points are still going to draw tag, only set aside a percentage of tags to those with the maximum bonus points.

Megan Brown said she would like to make a follow up comment. As a non-native Nevadan, and someone who appreciates hunting, there should be equal opportunity for those nonresidents who moved into the state. They, too, can be passionate about Nevada's wildlife. Nevada's sheep numbers are higher than our western counterparts and so the opportunity for our resident hunters is a lot higher than other western states. We should be proud of that and to engage people into wildlife, to engage people into sportsmanship, to engage people into hunting, and that means drawing a tag. It is also a valuable to engage younger people and non-traditional hunters into that process. If it means getting someone who is at a younger age or a younger experience level a sheep tag, then get them to engage with older sportsmen to show them the importance of drawing a tag. Don't discourage people who are not from Nevada or who are from a younger generation from putting in for those tags.

Rex Flowers informed the committee that he had looked this over and is not in favor of this proposal. He believes we would be creating another special draw and now would have to create a new program for two tags and for 101 individuals. The

vast majorities of people who are 70 have enjoyed Nevada's wildlife the longest and have had a lot of opportunity. There may be some individuals who are so unlucky to never have drawn a tag, but the vast majority have had a chance in drawing a tag. Out of the 101 individuals, we do not know how many of those have already drawn a sheep tag and are working on drawing their second tag.

Paul Valentine clarified he was only looking at hunter's who had 20 bonus points or above and if they have not drawn a tag in all of those years of applying. They should have the next opportunity in drawing a sheep tag.

Chairman Johnston said just because of someone's younger age doesn't mean they are any less deserving of a tag than a 70 year old person. This generalization cannot be made. And to set a minimum number of bonus points to even be eligible to draw a tag is not the way to go. The bonus points are to give anyone an opportunity to draw; the numbers of bonus points you have are only to increase your odds of drawing. Are all of these people who aren't drawing a tag only putting in for only one hunter choice instead of all of the choices? Going to the notion of giving a couple tags here and a couple of tags there to those people who have a certain amount of bonus points, or who exceed a certain age, is not going to address the situation, especially if it is only two or three tags. Chairman Johnston said he cannot support this recommendation.

Chairman Johnston asked if there were any more comments from the committee and, if not, he asked the committee to make a motion.

Rex Flowers motioned to keep the proposal to provide an application advantage to those with a high number of bonus points or high age, as addressed in open topic list A.1.8.4, remain as a "3" and to be moved to the closed topic item list.
Joe Crim seconded the motion.
Motion carried 3-1, with Paul Valentine opposed.

5b. Allow Restricted Nonresident Guided Deer Hunt Applicants to Apply in the Main Draw and PIW Draw - Commissioner and Chairman Johnston – For Possible Action
The Committee will consider allowing clients who apply for a tag in the Restricted Nonresident Guided Deer Hunt to also be eligible to participate in the main draw and PIW draw. See TAAHC Topic Item - T.11.14.

Chairman Johnston said this topic was presented to the committee by the Nevada Outfitters and Guide Association (NOGA) several committee meetings previously and the committee weighted this topic as a "1".

Mitch Bailey commented that the committee doesn't want a special draw to give someone an advantage, yet the Department has a special draw for the youth hunt. He said that at one point a person could apply in the nonresident restricted draw, the main draw and the PIW, but now something had changed. It was either deleted or missed, or not voted on, or misrepresented, and no one was there to stop it. It was taken away from the NOGA, and NOGA had tried to get it back in place. This has a lot of advantages for the department, especially financially in application fees. In the nonresident draw and then again in the main draw it will generate more income for the department. This brings money into the outlining communities and also to the guides. He asked that the committee recognize this, and that it would only affect nonresident applicants.

Mitch Buzzetti provided some back ground on this. The Guide Association and the Nevada Guides first got together in 1989. The NOGA first went to the commission to see if they could institute a draw for nonresidents. It was recommended that they go to the Legislature. The Guide Association went to the Legislature to start the process in asking for a nonresident draw. In 1989 it was voted down by the Legislature. Then in 1993 the Legislature supported the proposal and it was passed as a permanent bill. The bill was to have the nonresident draw separate from the main draw and allow unsuccessful or rejected applicants in the nonresident draw to be able to apply in the main draw. The incentive was that the nonresidents could apply for both draws and this functioned great for several years. Then came along the Taulman law suit in 2004, where Taulman tried to sue the state for equal rights for nonresidents over residents. The Eureka CAB then petitioned the Board of Wildlife Commissioners to remove the nonresident guided deer hunters' ability to put in for the main draw. In 2006, this passed with little attention from the guides and outfitters. In 2005 Senator Harry Reid introduced SB339 which reaffirmed that states have the rights to manage their wildlife the way they want. This has had an effect on the guides and outfitters. The ability to put clients in for both draws is good for the state, for the department, for the guides and for the economy in these rural towns. In 2004 there were 1,600 nonresidents who applied for the Nonresident Restricted Guided Deer hunt, but once the application process was changed, the applications dropped down to 800. The assumption seems to be that these clients are "double dipping" when really they are not. There are all these opportunities for residents who can get multiple tags like the PIW, Silver State, Dream tags, and depredation tags, when the nonresident who applies in the guided hunt is then ineligible to apply for the PIW or Silver State tags. He requested that the committee reconsider this.

Ron Lara said that he is a guide (Western Wildlife Adventures) and has been guiding since 1994. He is also on the board of NOGA. When the nonresidents were unable to put in for the main draw this had an effect on his business. It also has had an effect on smaller rural towns. One in particular is Mountain City where he employees owners of a small motel for 6 weeks as cooks when he is there with his clients. He also stated that the motel owners have lost approximately 20% or more of their revenue since this change.

Henry Krenka, president of the NOGA, wanted to add that the department has lost about $184,000 just from application fees. Mr. Krenka informed the committee that everyone in the NOGA is in favor of getting this back.

Rex Flowers stated he has heard this discussion many times through the CABs and through past commissions, and there is certain truth to the "double dip" by those nonresidents who apply in the guided hunt. He said he is unaware of the number of clients that the guides have actually lost, but he is not in favor of reopening this topic to allow for them to apply in the guided hunt and the main draw. However, he recalled that the committee had this discussion awhile back and he would really like to see if there is a way to allow the PIW and the Silver State to be a part of those draws.

Maureen Hullinger explained that in a prior committee meeting there was approval from the committee to move the sequence of the PIW draw from after the main draw to prior to the main draw, and to change to the regulation accordingly. With the regulation now in draft and in process, if the committee choses to go forward with this, we could take advantage of the opportunity in that regard since we don't have the draft regulation back from LCB yet.

Paul Valentine said he felt this deserves more research and more input from the CABs and to leave this topic as a "1".

Joe Crim agreed with Paul Valentine.

Chairman Johnston said if a nonresident was unsuccessful in drawing a tag in the guided hunt and wants to come back to apply in the main draw and is successful, then hires the same guide, this is a positive for the outfitter, and it does not increase the number of tags. The nonresidents still would have the same amount of tags in the guided hunt and for the main draw. If there is support from the committee Chairman Johnston said he would like to present this topic item to the Commission. He felt this would also benefit the state and the department.

Chairman Johnston asked if there were any more comments from the committee, and if not, he asked the committee to make a motion.

Paul Valentine motioned to move topic item T.11.14 forward to be heard by the Commission.
Joe Crim seconded the motion.
Motion carried 3-1, with Rex Flowers opposed.

5c. Apply for Both Spike and Bull Which Will Allow for the Ability to Apply for Bonus Points for Either – Commissioner and Chairman Johnston – For Possible Action
The Committee will consider allowance of an application for both spike and antlered elk, which would allow for bonus point applications in both categories, as well. See Topic Item - A.1.27

Maureen Hullinger provided the committee some background on this proposal. What you are eligible to apply for is determined at the commission regulation level and the annual regulation that comes out when the department sets its seasons. To allow someone to apply for a bull tag and also apply for a spike elk the regulation would need to be changed because these are both male hunts. Currently in the regulation you have to choose between applying for a bull elk or a spike elk tag. This is set at the commission level and could very easily be changed.

Darin Elmore asked if the committee would consider moving this topic item forward to the Commission for recommendation. He reported that last year there were 499 applicants who applied for spike elk and over 13,000 bull elk applicants. To allow this change would help manage these herds that are overpopulated. Use the spike hunts as a management tool, and by limiting the number of applicants you would be constraining your ability to use hunters as a management tool. There is no down side for allowing hunters to apply for both hunts.

Paul Valentine thinks this would be an additional management tool for the department.

Joe Crim believes this would help achieve the objective that the department has been looking for and it would also limit the elk in some of the units that are over populated.

Rex Flowers said he is in favor of this.

Chairman Johnston asked if there were any more comments from the committee. If not he asked the committee to make a motion.

Rex Flowers motioned to move topic item A.1.27 forward to be heard by the Commission to allow an application for both spike and antlered elk which would allow for bonus point applications in both categories as well.
Joe Crim seconded the motion.
Motion carried unanimously.

5d. Apply for Both Ram and Ewe of the Same Species Which Will Allow for the Ability to Apply for Bonus Points for Either – Commissioner and Chairman Johnston – For Possible Action
The Committee will consider allowing an application both ram and ewe hunts for bighorns sheep, which would allow a person to apply for bonus points for each. See Topic Item A.1.27.1.

Chairman Johnston explained this topic is similar to the bull elk and spike application eligibility and asked if there were any comments from the committee. There were none. Chairman Johnston asked if there were any public comments regarding this topic. There were none. Chairman Johnston asked the committee to make a motion.

Paul Valentine motioned to move topic item A.1.27.1 forward to be heard by the Commission to allow an application for both ram and ewe hunts for bighorn sheep, which would allow a person to apply for bonus points for each as well.
Joe Crim seconded the motion.
Motion carried unanimously.

5e. No Loss of Bonus Points for Active Duty Military – Commissioner and Chairman Johnston – For Possible Action
The Committee will consider allowing for no loss of bonus points for active duty military residing outside of Nevada regardless of length of time of non-application for a tag. See TAAHC Topic Item A.1.22.

Mitch Buzzetti stated the only comment he has on this topic item was that an Elko CAB member who has a son on active duty would like a better understanding of this topic item. Mitch felt there needs to be a start and end to this. Once you are off of active duty you should be treated just like everyone else in regards to bonus points, and if you don't apply for 2 consecutive years you lose your bonus points.

Megan Brown felt this should be open as long as someone is on active duty or if they retire, or are no longer on active duty, they should keep their bonus points regardless.

Chairman Johnston explained there are details to be worked out on how to make this work but thinks it can be done. If someone has bonus points and is shipped overseas and is unable to apply due to certain circumstances, they should not lose those points.

Bob Haughian stated that NDOW was involved in this topic back in 2013 and the proponent for this proposal was opposed to the Department's desire to annually validate the person's duty status. Military service members' status can change from year to year. For example, the service member may be a reservist one year, then deploy in an active duty status the following year, then be returned to reserve status the next year, and then separate from the service the fourth year. Without a periodic validation process there would be no way to verify eligibility for continued and uninterrupted retention of bonus points. If the desire of this committee is to focus on those who are on active duty status and who are serving outside of Nevada, and there is a means to validate their status each year, this would be a more manageable process for the Department. Furthermore, a validation process would preserve the integrity of this proposal.

Chairman Johnston said he felt this would not be abused in any manor but also understands that it would need to be set up with parameters.

Rex Flowers said he is in support of this and agrees there would need to be a start and end period, and feels this is worth reviewing.

Chairman Johnston suggested keeping this item on the open topic list and would like the department to come back to the committee with some ideas on how to make this work. He suggested on having this topic item put on a future TAAHC agenda and then have the department come back with its ideas to be presented to the committee. Chairman Johnston closed agenda #5e, stating no action will be taken on this topic item.

6. Consideration of items on the Open or Closed TAAHC Topic Lists Commissioner and 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 topics on the TAAHC Open Topic List to the TAAHC Closed Topic List.

Chairman Johnston asked the committee to weigh topic item A.1.29 – Bonus point applications for Nonresidents for Rocky Mountain Bighorn Sheep and Mountain Goat. Chairman Johnston said this topic was brought to the committee by Sean Shea at a recent committee meeting. Currently there are no hunts open for nonresidents for a Rocky Mountain Bighorn Sheep or Mountain Goat, but why not allow them to at least purchase a bonus point for these species until such time that these hunts may reopen for nonresidents.

Mitch Buzzetti said he has had a number of clients who have put in for and hunted Mountain Goats and Rocky Mountain Bighorn Sheep in Nevada over the years but in recent times are unable to apply for these hunts or purchase bonus points. He also knows of people who were Nevada residents who built up their points for these species and subsequently moved out of state. Once the hunt opens up again for nonresidents, these people could have an advantage over the other nonresidents in drawing one of these tags. There is also the risk where a nonresident could build up their bonus points for such hunts that might never reopened to nonresidents.

Megan Brown suggested the committee rank this proposal, as it warrants further discussion.

Maureen Hullinger reminded the committee that at one point in time the resident hunt was also closed, and that residents would also benefit by such an opportunity.

Darin Elmore said that as a passionate hunter who also applies out-of-state, he would support the opportunity to purchase out-of-state bonus points for a potential future opportunity, and if a nonresident wants to invest their ten, fifteen or twenty dollars in Nevada for a bonus point for a future opportunity, it's their money to invest in such an unknown opportunity. As long as the Department makes it clear that when the hunter checks that box for a bonus point, knowing there is no current season for that hunt, it is their choice.

Mitch Bailey asked if the resident hunt has been closed before, but now open, specifically the Rocky Mountain Bighorn Sheep, with the population almost completely eradicated and should not even had a quota of any, do you provide a refund to people with 25 bonus points? And what if they are over 65 years old and have been investing their money in this hunt for years and years? Based on that you would need some sort of escape opportunity stating that we might not have a hunt for this species in the future and if you put your money in it is non-refundable. Bonus points are purchased with the expectation that you will have the ability to draw a tag and if there isn't a draw, he thinks the department would be on the hook to provide refunds.

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 seasons as long as the risk is made very clear to the applicant. However, he does not support a buy-back of bonus points.

Chairman Johnston asked if there were any more comments from the committee. If not, he asked the committee to make a motion.

Rex Flowers motioned to re-rank topic item A.1.29 – Bonus point applications for Nonresidents for Rocky Mountain Bighorn Sheep and Mountain Goat from a "2" to a "1".
Paul Valentine seconded the motion.
Motion carried unanimously.

Chairman Johnston opened topic item C.1 “Calendar of Events” for discussion. This proposal seeks to examine the setting of quotas before the draw, rather than after the draw, so people would know the quota for each species in each unit prior to applying. This is a new item that has been added to the open topic list and is for discussion only and how the committee is going to rank this topic.

Maureen Hullinger stated the desire is to establish the quotas and the season dates at the same time, so when you apply you are aware of this important information. Currently, season dates are established in advance of the application period of March and April, yet for many reasons the quotas are set in May.

Mitch Buzzetti said the only issue he has with this is the biologists need time. For some areas the winters may hang on until late March or into April and this makes it hard to know what is out there at that point. The biologists need time to do surveys and to collect their data; if we push this it could hamper the data assessments. Mr. Buzzetti said if the Department could get all of their recommendations and public comments in on this by that time, he would support changing the quota setting prior to the application period.

Jack Robb informed the committee that Brian Wakeling and his Game Division staff are currently looking at their processes; everything from flight schedules to season quotas, and to include the possibility of the splitting the main draw. One of the biggest hurdles is the deer survey schedule and related data. Until the Department is ready to present further information Jack recommended the committee hold off on this topic.

Darin Elmore understands the Department’s need for the data and encouraged the committee to rank this topic as a “1” and asks the department to come up with recommendations.

Megan Brown said she would encourage further discussion and suggested the committee rank this topic as a “1”.

Mel Belding reported the system we have now certainly gives the biologist enough time and would like the committee to wait to get more information on this topic.

Chairman Johnston stated he would be more inclined to weigh this topic as a “2” and keep it on the topic open list. Then at the appropriate time, when the Game Division is ready to address the issue, place this proposal on a future TAAHC agenda.

Chairman Johnston asked if there were any more comments from the committee. If none, he asked the committee to make a motion.

Joe Crim motioned to rank A1.29 as a “2”.
Paul Valentine seconded the motion.
Motion carried unanimously.

Rex Flowers recommended T.5 “Landowner Program” be moved to the TAAHC Closed Topic List. This is to be handled by the Elk Incentive / Landowner Compensation committee and not by the TAAHC.

Chairman Johnston reported he will follow up with the Elk Incentive / Landowner Compensation committee to see where they are at on topics items T.5.1 – T.5.4 and T.8.2. No action was made on these topic items.

7. 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.

Mitch Bailey said he came to the meeting today with one thing on his mind--when he was out antelope hunting he realized no matter how may bucks came his way he was not going to harvest an animal and that this may be the last time he would get this opportunity. Due to his genetic make-up he feels he will not be hunting at the age of 65 or older. The idea of harvesting an antelope and then having to wait another 5 years before he could apply again for a tag, with his luck, it would be more like another 10 to 15 years before he would draw a tag again. After thinking on this, he said he decided he would be better off not harvesting an antelope, but instead just eating the tag, and to try again next year or try again every year until he is unable to hunt. As he sees it, antelope hunting will be taken away from him due to the waiting period. We’ve already established an opportunity for youths between the ages of 12 to 18 years old to obtain a youth tag to get into hunting. But what do we do for the senior guys who have hunted in the state their whole life? He said he feels that we have

not done anything for them, that we have only made it a little more difficult for them, with more and more hunters getting into the pool. He asked that some consideration be made to waive the waiting period for seniors so they would at least have an opportunity to apply for these tags. He also stated at the last guide meeting it had come up about hunters turning in their tags and keeping their bonus points. There are nonresident out there with 20 bonus points for mule deer and they are shopping their points. They are calling other outfitters, and they are calling other hunters asking if they want to put in with them. Then that person will turn in their tag and get their bonus points back--and will do this for a fee. This is going on; bonus point selling is going on. There needs to be some sort of monitoring of this. Let's do something for people who are coming of age and give them more opportunity just like we do for the youths.

8. Future Committee Meetings – Commissioner and Chairman Johnston Informational
The Committee may confirm the date and location of the next TAAHC meeting.

Next TAAHC will be scheduled in September in Las Vegas. Time and location to be determined.

Meeting adjourned at 7:50 p.m.