

**Trapping Regulation Committee Members:**

Chairman David McNinch  
Commissioners: Jeremy Drew, Jack Robb,  
Karen Layne  
Public member: John Sullivan

**Staff to the Committee: Rob Buonamici**

(775) 688-1540  
[rbonamici@ndow.org](mailto:rbonamici@ndow.org)

**NEVADA BOARD OF WILDLIFE COMMISSIONERS  
NEVADA DEPARTMENT OF WILDLIFE  
TRAPPING REGULATION COMMITTEE MEETING**

Clark County Government Center  
Commission Chambers  
500 S. Grand Central Parkway  
Las Vegas, NV 89155

**Friday, January 31, 2014 @ 8:15 a.m.**

**AGENDA**

NOTE: Items may be taken out of order; items may be combined for consideration by the public body; and Items may be pulled or removed from the agenda at any time. Individuals with a disability who are in need of special services should contact the Department at least 24 hours prior to the meeting at 775-688-1549. Individuals with hearing impairment may contact the Department via telecommunication device (TDD) (775) 688-1550.

TIME LIMITS: 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 on items or attend and make comment during the meeting and are asked complete a speaker card and present it to the Recording Secretary. To ensure the public has notice of all matters the Committee will consider, Committee members may choose not 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.

NOTE: Public comment allowed on each action item and at the end of the meeting for items not on the agenda.

**Friday, January 31, 2014 @ 8:15 a.m.**

1      **Call to Order – Chairman McNinch**

- 2     **Approval of Agenda – Chairman 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, combine items for consideration or take items out of order.
- 3     **Member Items/Announcements Chairman McNinch – Informational**  
Committee members may present emergent items. No action may be taken by the Committee. Any item requiring Committee action will be scheduled on a future Committee agenda.
- 4\*    **Approval of Minutes – Chairman McNinch - For Possible Action**  
The Committee may take action to approve Committee minutes from the September 21, 2013 and December 7, 2013 meetings.
- 5\*    **Trapping Committee Appointments – Senior Deputy Attorney General (DAG) Newton – Informational**  
Trapping Committee Chairman David McNinch and Nevada Board of Wildlife Commissioners Chairman Jack Robb received a letter dated December 14, 2013, from Trish Swain representing TrailSafe and Don Molde regarding the current appointments to the Trapping Committee. The letter alleges conflict of interest for Committee member John Sullivan. DAG Newton will address the allegations and provide direction to the Committee for moving forward.
- 6.\*   **Overview of Recent Legislative Bills and Wildlife Commission Actions Pertinent to Trapping in Nevada – DAG Newton/Chief Game Warden Rob Buonamici – Informational**  
The Committee will be provided with a brief overview of recent Legislative bills, including Senate Bills 213 (2013) and 226 (2011), as well as recent Nevada Board of Wildlife Commission actions pertinent to trapping in Nevada.
7.     **Responsibilities of the Trapping Committee Relative to Senate Bill 213 Enacted During the 2013 Legislature – DAG Newton – Informational**  
During recent Trapping Committee meetings, concerns were expressed regarding the responsibilities and authorities of the Committee, specifically as it relates to Senate Bill 213 passed during the 2013 Legislature. DAG Newton will address these concerns and provide guidance to the Committee including the Committee’s responsibilities specific to Senate Bill 213.
8.     **Definition and/or Interpretation of the Terms “close proximity” and “populated and heavily used areas” as Used in Senate Bill 213 – DAG Newton/Chairman McNinch – For Possible Action**  
DAG Newton will provide guidance on defining and/or interpreting the terms “close proximity” and “populated or heavily used areas” as used in Senate Bill 213. The Committee may take action to define and/or interpret “close proximity” and “populated or heavily used areas” as they relate to Wildlife Management Areas 26 and 28 or portions thereof.

**9. \* Possible Recommendation to Nevada Board of Wildlife Commissioners Regarding Visitation Frequency for Certain Traps, Snares or Similar Devices Placed in Close Proximity to a Populated or Heavily Used Area – Chairman McNinch – For Possible Action**

The Committee may take action to recommend to the Nevada Board of Wildlife Commissioners the frequency at which a person who takes or causes to be taken wild mammals by means of traps, snares or similar devices which do not, or are not designed to cause immediate death to the mammals must visit a trap, snare or similar device in Wildlife Management Areas 26 and 28 or portions thereof. In providing a recommendation the Committee will consider requiring a trap, snare or similar device to be visited more frequently than a trap, snare or similar device which is not placed in close proximity to such an area.

**10. Future Committee Meetings and Potential Agenda Items – Chairman McNinch – For Possible Action**

The Committee will discuss the date, time and location of the next Committee meeting. The Committee will also review and may take action to set potential agenda items for that meeting.

**11. Public Comment Period**

Persons wishing to speak on items not on the agenda should complete a speaker's card and present it to the recording secretary. 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. In addition to this Public Comment Period, Public Comment limited to three minutes per speaker on each agenda action item, but not on reports or informational items.

• \*Support material provided including updates, and posted to the NDOW website ([www.ndow.org](http://www.ndow.org)). Support material for this meeting may be requested from the Committee Staff Joanne Trendler, at (775) 688-1549; 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; 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.

**NOTICE TO THE PUBLIC**

Nevada Department of Wildlife receives Federal Aid in Fish and Wildlife Restoration. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, sex, or disability. 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 Joanne Trendler at the Department at least 24 hours prior to (775) 688-1676.

**Donald A. Molde, M.D.**

3290 Penfield Circle  
Reno, Nevada 89502



**December 14<sup>th</sup>, 2013**

**Commissioner Dave McNinch, Chairman  
Commissioner Jack Robb  
Nevada Board of Wildlife Commissioners  
1100 Valley Road  
Reno, Nevada 89512**

**Regarding: Composition of the Trapping Regulation Committee**

**Dear Commissioners**

**It has come to our attention from two reliable sources that Mr. Sullivan, the trapper's representative on the Trapping Regulation Committee, killed well over 100 bobcats last trapping season. Assuming this is true (NDOW staff can confirm this via pelt sealing data), Mr. Sullivan may be the most prolific bobcat trapper in Nevada since information from NDOW a few years ago showed that only a handful of Nevada trappers kill over 100 bobcats per year. Most are well below 50.**

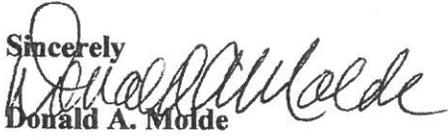
**If Mr. Sullivan does kill bobcats at this rate, it is a reasonable assumption that he has a major conflict of interest as a committee member which might affect his performance on the committee. For example, any effort to shorten the trap visitation interval would be likely to conflict with his self-interest since it would probably reduce the rate at which he currently kills bobcats. He would therefore be unlikely to support such a consideration.**

**While we understand that Commissioner Layne's presence on the committee is deemed by you to somehow "balance" Mr. Sullivan's conflict of interest situation, we disagree for two reasons. Commissioner Layne has broad responsibilities as a commissioner and is not in a position to be an unfettered advocate as is Mr. Sullivan. Commissioner Layne also lacks the technical knowledge about trapping practices in Nevada to make her "advocacy" effective in the manner in which Mr. Sullivan can promote his preferences.**

**In summary, we continue to believe that the composition of the Trapping Regulation Committee is unbalanced in a manner unfavorable and unfair to TrailSafe and to the non-hunting, non-trapping public and that it should be corrected promptly. We request that this letter be entered into the record of proceedings of the committee.**

Sincerely

Donald A. Molde

A handwritten signature in cursive script, appearing to read "Donald A. Molde".

Trish Swain

Trish Swain

TrailSafe

Response to Don Molde letter of December 14, 2013

In Don Molde's letter he says that I should be removed from the trapping committee because there is a conflict of interest. Because his "reliable sources" told him that I caught a lot of bobcats last season, this somehow means that my representation on the committee is conflicted.

I can't speak for Chairman Robb, but I tend to believe that one of the primary reasons I was chosen to be on the committee was because I am an experienced trapper. This experience and knowledge is an asset to the committee and to the process in my opinion. And since the chairman decided that having a "trapper" on the "trapping" committee makes sense, then who does one choose? One with limited experience who would not have much to offer or one with significant experience who does?

As far as having people on regulatory boards and committees who may have a financial stake in the outcome, rather than being seen as a conflict and to be avoided, it is actually the norm, at least from my experience in federal rulemaking.

In my career field, aviation, I have served on several federal rule making committees and boards. I spent three years as a member of a 19 person working group created to make new regulations for overflights of the Grand Canyon, even though I owned a business that was directly affected by those regulations. In federal rulemaking, the rule makers seek out the most experienced and successful experts and professionals to serve on these boards and committees. Many are business owners who have considerable financial considerations at stake. Yet we were asked to serve on these boards and committees anyway. To do otherwise would only serve to produce regulations that were technically flawed, non productive, or counter productive.

In Molde's career field, which is psychiatry I believe, if there was a regulatory body making rules or regulations for that field, and I would imagine there is, would he not want at least one actual psychiatrist to serve on that board? And would he not want a psychiatrist who is very experienced and prolific at his or her practice versus someone who was not?

On our wildlife commission and county advisory boards, has being a successful and prolific hunter or fisherman or a licensed guide ever been considered a reason to ask an individual to step down? One of the current commissioners had a most prolific year hunting in 2012, successfully taking a desert bighorn sheep, a mule deer, and an antelope. A very prolific season by any measure. By Molde's standard, this commissioner should step down.

Another point in Molde's letter that I disagree with completely is his criticism of commissioner Karen Layne. In his letter he calls her an ineffective advocate because of her lack of "technical knowledge about trapping practices in Nevada". So according to Molde, one of the committee members is too knowledgeable and another is not enough.

While I have not served with Commissioner Layne for very long on this committee, as a board member of the Clark County Advisory Board for Wildlife in a second term, I have been at several meetings where Karen attended. While there Karen always answers questions asked of her accurately and professionally. Equally important, she does not try to dominate or take over these county meetings. Her input and contributions are always appreciated and respected by myself and other board members.

From a personal standpoint, I am not a professional trapper and do not depend on trapping or fur sales for any part of my income. While Molde claims that I am the most prolific trapper in Nevada, truth be known, there are many men and women who are far more successful and skilled than I. I have lived in Nevada for the last 22 years. I have hunted, fished, and trapped the majority of those years. For the first 19 of these years, my typical bobcat harvest was usually around 5 to 6. One year I caught one. And for income, many years I did not sell any pelts. Some years when prices were low I just kept pelts for personal use or had garments made for friends and relatives. Since my retirement from a career in business a few years ago, I have been able to devote more of my time to pursue my hobbies and interests. But even now, with the expenses of four wheel drive vehicles, all terrain vehicles, gas and labor, trapping is certainly not a money making endeavor for me.

Sincerely:

John Sullivan

Senate Bill No. 213—Senators Parks, Manendo, Spearman,  
Segerblom; and Woodhouse (by request)

Joint Sponsors: Assemblymen Carlton, Ohrenschall;  
Martin, Munford and Pierce

CHAPTER.....

AN ACT relating to trapping; requiring the registration of each trap, snare or similar device used in the taking of wild mammals; providing that any information in the possession of the Department of Wildlife concerning the registration of a trap, snare or similar device is confidential; requiring the Board of Wildlife Commissioners to adopt regulations prescribing the frequency of required visits for a trap, snare or similar device; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides that any person who intentionally steals, takes and carries away personal goods or property of another person with a value of less than \$650 or who knowingly buys, receives, possesses or withholds such property is guilty of a misdemeanor. (NRS 205.240, 205.275) **Section 1.6** of this bill provides that a person who intentionally steals, takes and carries away traps, snares or similar devices with an aggregate value of less than \$650 or who knowingly buys, receives, possesses or withholds stolen traps, snares or similar devices with an aggregate value of less than \$650 is guilty of a gross misdemeanor.

Existing law requires a person who takes fur-bearing mammals by any legal method or unprotected mammals by trapping to obtain a trapping license. (NRS 503.454) Existing law also provides that each trap, snare or similar device used in the taking of wild mammals may bear a number registered with the Department of Wildlife or may be permanently marked with the name and address of the owner or trapper using it. If a trap is registered, the registration is permanent and the registrant must pay a one-time fee of \$10 at the time the first trap, snare or similar device is registered. (NRS 503.452) **Section 3** of this bill amends those provisions by: (1) requiring each trap, snare or similar device used in the taking of wild mammals to be registered with the Department; and (2) requiring each registered trap, snare or similar device to bear a number which is assigned by the Department and is affixed to the trap, snare or similar device in the manner specified by regulations adopted by the Board of Wildlife Commissioners.

Under existing law, every person who takes fur-bearing mammals by any legal method is required to obtain a trapping license. Existing law also makes it unlawful to move or disturb a lawfully-set trap. (NRS 503.454) **Section 4** of this bill: (1) requires every person who takes fur-bearing mammals by trap, snare or similar device to obtain a trapping license; and (2) clarifies that the prohibition against moving or disturbing a lawfully-set trap also includes any lawfully-set snare or similar device.

Existing law requires each person who sets or places a trap, snare or similar device to visit those devices at least once every 96 hours and requires the removal of trapped mammals from the devices. (NRS 503.570) **Section 5** of this bill requires the Commission to adopt regulations prescribing the frequency at which a



person who sets or places a trap, snare or similar device is required to visit the trap, snare or similar device, which must be at least once every 96 hours.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 501 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.3 and 1.6 of this act.

**Sec. 1.3.** *“Trap” means a device that is designed, built or made to close upon or hold fast any portion of an animal.*

**Sec. 1.6.** *1. Any person who intentionally steals, takes and carries away one or more traps, snares or similar devices owned by another person with an aggregate value of less than \$650 is guilty of a gross misdemeanor.*

*2. Any person who buys, receives, possesses or withholds one or more traps, snares or similar devices owned by another person with an aggregate value of less than \$650:*

*(a) Knowing that the traps, snares or similar devices are stolen property; or*

*(b) Under such circumstances as should have caused a reasonable person to know that the traps, snares or similar devices are stolen property,*

*↪ is guilty of a gross misdemeanor.*

**Sec. 2.** NRS 501.001 is hereby amended to read as follows:

501.001 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 501.003 to 501.097, inclusive, *and section 1.3 of this act* have the meanings ascribed to them in those sections.

**Sec. 3.** NRS 503.452 is hereby amended to read as follows:

503.452 *1. Each trap, snare or similar device used in the taking of wild mammals ~~may~~ must be registered with the Department before it is used. Each registered trap, snare or similar device must bear a number ~~registered with~~ which is assigned by the Department ~~or be permanently marked with the name and address of the owner or trapper using it. If a trap is registered, the~~ and is affixed to or marked on the trap, snare or similar device in the manner specified by regulations adopted by the Commission. The registration of a trap, snare or similar device is ~~permanent~~ valid until the trap, snare or similar device is sold or ownership of the trap, snare or similar device is otherwise transferred.*



2. A registration fee of \$10 for each registrant is payable only once ~~+~~ *by each person who registers a trap, snare or similar device. The fee must be paid* at the time the first trap, snare or similar device is registered.

3. *It is unlawful:*

(a) *For a person to whom a trap, snare or similar device is registered to allow another person to possess or use the trap, snare or similar device without providing to that person written authorization to possess or use the trap, snare or similar device.*

(b) *For a person to possess or use a trap, snare or similar device registered to another person without obtaining the written authorization required pursuant to paragraph (a). If a person obtains written authorization to possess or use a trap, snare or similar device pursuant to paragraph (a), the person shall ensure that the written authorization, together with his or her trapping license, is in his or her possession during any period in which he or she uses the trap, snare or similar device to take fur-bearing mammals.*

4. *A person to whom a trap, snare or similar device is registered pursuant to this section shall report any theft of the trap, snare or similar device to the Department as soon as it is practical to do so after the person discovers the theft.*

5. *Any information in the possession of the Department concerning the registration of a trap, snare or similar device is confidential and the Department shall not disclose that information unless required to do so by law or court order.*

**Sec. 4.** NRS 503.454 is hereby amended to read as follows:

503.454 1. Every person who takes fur-bearing mammals by ~~any legal method~~ *trap, snare or similar device* or unprotected mammals by trapping or sells raw furs for profit shall procure a trapping license.

2. It is unlawful to remove or disturb the trap, *snare or similar device* of any holder of a trapping license while the trap, *snare or similar device* is being legally used by the holder on public land or on land where the holder has permission to trap.

**Sec. 5.** NRS 503.570 is hereby amended to read as follows:

503.570 1. A person taking or causing to be taken wild mammals by means of traps, snares or ~~any other~~ *similar* devices which do not, or are not designed to, cause immediate death to the mammals, shall, if the traps, snares or *similar* devices are placed or set to take mammals, visit or cause to be visited ~~at least once each 96 hours~~ *each trap, snare or ~~other~~ similar device at a frequency specified in regulations adopted by the Commission pursuant to*



*subsection 3* during all of the time the trap, snare or *similar* device is placed, set or used to take wild mammals, and remove therefrom any mammals caught therein.

2. The provisions of subsection 1 do not apply to employees of the State Department of Agriculture or the United States Department of Agriculture when acting in their official capacities.

3. *The Commission shall adopt regulations setting forth the frequency at which a person who takes or causes to be taken wild mammals by means of traps, snares or similar devices which do not, or are not designed to, cause immediate death to the mammals must visit a trap, snare or similar device. The regulations must require the person to visit a trap, snare or similar device at least once each 96 hours. In adopting the regulations, the Commission shall consider requiring a trap, snare or similar device placed in close proximity to a populated or heavily used area by persons to be visited more frequently than a trap, snare or similar device which is not placed in close proximity to such an area.*

**Sec. 5.5.** NRS 205.240 is hereby amended to read as follows:

205.240 1. Except as otherwise provided in NRS 205.220, 205.226, 205.228 and 475.105, *and section 1.6 of this act*, a person commits petit larceny if the person:

(a) Intentionally steals, takes and carries away, leads away or drives away:

(1) Personal goods or property, with a value of less than \$650, owned by another person;

(2) Bedding, furniture or other property, with a value of less than \$650, which the person, as a lodger, is to use in or with his or her lodging and which is owned by another person; or

(3) Real property, with a value of less than \$650, that the person has converted into personal property by severing it from real property owned by another person.

(b) Intentionally steals, takes and carries away, leads away, drives away or entices away one or more domesticated animals or domesticated birds, with an aggregate value of less than \$650, owned by another person.

2. Unless a greater penalty is provided pursuant to NRS 205.267, a person who commits petit larceny is guilty of a misdemeanor. In addition to any other penalty, the court shall order the person to pay restitution.

**Sec. 5.6.** NRS 205.275 is hereby amended to read as follows:

205.275 1. ~~†A†~~ *Except as otherwise provided in section 1.6 of this act*, a person commits an offense involving stolen property if the person, for his or her own gain or to prevent the owner from



again possessing the owner's property, buys, receives, possesses or withholds property:

(a) Knowing that it is stolen property; or

(b) Under such circumstances as should have caused a reasonable person to know that it is stolen property.

2. A person who commits an offense involving stolen property in violation of subsection 1:

(a) If the value of the property is less than \$650, is guilty of a misdemeanor;

(b) If the value of the property is \$650 or more but less than \$3,500, is guilty of a category C felony and shall be punished as provided in NRS 193.130; or

(c) If the value of the property is \$3,500 or more or if the property is a firearm, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

3. In addition to any other penalty, the court shall order the person to pay restitution.

4. A person may be prosecuted and convicted pursuant to this section whether or not the principal is or has been prosecuted or convicted.

5. Possession by any person of three or more items of the same or a similar class or type of personal property on which a permanently affixed manufacturer's serial number or manufacturer's identification number has been removed, altered or defaced, is prima facie evidence that the person has violated this section.

6. For the purposes of this section, the value of the property involved shall be deemed to be the highest value attributable to the property by any reasonable standard.

7. As used in this section, "stolen property" means property that has been taken from its owner by larceny, robbery, burglary, embezzlement, theft or any other offense that is a crime against property, whether or not the person who committed the taking is or has been prosecuted or convicted for the offense.

**Sec. 6.** 1. This section, sections 1 to 2, inclusive, 4, 5.5 and 5.6 of this act become effective upon passage and approval.

2. Sections 3 and 5 of this act become effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and on July 31, 2013, for all other purposes.



Senate Bill No. 226—Senators Leslie and Parks

Joint Sponsors: Assemblywomen Pierce; and Carlton

CHAPTER.....

AN ACT relating to trapping; requiring the Board of Wildlife Commissioners to adopt regulations governing the trapping of fur-bearing mammals in certain counties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, the Board of Wildlife Commissioners is required to adopt certain regulations establishing seasons for trapping fur-bearing mammals and the manner and means of taking wildlife. Those regulations must be established after first considering the recommendations of the Department, the county advisory boards to manage wildlife and others who wish to present their views at an open meeting. (NRS 501.181)

**Section 2** of this bill specifically requires the Board of Wildlife Commissioners to adopt regulations governing the trapping of fur-bearing mammals in a residential area of a county whose population is 100,000 or more (currently Clark and Washoe Counties). **Section 3** of this bill requires those regulations to be adopted on or before December 31, 2012.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** (Deleted by amendment.)

**Sec. 2.** NRS 501.181 is hereby amended to read as follows:

501.181 The Commission shall:

1. Establish broad policies for:
  - (a) The protection, propagation, restoration, transplanting, introduction and management of wildlife in this State.
  - (b) The promotion of the safety of persons using or property used in the operation of vessels on the waters of this State.
  - (c) The promotion of uniformity of laws relating to policy matters.
2. Guide the Department in its administration and enforcement of the provisions of this title and of chapter 488 of NRS by the establishment of such policies.
3. Establish policies for areas of interest including:
  - (a) The management of big and small game mammals, upland and migratory game birds, fur-bearing mammals, game fish, and protected and unprotected mammals, birds, fish, reptiles and amphibians.



- (b) The control of wildlife depredations.
  - (c) The acquisition of lands, water rights and easements and other property for the management, propagation, protection and restoration of wildlife.
  - (d) The entry, access to, and occupancy and use of such property, including leases of grazing rights, sales of agricultural products and requests by the Director to the State Land Registrar for the sale of timber if the sale does not interfere with the use of the property on which the timber is located for wildlife management or for hunting or fishing thereon.
  - (e) The control of nonresident hunters.
  - (f) The introduction, transplanting or exporting of wildlife.
  - (g) Cooperation with federal, state and local agencies on wildlife and boating programs.
  - (h) The revocation of licenses issued pursuant to this title to any person who is convicted of a violation of any provision of this title or any regulation adopted pursuant thereto.
4. Establish regulations necessary to carry out the provisions of this title and of chapter 488 of NRS, including:
- (a) Seasons for hunting game mammals and game birds, for hunting or trapping fur-bearing mammals and for fishing, the daily and possession limits, the manner and means of taking wildlife, including, but not limited to, the sex, size or other physical differentiation for each species, and, when necessary for management purposes, the emergency closing or extending of a season, reducing or increasing of the bag or possession limits on a species, or the closing of any area to hunting, fishing or trapping. The regulations must be established after first considering the recommendations of the Department, the county advisory boards to manage wildlife and others who wish to present their views at an open meeting. Any regulations relating to the closure of a season must be based upon scientific data concerning the management of wildlife. The data upon which the regulations are based must be collected or developed by the Department.
  - (b) The manner of using, attaching, filling out, punching, inspecting, validating or reporting tags.
  - (c) The delineation of game management units embracing contiguous territory located in more than one county, irrespective of county boundary lines.
  - (d) The number of licenses issued for big game and, if necessary, other game species.
5. Adopt regulations requiring the Department to make public, before official delivery, its proposed responses to any requests by



federal agencies for its comment on drafts of statements concerning the environmental effect of proposed actions or regulations affecting public lands.

6. Adopt regulations:

(a) Governing the provisions of the permit required by NRS 502.390 and for the issuance, renewal and revocation of such a permit.

(b) Establishing the method for determining the amount of an assessment, and the time and manner of payment, necessary for the collection of the assessment required by NRS 502.390.

7. Designate those portions of wildlife management areas for big game mammals that are of special concern for the regulation of the importation, possession and propagation of alternative livestock pursuant to NRS 576.129.

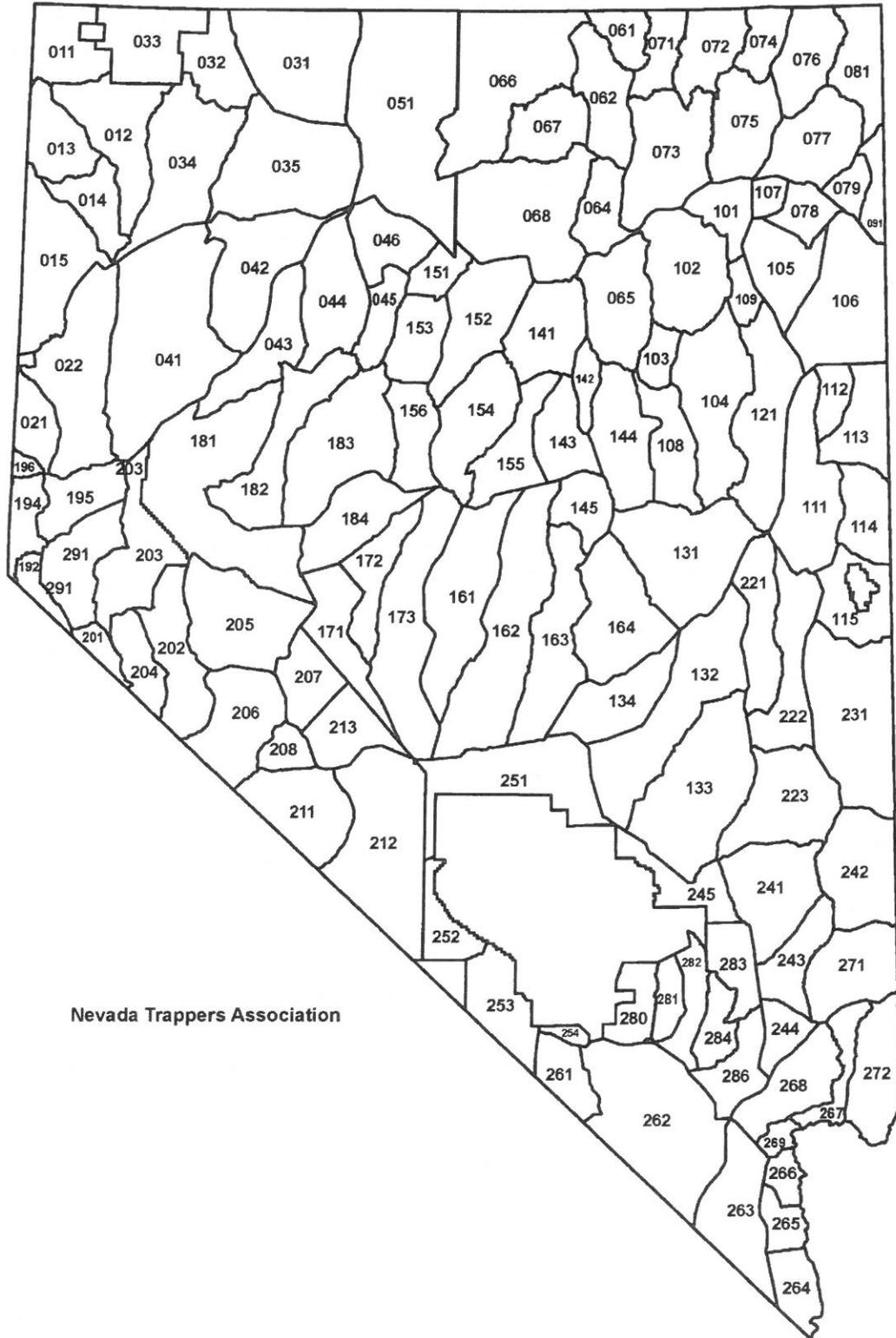
*8. Adopt regulations governing the trapping of fur-bearing mammals in a residential area of a county whose population is 100,000 or more.*

**Sec. 3.** The Board of Wildlife Commissioners shall, on or before December 31, 2012, adopt any regulations required by the amendatory provisions of this act.

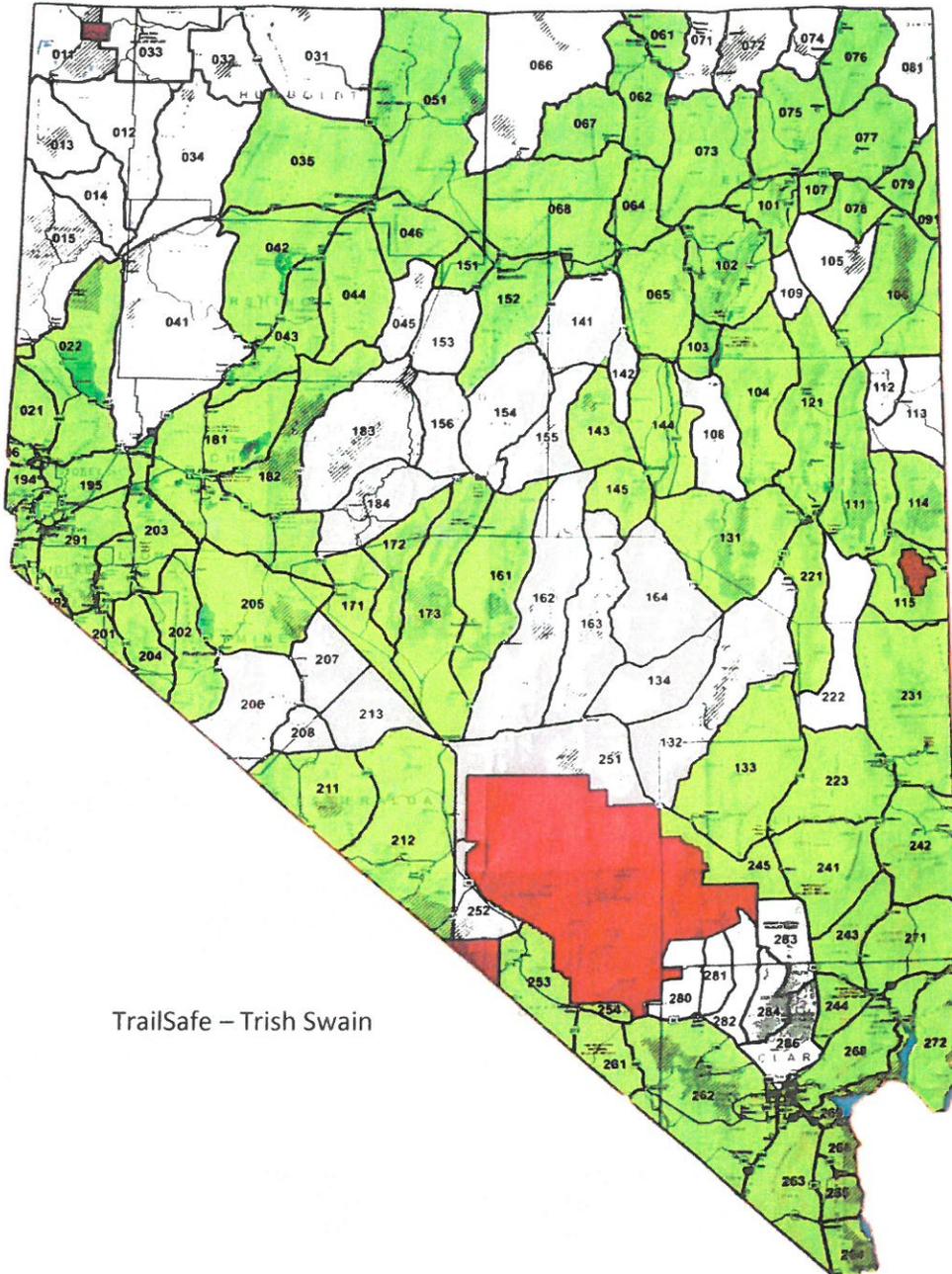
**Sec. 4.** This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations required by the amendatory provisions of this act; and
2. On January 1, 2013, for all other purposes.

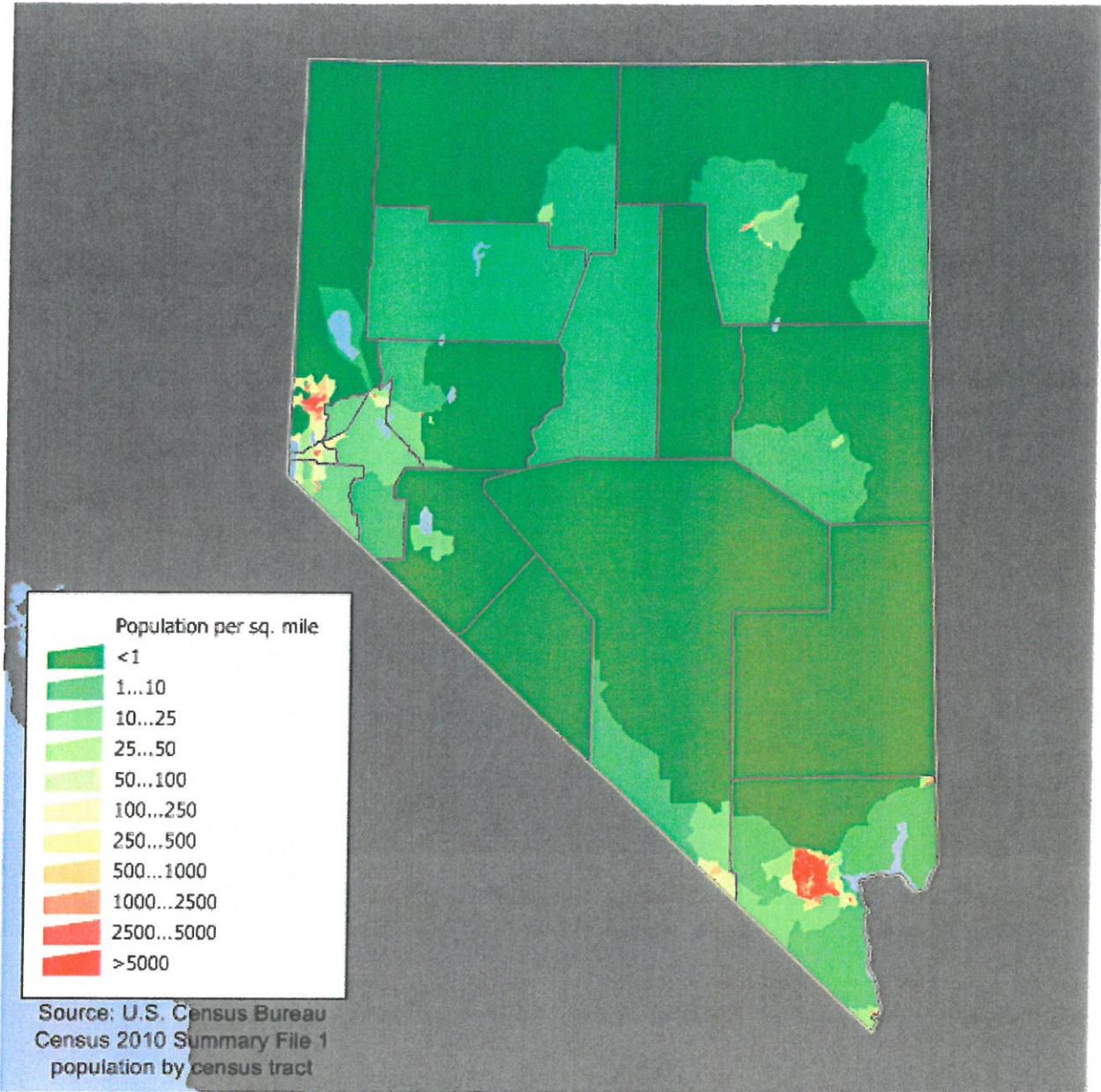


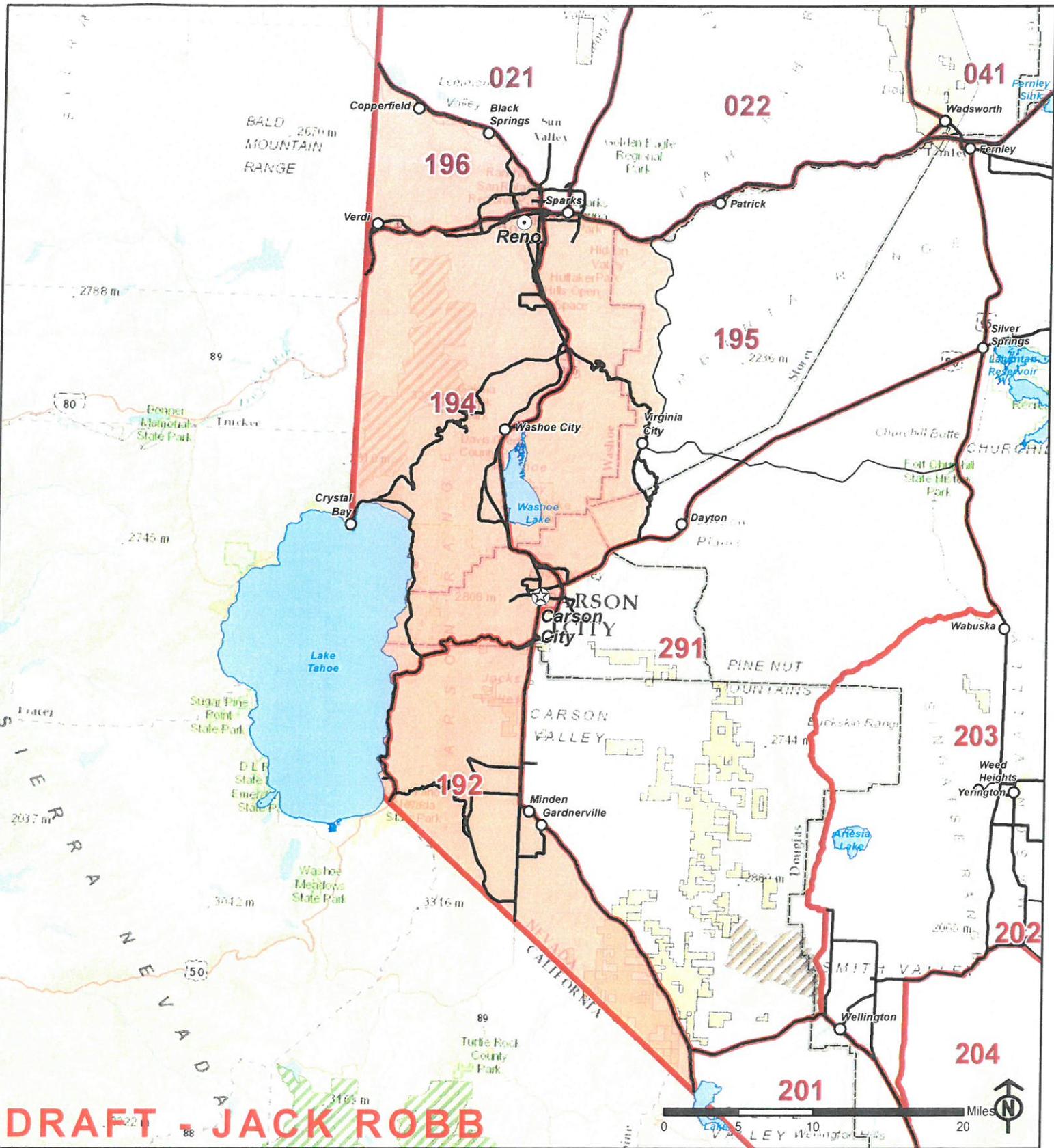


Nevada Trappers Association



TrailSafe – Trish Swain





- Proposed Shortened Trap Visitation Area
- Capital
- Large City
- City/Town
- Major Road/Highway
- Connector Road
- Management Units
- Closed to Hunting

- Tribal Lands
- Wilderness Areas
- Bureau of Land Management
- Humboldt-Toiyabe NF
- National Park Service
- Wilderness Study Area
- County Boundary

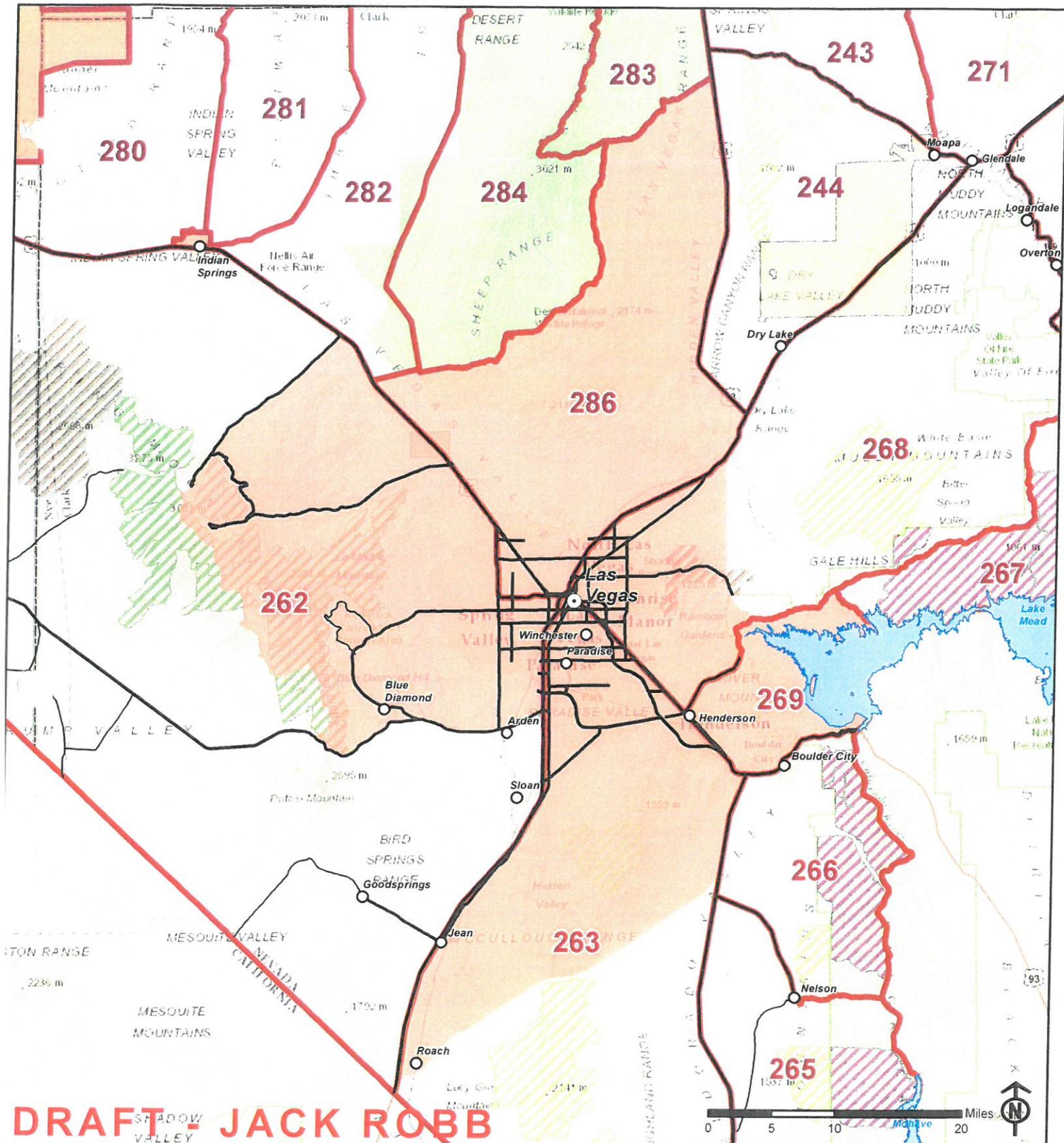
## Proposed Shortened Trap Visitation Areas

### Northern Nevada



January 13, 2014

Projection: UTM Zone 11 North, NAD83



**DRAFT - JACK ROBB**

- Proposed Shortened Trap Visitation Area
- Capital
- Large City
- City/Town
- Major Road/Highway
- Connector Road
- Management Units
- Closed to Hunting
- Tribal Lands
- Wilderness Areas
- Bureau of Land Management
- Humboldt-Toiyabe NF
- National Park Service
- Wilderness Study Area
- County Boundary

### Proposed Shortened Trap Visitation Areas

### Southern Nevada



January 13, 2014

Projection: UTM Zone 11 North, NAD83

# Attendance Register

NEVADA BOARD OF WILDLIFE COMMISSIONERS  
TRAPPING REGULATIONS COMMITTEE MEETING  
Friday, January 31, 2014 @ 8:15 a.m.

Name/Please Print Legibly	Affiliation	Telephone	E-Mail
FRED VOLTZ	PUBLIC		
Don Mold	Seef		
Trish Swain	Trail Safe NV		info@trailsafe.org
Stephanie Myers	Mt. Charleston		
Stacy Matthews	Clark County - AG		
Rebra Stowater	NTA		d.stowater@aol
Shawn miller	NSU / NTA		shwnmil2@yahoo.com
DAVE STOWATER	NTA		

Name/Please Print Legibly

Affiliation

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Name/Please Print Legibly	Affiliation	Telephone	E-Mail
GIL YANUCK	CARSON CAR		
SCOTT SHOEMAKER	Pub		contact@REXANO.ORG
ZUZANA KUKOL	Pub		
Joel Robles	NV Trappers Assoc		lobonewada@gmail.com
ROBERT GAUDOT	NWTF		
Harley Johnson	Coalition NW's Wildlife	772-6289	
Salme Armijo	pub	649-6106	salme41@yahoo.com
mike Reese	CCABMW	400-6501	
MARY MAGUIRE	SALF		

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Affiliation

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Name/Please Print Legibly	Affiliation	Telephone	E-Mail
Patricia Smith	Self		
Paul R. Dixon	Clark CABMW	505-699-1744	mlprdr24@yahoo.com
DON E. HUNTER	" "	702-406-2545	gagman66a embarqmail-com embarqmail.com
Vikki Werner	SEIF / Business owner	702-558-2825	TAXIDERMY VIK@gmail.com
Ryan Werner	NSU / Public/WFT	702-782-1127	RyanWFT@gmail.com
Chad Schubert	WFT / NSU	734 320-2367	Chad N Schubert@gmail.com
Trevor Walsh	Predator Control Corp.	775-401-1518	trevorwalch@predatorcontrol.pro
Holly Haley	HSUS	702 481 5023	hhaley@humansociety.org
JANA WRIGHT	—	702-455-0954	JTWRIGHT@COMMUNITYWV.GOV

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JOHN HIATT	SELF	702) 361-1171	hjhia@panv.net
Joe Crim	self	775-770-0930	joecrim@56global.net
Wayne Bliss	Self	702 736 4182	wbliss3@cox.net
Maurren Hullen	WIDOW		
Vivian Macchiarola Assemblywoman	W. Tappers Assoc		HARRIS HAWKIN@ TAMU.EDU
MAGGIE CARLTON		702-236-5401	
Rex FLORES	WCAB, SELF		
WALT GARDNER			
Henry Krewka	W. Outfitters & Guides		

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Name/Please Print Legibly	Affiliation	Telephone	E-Mail
Mitch Brazzeth	NOGA FXR0,00 CAB		mitch@nhdu.com
Jim Hollinger	NV voters For Animals		jhollinger@dot.state. nv.us
Gina Greisen			DK file
<del>MIKE COX</del>	<del>NDOW</del>		
KES ANDERSEN	SNOW/S&F		
Greg Veik	NSU		
Cory Lytle	Lincoln CAB		
BRETT JEFFERSON	WSF		bkjefferson@tristated.com
MIKE SCOTT	NDOW		

**DRAFT MINUTES**  
**Nevada Department of Wildlife**  
**Trapping Regulation Committee**  
**Clark County Government Center**  
**Commission Chambers**  
**500 S. Grand Central Parkway**  
**Las Vegas, NV 89155**

**Friday, January 31, 2014 @ 8:15 a.m.**

Committee Members Present

Chairman David McNinch  
Commissioner Jeremy Drew  
Commissioner Jack Robb  
Commissioner Layne  
John Sullivan, Clark County

Commissioners Present

Commissioner Chad Bliss  
Commissioner Pete Mori  
Commissioner Grant Wallace

Department Personnel Present

Rob Buonamici, Chief Game Warden  
Tony Wasley, Director  
Kristy Knight, Captain  
Joanne Trendler, Recording Secretary  
Pete Bradley, Staff Game Biologist  
Larry Gilbertson, Chief of Game  
Alan Jenne, Chief of Habitat  
Steve Kimball, Supervising Game Biologist  
Maureen Hullinger, Program Officer

Others Present

Fred Voltz, self  
Trish Swain, TrailSafe Nevada  
Stephanie Myers, Mt. Charleston  
Mike Reese, Southern Nevada Coalition  
Cory Lytle, Lincoln CABMW  
Catherine Smith, self  
Trevor Walch, self  
Jana Wright, self  
Dave Stowater, Nevada Trappers Association  
Gil Yanuck, Carson CABMW  
Ryan Werner, self  
Vikki Werner, self  
Mike McBeath, self

Dr. Don Molde, self  
Joel Blakeslee, Nevada Trappers Association  
Larry Gilbertson, Chief of Game  
Larry Johnson, Coalition for Nevada's Wildlife  
David Pfiffner, Captain – Law Enforcement  
Gina Greisen, Nevada Voters for Animals

John Hiatt, self  
Trevor Walch, self  
Catherine Smith, self  
Rex Flowers, Washoe CABMW  
Chad Schubert, Taxidermist  
Paul Dixon, Clark CABMW, Chairman

Salme Armilo, self  
Trish Swain, Trail Safe Nevada

**Friday, January 31, 2014 @ 8:15 a.m.**

**1 Call to Order – Chairman McNinch**

Chairman McNinch called the meeting to order at 8:15 a.m.

Chairman McNinch acknowledged that many correspondents were received from individuals and organizations. He also acknowledged this is an emotional issue and everyone needs to be respectful of one another. The three minute statutory dialogue will be allowed.

**2 Approval of Agenda – Chairman 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, combine items for consideration or take items out of order.

There were no committee comments.

There was no public comment.

**COMMISSIONER ROBB MOVED TO APPROVE THE AGENDA AS WRITTEN. COMMISSIONER DREW SECONDED. MOTION PASSED UNANIMOUSLY.**

**3 Member Items/Announcements Chairman McNinch – Informational**

Committee members may present emergent items. No action may be taken by the Committee. Any item requiring Committee action will be scheduled on a future Committee agenda.

There was none.

**4\* Approval of Minutes – Chairman McNinch - For Possible Action**

The Committee may take action to approve Committee minutes from the September 21, 2013 and December 7, 2013 meetings.

Chairman McNinch asked for committee comment.

There was no committee comment.

Chairman McNinch asked for public comment.

**COMMISSIONER DREW MOVED TO APPROVE THE SEPTEMBER 21st & DECEMBER 7<sup>th</sup> AS WRITTEN. COMMISSIONER ROBB SECONDED. MOTION PASSED UNANIMOUSLY.**

**5\* Trapping Committee Appointments – Senior Deputy Attorney General (DAG) Newton – Informational**

Trapping Committee Chairman David McNinch and Nevada Board of Wildlife Commissioners Chairman Jack Robb received a letter dated December 14, 2013, from Trish Swain representing TrailSafe and Don Molde regarding the current appointments to the Trapping Committee. The letter alleges conflict of interest for Committee member John Sullivan. DAG Newton will address the allegations and provide direction to the Committee for moving forward.

Chairman McNinch explained there were concerns addressed with the make-up of the committee. The Committee felt those issues went beyond the scope of the committee and asked Deputy Attorney General (DAG) David Newton to address.

David Newton, Deputy Attorney General (DAG) explained that there are no guidelines in the statutes of the regulations regarding limitations on the Chairman of the Commission in terms of how the committees are set up or what the make-up is supposed to be. He said he researched with other attorneys and they were not aware of any statutes or regulations that set up any parameters on setting up a sub-committee. He said he understood the concerns, but those are concerns the Chair can take into consideration or not take into consideration when setting up the committee. He said there is nothing that he would raise any concern for the Chairman in the current make-up of the committee.

Chairman McNinch said that the intent was for DAG Newton to go on record to discuss the letter received and what it meant in terms of Mr. Sullivan's appointment to the committee. He said based on the letter provided it may not have been the correct form to achieve what they are going after. He said the committees aren't set up to take into consideration the members biases, since we all have them. He said the point is that if the member has a conflict of interest it is that individual's responsibility to take those into consideration. If they have further concern they are welcome to talk to legal counsel to see where they may stand on the situation as Commissioners have in the past. He explained that as committee members they all have them and should be handled one at a time.

**6\* Overview of Recent Legislative Bills and Wildlife Commission Actions Pertinent to Trapping in Nevada – DAG Newton/Chief Game Warden Rob Buonamici – Informational**

The Committee will be provided with a brief overview of recent Legislative bills, including Senate Bills 213 (2013) and 226 (2011), as well as recent Nevada Board of Wildlife Commission actions pertinent to trapping in Nevada.

Chairman McNinch explained this agenda item was placed on the agenda to give an overview of what's been done legislatively and the actions taken by the committee and Commission over the past year.

Rob Buonamici, Chief Game Warden explained SB226 occurred in the 2011 Legislative Session. He said the provision in SB226 was to mandate the Commission to adopt regulations governing trapping furbearing mammals in residential areas in counties which had a population of 100,000 or more. He explained as a result two regulations were adopted. He said the first one was more of an over-arching regulation that got to the heart of SB226. He said the key section in there says, "Except as otherwise provided in subsection 2 a person shall not trap other than with a box or cage trap within one half mile of a residence if the residence is located in a congested area of a county whose population is 100,000 or more." He said that one was passed with exemptions that were to address SB226. He said in addition to it was realized that there were other areas outside the scope of the regulation that the Commission and public felt needed to be addressed. The other regulation that was adopted mirrored an already existing regulation that had been in effect in Washoe County in regards to trapping within 1000 feet of the Forest Service trails. He continued by saying that the regulation was amended and expanded to include a multitude of trails, picnic areas, and camp grounds in Southern Nevada. He said in addition to the trails, camp grounds, etc. the amended regulation included six sections that were designated as a restricted trapping area within half a mile of a residence in that area. He said there were major roads, Forest Service type roads, that didn't fit in the definition that were included as restricted areas within 200 feet of those roads.

Commissioner Layne asked Chief Buonamici to review the exemptions on SB226 she felt there were substantial in terms of coverage reference one half mile. She acknowledged there was a time crunch and explained it was important to cover those exemptions.

Chief Buonamici said the exemptions include, "trapping is prohibited other than with a box or a cage trap within a thousand feet of each side of the following hiking trails, campgrounds, picnic areas, and recreational areas established within that portion of the Humbolt-Toiyabe National Forest that is located west of US 95 and NE of State Route 160 in the Spring Mountain Recreational Area." He said the lists consist of 25.

Commissioner Layne asked if the information is from SB226.

Chief Buonamici said the information was a result of SB226.

Commissioner Layne explained she was looking at areas that were discussed in regards to waterways and Wildlife Service's were exempt.

Chief Buonamici said the first regulation that was adopted; LCB R062-12 was effective November 1, 2012 and the provisions from the regulation are in reference to a population of 100,000 or more. He said those provisions do not apply to an employee, officer, or agent of any state agency, federal government, or local government acting in his or her official capacity for the purpose of animal control or control of depredating wildlife. He said a person acting under written authority of a state agency, federal government, or local government for the purpose of animal control or control of depredating wildlife. He continued a person trapping on private

property or a person trapping in a water way that is not within an incorporated city. He reviewed what definitions were included in that specific section.

Chairman McNinch explained the importance of this item is to put things in perspective. He explained that SB226 included demands to look into the registration and visitation aspects of trapping. He said the committee and Commission did not have the authority to review those items. He said during the last Legislature session a bill was introduced, SB213. As the Legislature went on we received SB213 which requires the Commission to make considerations in regards to trapping in populated and heavily used areas. He said now the Committee is not reviewing registration, they are visitation in regards to populated and heavily used areas.

**7 Responsibilities of the Trapping Committee Relative to Senate Bill 213 Enacted During the 2013 Legislature – DAG Newton – Informational**

During recent Trapping Committee meetings, concerns were expressed regarding the responsibilities and authorities of the Committee, specifically as it relates to Senate Bill 213 passed during the 2013 Legislature. DAG Newton will address these concerns and provide guidance to the Committee including the Committee's responsibilities specific to Senate Bill 213.

Chairman McNinch said during the last committee meeting there were members of the public questioned what we were doing and the reason behind what was driving these meetings. He explained that they needed an interpretation of what SB213 was asking the committee to do. He said he had asked DAG Newton for clarification.

DAG Newton said he assumed the primary focus of the question dealt with section 5, number 3 in SB213. He said SB213 says what the committee shall do. As he reviewed the language contained in that section it was clear the Legislature has set a ceiling of 96 hours on trap visitation. He said they have required the Commission to review 96 hours should be less if a trap or snare is placed in close proximity to populated or heavily used area. He also said when you interpret a statute, the language of statute and if it is clear you don't go any further. He said the language is clear except for the term "close proximity and heavily used area" are not self defining. He said that isn't a decision for him to make, it is one for the Commission to make. If you know what those terms require for a definition than the statute is clear, if not then you will need to determine today what those terms mean.

Chairman McNinch confirmed the language is vague and it is constructed broadly on purpose unless the Legislature wants to be prescriptive of what they want to accomplish. He asked DAG Newton if that was correct.

DAG Newton said yes, but the legislature may have felt they were being more precise than they actually were. Close proximity is used in other statutes, including wildlife statute chapter 488 which refers to life jackets being in close proximity of the individuals operating or traveling on the watercraft. He said they have used it before but, what is close proximity to a trail or populated area is open to interpretation.

John Sullivan said the critical word used was "review." He said he believed DAG Newton used the word "review" when referring to what the legislature wanted them to do regarding the visitation time in these areas. He felt the meeting in Reno had many questions about that. The word consider came up and DAG Newton used the word review. That is important to designate the criteria is mandated to make a change than if the mandate is to review whether a change is necessary. He said that would leave an option to not make a change. He also said his focus is that there is not a mandate to make a change, there is only a mandate to consider if a change is necessary.

DAG Newton agreed and said there is a significant difference between being required to make a change and being required to consider a change. He felt the legislature has required the Commission to deviate from 96 hours. If you don't make a change someone will want to know why, the record is important and you will need to show that the Commission considered a change and clearly list the reasons a change wasn't made.

Mr. Sullivan asked DAG Newton would it be correct in saying that the legislature is only requiring a consideration of change in these areas and not elsewhere. He clarified that the legislature is focusing on populated and heavily used areas.

DAG Newton agreed. He said 96 hours seems to have been placed in the statute to show that is the general figure and would be the standard figure for areas not described in this statute.

Chairman McNinch asked DAG Newton to clarify outside of an area the Committee defined as close proximity, trap visitation time does not need to be altered.

DAG Newton agreed. He said as a Commission you always have the ability to reconsider any trapping visitation regulations, in terms of this bill and its requirements, you only need to consider visitation for populated and heavily used areas.

Commissioner Robb said he continues to hear the legislature has given a vague statute. He said this isn't the first time they have done this. He believes it is by design because if they had all the information to make it not vague they would just enact the law in Carson City. He said they gave this to the Commission in a vague broad sense since the Commission has the ability to dive into it in detail through public process. He said that allows the Commission to come up with a more educated and wildlife management based decision.

DAG Newton said the legislature is referring to your expertise with some broad guidelines that they have established.

Commissioner Layne said prior to the passage of SB213 the Commission could not talk about trap visitation. She said that says something significant by giving it back. She agreed with Commissioner Robb.

Chairman McNinch said he had been under a different impression. He said now the Committee has clarification it needs to focus on “close proximity to populated and heavily used areas” and where that applies across the state. He said once those areas are defined, the areas beyond that won’t be addressed as that is not what SB213 is addressing.

**8 Definition and/or Interpretation of the Terms “close proximity” and “populated and heavily used areas” as Used in Senate Bill 213 – DAG Newton/Chairman McNinch – For Possible Action**

DAG Newton will provide guidance on defining and/or interpreting the terms “close proximity” and “populated or heavily used areas” as used in Senate Bill 213. The Committee may take action to define and/or interpret “close proximity” and “populated or heavily used areas” as they relate to Wildlife Management Areas 26 and 28 or portions thereof.

Chairman McNinch said he wants to ensure that the Committee gets proper legal guidance on what it can and cannot do. He said that the word vague has been used in describing these terms; guidance from DAG Newton would be helpful.

DAG Newton said he researched in case law, to find definitions for “close proximity”. He said it is a common used term but no one has ever defined it specifically. He said the closest he could come was by breaking out the two terms. He said close is a self defining term. He said proximity is the special relationship between one item and another. He said the best definition he could come up with is immediately adjacent to. If you define a hiking trail as a heavily used area you then have to decide what the buffer is between the edge of that trail and the distance you feel is still close proximity to that. In his review was somewhat enlightening but it still leaves the Committee to decide what that barrier or buffer zone is.

Commissioner Drew commented that earlier Chief Buonamici went through some of the provisions that were laid out previously in this Committee. He said that in some instances he feels that the Committee may have already defined these things. He said part of the Committee’s job is stay consistent with its regulations. He said that for consistency’s sake the Committee should keep some of the previous offsets in mind.

Commissioner Layne said that in response to the comment that was just made. She said her question would be if you go back to some of the past work of the Committee in terms of looking at the Las Vegas proper and the firearms that are allowed and the Committee looked at the Mt Charleston area and those seem adjacent to that area. She asked if that was the kind of thing Commissioner Drew was looking at.

Commissioner Drew said to answer Commissioner Layne’s question is to define the populated area in the past we used the congested area would be his argument. In terms of heavily used the Committee took the time to pick through each area instead of throwing out a blanket statement. He said when doing the picking of those areas it was found that what may be a heavily used area in Clark County may not be somewhere else. That was part of the issue that

was found last time and why the Committee took the time to identify those areas and where the offsets were appropriate.

Mr. Sullivan said his point is well taken and a precedent was set in laws prior to new regulations coming from SB213. He said if it comes down to distances and mathematics, there has already been a precedence set with traps being 200 feet off the road. He said that with SB213 that offset was set on new roads in Clark County that weren't subject to the previously law because they weren't defined as roads.

Commissioner Drew said the roads on Mt Charleston were defined as roads, the Committee recognized there was more than roads. There was hiking, and multi-use on those roads.

Chairman McNinch said he asked for public comment. He said the agenda item is listed as specific to area 26 and 28, Southern Nevada. He said a department was asked to come up with a map to give a starting point. He asked the discussion regarding close proximity to populated and heavily used areas for the areas on the map.

Commissioner Layne said since we are in Southern Nevada she requested a more relatable map.

Commissioner McNinch asked Kristy if she had a different map and apologized for not providing the department the information he had said he would.

Commissioner Drew asked Kristy and Chief Buonamici could confirm that area 26 and 28 encompassed all of Clark County.

Chief Buonamici said it is Clark County but not all of Clark County.

Chairman McNinch asked if Kristy could indicate where the boundaries are if another map isn't available.

Kristy Knight, Staff Game Warden referred to the Southern Nevada map in support material - (Agenda Item #9 - Southern Nevada map - Draft Jack Robb):

Unit 262 from North and East of Highway 160 and South and West of 95 and Interstate 15.

Unit 268 from East side of Interstate 15, South and West of ZZ Road and South and West of Highway 147 and North of Interstate 515.

Unit 263 from South of Interstate 515, east of Interstate 15 to the state line, west of US Highway 93 to McCullough pass road and north of McCullough Pass Road.

All of Unit 269 and 286 would cover the southern portion. She said it goes primarily on highways but there are a few dirt roads that cover portions of boundaries.

Commissioner Layne said in terms of the Spring Mountain and Mt Charleston area that some but not all of that was covered.

Chairman McNinch asked for public comment. He requested everyone to fill out yellow cards. He said they would hold all speakers to the three minute rule unless you are representing an organization it will be 6 minutes.

Jana Wright said she is confused and appreciates Commissioner Robb's map. She said she would ask for 24 hour visitation on all of units 26 and 28.

Trish Swain, Trail Safe Nevada said she agrees with the previous comment within the areas of discussion. She said she isn't sure if it is an appropriate time to discuss discussion of the committee and the definitions of close proximity. She asked if this is an appropriate time.

Chairman McNinch said that the Committee is looking for comment on your interpretation of what your definition of close proximity and populated and heavily used areas means pertinent to areas 26 and 28. He said he asked DAG Newton to provide guidance on some of the concerns expressed in Reno. If you are going to comment on those things we aren't going to have a discussion that was legal guidance given to the committee. He said if you have questions or comments you should make them during the public comment period at the end of the meeting.

Ms. Swain said she will wait for public comment.

Fred Voltz, self said in looking at the department created map. He said it is creating an administration problem in splitting up the management units where some might be considered in close proximity versus ones that aren't, doesn't seem to meet public policy or make law enforcements job easier. He said when he looks at the map that Trail Safe put together indicating the close proximity and heavily used areas; areas 26 and 28 doesn't really seem to cover the Southern portion of the state. He said it doesn't cover Clark County adequately as one of the key areas that are missing in area 272. He said 24 hour trap inspection is prudent and humane to the animals that are caught. He said trapper convenience is not a consideration when it comes to close proximity. He said he would make the point that this city and county have 35 million visitors every year and 2 million permanent residences. He said when any fraction of these people go in these areas they are at risk. He said that puts the whole southern portion of the state with the exception of 280-286 in a heavily used and close proximity situation.

Stephanie Myers said her dog was trapped 14 years ago in Hunt Unit 262. She said there is rarely any snow there, and people are going to recreate. Trappers argue that there is too much snow up there so no one will get caught. Trappers feel they have given up so much but they didn't even want the upper trails. She said the measly 200 feet of the only five roads that were given trap free is only 1.89 square miles. She said Mt Charleston may not be a heavily populated area by number of residence but neither is the strip. She said there are 35 million visitors. The same is true for all of Hunt Unit 262, not just the little area that's included in this map. She said that Jack Robb's map didn't include anything north or east of Lee Canyon Road.

She said Pahrump is not included in the map. There are 2 million visitors a year that do not know trapping is happening. She said there are visitors by the millions to hunt, ski, hike, bike, etc., in the Spring Mountain area and hunt unit 262 should all be included.

Dave Stowater said trappers have already given up enough. He said the committee has to come up with a map, and his map has nothing on it. As far as the 96 hour check he had the privilege of handing in this petition (on record) and everyone on the petition wants to leave the 96 hour check as is.

Joel Blakeslee, Nevada Trappers Association said he is not going to comment on this map since the Trappers Association submitted a map. He said he would like some time to consider that map as well. He said we are talking about heavily used and populated areas. He said if you are talking trails, roads, and population density in the past they have tried to draw big lines around maps, in the past we have had to define these things. He said the big activity can be ten feet on the side of either trail. He said the thing that happen is you compress time and distance. The trappers have been encouraged to move out of the towns and the cities based on what he is hearing from the legislature. He said that is a macro level and on a micro level when he trapped around towns he would walk up on a ridge to make that special relationship from a heavily used area worked with a 96 hour trap check. On a 24 hour trap check he can't. The shorter trap checks are counterproductive not only to what the legislature wants but to what Trail Safe and the other people want. They need to think about this and realize it's going to be counterproductive to their goals and bring trappers closer. He said he is not going to climb that ridge every night to a snow covered rock pile; he is going to walk 200 ft and set a trap and have a higher chance of interacting with someone you don't want him interacting with. If you want him away from those areas you would increase the trap check because of time and space. He said he would really like the committee to think of the micro level on this as well as the macro. He said this would be a bad thing. As DAG Newton stated the legislature wants to know if you decide not to do anything, they want to know why. He asked do you want to bring the trappers off the ridges.

Ryan Warner said it was previously stated there are 2 million residents and 35 million visitors. He asked how many incidents have been reported. He said there are already sufficient trap checks and distances, some of which are new. He wants to know how recent changes have done and if this has increased or decreased incidents. He said if you increase trap checks you won't get anything in the first 24 hours, you need the scents to back away. He said a lot of wild animal attacks are starting to happen where coyotes are going after people and domestic animals. He said he personally had witnessed several incidents over by the Silver Bowl. He said a part of this is already resulting from the populated areas not being trapped. He said that may be used in making a decision on some of this.

Mike Reese, Southern Nevada Coalition for Wildlife said he liked the example DAG Newton used with the life jacket in close proximity in the boat. When you are fishing you have to be in close proximity to your fishing pole, you can't be 50 or 100 feet down the road. He said that precedents in the Department of Wildlife have already been set. He said with his homeowners

association he has to talk to his neighbors in close proximity which is defined as the neighbors on either side or the one behind and in front of his house. He said the Department of Transportation put sound walls up for the houses in close proximity to that road. He thinks that precedent has already been set but needs to look at it closer to define what it means. He pointed out that Mr. Blakeslee mentioned time or is it actual distance, or is it both. He said the other is the legislature didn't announce it is only during trapping season. He said they get a lot of people in some of these areas, but we also have to realize we are looking at them during the slow time of the year. He said he isn't saying people are out there, but those stats are for an entire year; let's look at the stats during the trapping season. The current trapping season is 120 days.

Vickie Warner wants to know what is considered close proximity. She said she heard Dave's definition and it's more about what people's feelings are. In the years she has trapped she hasn't seen foot tracks or people. She is wondering where the committee is getting the information for the definition, whether it's heartfelt or if it's a study that has been done. The range that is on the map scares her if it goes to 24 hours. She asked if you make a change, is it permanent or can they fight for it back. In 3 years we feel what they have given is never enough and wants to know what she can do to fight back. She doesn't know why signs haven't been thought of.

Mike McBeath, self and member of the Wildlife Commission, said this is something he needs to understand when this issue goes before him as a Commissioner. He said that from what he is hearing is the cart has been put before the horse. He said the first thing he needs to understand is why we are doing this. He is hearing about animal welfare, humaneness, animal stress and feels that is irrelevant. He said the reason is what is happening to the animal in the trap is going to occur whether it's in close proximity or not. He said that can't be the issue that is dealt with. He said putting these two items in two separate agenda items isn't getting where we need to be. He said in his mind there is a relationship between close proximity and time. If you expand the area and not shut down trapping all together then you need to increase the time. He said time and area have to be considered together. He said from what he knows about trapping, if you go to a 24 hour trap check you have almost eliminated trapping. He said it's not economically feasible for trappers to trap with a 24 hour trap time. He said if we come out of that we ask ourselves how much time they need but in relation to the area. He said they need more time if you expand the area and less time if you are going to compress. He said he doesn't see how a decision can be made without considering both at the same time.

John Hiatt said legislation is often written in terms that people find vague. He said life is not a precise science and there is a reason for using vague language. He said when you talk about close proximity it depends on how hard it is to get there. He said if he is standing here and there is a gulf right there, it might take me an hour to get over it. He said yes it's only 200 feet away but it's not really in proximity with me because I can't get there. He said we need to use those words judiciously. He said they don't always mean the same thing in the purposes of this discussion. He said what we are really talking about is conflict between people who are setting traps and those who aren't. He said one of the issues is companion dogs getting caught in

traps. He said when his dog was caught it made him unhappy. He said he was in a designated campground, 30 feet from his car. He said we need to think about where it's congested, for example the strip isn't congested at 6am in the morning, but at noon it is. He said that applies to almost everywhere. He said when he looks at the map he said that wasn't drawn for purposes of this discussion because it is based around major paved roads. He said if you look at where people go they stand on both sides of those roads. He said he personally favors a 24 hour trap time because trapping is a business and checking your traps is a cost of doing business.

Trevor Walch said trapping is a vital tool in wildlife management and should be regulated by science, not emotion. He said this discussion is being driven disproportionately by emotion and that is a slap in the face to wildlife management science. He said in the last 15 years that he has been a subscriber to the Journal of Wildlife Management, the authority of wildlife research projects he recalls five studies regarding four species coyote, grey wolf, Canadian lynx and wolverine. He said in each of these studies the species was fitted with GPS collars providing regular reports and real time data inputs to researchers. He said these studies stood out because at some point each of these species gave researchers dead signals. The dead signals were reported anywhere between 6-10 days. In each case the researcher hiked or snow shooed in to retrieve the dead animal. When each of those researchers reached the point of the dead signal each animal jumped up and ran off. He asked why his research had brought him to Nevada and the student explained that the coyote had given him a dead signal for 12 consecutive days. He said he waited because research had shown that predators are known to be stationary for extended periods. He said he the student hiked out to that coyote and spooked him out, the coyote is alive and healthy today. The International Association of Fish and Wildlife in conjunction with the Western Association of Fish and Wildlife have gone through the long process of evaluating restraining devices used by trappers today. He said the published best practices found no damage, physical harm, or animal welfare concerns in the traps being used today. We have proof that animals will be stationary for long periods of time. He said that there is science of the traps that they do not cause physical harm or damage to the animal. He said this concludes that Nevada's 96 hour trap check is biologically conservative as it stands. He said there is zero scientific evidence for shortening visitation. He said he would like to see science prevail when making decisions on Nevada's trap visitation laws.

Catherine Smith, self said she thinks that the discussion on proximity and that nature don't really mean that much since the committee can do what they want. She said that if they wanted to do 24 hour statewide they could, and the committee should do what's best for wildlife. This isn't about where the trappers choose to trap. She said she isn't worried about people or pets; she is concerned about the wildlife and feels that is what the committee should be worried about. She said there is good science showing that traps are damaging to the wildlife, especially non target wildlife.

Chairman McNinch said Gina Greisen, Nevada Voters for Animals had to leave, but she wanted it known that she wants a 24 hour trap check. She also said she wants it defined where Red Rock is and other regulations.

Paul Dixon, Clark CABMW said there was a lot of talk with what close proximity means in the legislation that was written. He said in his perspective is that we have dealt with the close proximity issue by naming high use trails in congested areas already. He said traps aren't being set in those areas. The only reason to change visitation outside of this would be on an emotional basis and has no scientific backing that animals are being put under unnecessary stress. He said he knows that people who set traps rarely trap animals in the first 24 hours. When you set a trap you leave behind scents and it takes time for those to clear out. If you want to have an effective population control, you need to leave the trap check as is. He said going to 24 hours is basically a move to end trapping in this state.

Chairman McNinch brought the discussion back to the committee. He said for purposes of being fair if anyone else has maps they would like displayed they need to bring them up now. He said there is the Nevada Trappers Association Map, and he asked Mr. Blakeslee if he would like to explain.

Mr. Blakeslee said there is a reason for it and it wasn't frivolous. He said to shorten the season would be a bad regulation. He said it will draw the trappers in closer to the roads, time and distance are paramount. He said he understands that people want shorter trap check times, but the discussion went from 96 hours to 24 hours without discussion of anything in between. He said the fact is he doesn't want to make a bad regulation. He would love to make a compromise, but in good conscious he can't do that because what is being discussed will have unintended consequences. He said he doesn't want his guys trapping next to the roads and trails, and in fact there are already regulations saying that they can't. The Committee should go to the legislature and tell them this is the best thing to do. He said we can make a bad law but let's tell them the truth that we didn't want to make a bad law. He said they understand, based on the discussions they had around SB213. He said they understood that if they did it statewide they would bring all the trappers to town. He said that will happen on a trail wide basis.

Trish Swain, Trail Safe Nevada said she was hoping to learn more about areas 26 and 28, but the discussion turned into a more general discussion about close proximity and such. She said she still isn't well informed about areas 26 and 28. She said that she agrees with the DAG that the legislature has left many options in front of them and that does not preclude making a uniform decision for the entire state. She said that if we are going to come up with patchwork solution it is going to be a nightmare for law enforcement and for trappers, tourists, and those trying to figure out what the boundaries are and what is the law. She said that she doesn't see any reason why they couldn't make a uniform regulation which they would suggest be 24 hours or one day. Additionally, an argument was made an animal suffers regardless of if it is close to town or not and so the humane argument applies in this case. She said that she wanted to talk about the document that was handed out which is to provide a better definition of heavy use areas. She said they went over all sorts of information from the BLM, Forest Service and the Tourism Commission. She said that you can see these are all tourists' magnets and advertised online. She said the governor's goal is to push tourism. She said that someone asked if

numbers for these areas are attainable, and can certainly be done if you would like them to do that. She said as for the science involved she said there hasn't been a survey of the bobcat population done in approximately six years. She said she doesn't think there is any recent data on how trapping affects things such as the bobcat population. She said when you talk about wildlife management you have a plan and goal backed up by scientific evidence and from what we see there isn't any and the number of animals being trapped and killed is astonishing. She said that doesn't even include non-target animals. She said that science is certainly a respectful way to go about this, but more research needs to be done especially in regards to the bobcat population.

Mike McBeath, self said he wanted to point out one thing, he understands that from the stand point of administration all of unit 283 and 284 you can't trap in anyway, but there has been discussion in the past from some organizations that the Commission can't manage wildlife in those areas. He said he would like to see a map that doesn't center on something like that right now, because they may have authority over these areas and in his opinion the north end of the sheep shouldn't be included because it's not in close proximity.

Mr. Sullivan wanted to comment on the lack of data of the bobcat species and correct that information. He said that it is important to understand the science and biology that goes into managing furbearers. He said he feels there is a misconception that there isn't a management program for furbearers. He said the bobcat is sought after species in Nevada that is intensively managed. He said Nevada has reputation for the best management program with data that goes back 40 years. He said Nevada manages bobcat like many states manage big game and requires a tag attached to the jaw bone with all the trappers information and information about the bobcat itself. All jawbones have to be turned in at a specific time each year as well as a report of the entire season's harvest. The state also requires that each pelt have a seal on it before it can be sold. The biologists then turn around and study the jaw bone.

Chairman McNinch said he understands that Mr. Sullivan is trying to respond to a comment but that he needs to bring it back to the agenda item.

Mr. Sullivan said with due respect to Commissioner Robb the pink areas encompasses a large area and doesn't see how that fits into the definition of close proximity.

Commissioner Robb asked he could explain how he came about that decision and then have a more informed discussion. He said the reason this map has his name on it is the committee has never taken action on and he had worked with the department to come up with the map. He said the rationale behind the map is in encompasses the entire Lee and Kyle Canyon area. He said to the left of the pink area that is the Watershed Basin boundary. The reason it encompasses so much of area 263 is he has asked multiple people to give him a better boundary than Power Line Road. It needs to be enforceable and understandable and if anyone has a better suggestion to let the committee know. He said himself and Chief Buonamici sat down and that was the best they could come up with. He said area 269, 268, and 286 is on the Desert National Wildlife Refuge. The rest of the map is just in the flats and easier to use the

whole unit. He stated this is a starting point. He has asked for help multiple times, including Joel Blakeslee for help on the record. He has received zero help with this and this is what the map looks like. He said in places, it does go beyond close proximity, but it's something that is definable for the public and enforceable by law enforcement.

Mr. Sullivan said he does recognize that the Southern Boundary for 263 is Power Line Road. He said in some spots it is in close proximity but in others it is not, he pointed out area 262 (Red Rock Canyon) with its matrix of trails is a heavily used areas. He said he could accept 269 because the mountain is ringed by housing on all sides. Area 263 he can't fathom, it is a little used area. He said 286 is a wildlife refuge and trapping isn't permitted. He agrees with Chairman McBeath with the possibility of those areas coming back to the state that we don't want to mess with them.

Commissioner Layne said that it seems that in the discussion heard about close proximity and heavily populated we know under prior legislation that only Clark County and Washoe County would be considered in all of this because they have a population over 100,000. She said there wasn't a discussion about breaking out, it was a discussion that those counties were heavily congested. It seems that if there is an unwillingness from the Nevada Trappers Association and they contend that there isn't a reason to change the 96 hours, but on the other hand there are a lot of non-trappers who have looked at trapping as a business and are saying we can't do things the way we have always done because the population is becoming more dense which is spurring more conflicts. She said we already know that these two counties are considered heavily congested by the legislature. We need to try to deal with the time frames in these two counties. She personally doesn't want to go back to the legislature who gave us the power to deal with visitation and say we are going to do nothing. She said by looking at the entire county you have solved some of the discussion and law enforcement concerns. She wants to know if the committee plans to argue on each of these hunt units individually.

Commissioner Robb said he has a comment on some of the things heard during public comment, and that is science based. He said if everything they did was based on science there would be no reason for the Commission or committee to exist. He said the committee's duty is to understand and recognize the science but also understand that social based decisions have to be made. If he had everything they did was science based a deer herd wouldn't have 40 bucks per hundred does. It would be what can this herd scientifically take and that wouldn't be it. He said many of the decisions that the Commission makes are socially based. The Commission can't use science as the full decision when looking at this.

Chairman McNinch said he would agree with Mr. Sullivan on the usage of some of those areas. Unit 262 and 269 are heavily used areas. He said there were questions on why area 286 was included. He appreciates the public's comments on keeping in mind that this is only during trapping season. He said there is no doubt that down South things are used in a broader season than they are up North. He does think that there has been some non-target species that haven't been brought to the Committee to process, but it's clear that at some level there is an effect on non-target animals, not to say they are going extinct but it is something to keep in

mind. A shorter trap check could potentially help with that. The intent of the agenda item was to discuss close proximity and heavily used in areas 26 and 28. He asked if the committee felt they had gotten everything they needed out of the discussion.

Commissioner Drew suggested that it wouldn't hurt to have an idea of what has been used in the past for close proximity and heavily used areas. He said just to have a list moving forward would give a precedence of what we have already developed.

Commissioner Layne asked if the firearm discharge areas are included in those offsets.

Commissioner Drew said he thinks they were in the past; this is just to have a list so we can understand the precedence of what has been done in the past. That would include a definition of a congested area or however it's been set in the past.

Commissioner Layne said if you look at the firearms discharge areas there are many other cities that aren't being included. She doesn't want to disregard those areas.

Commissioner Drew said he believes that was looked at in the past and each county defines it differently. He said at this point the list would only include those that have been dealt with in Washoe and Clark County. He said when we get into other counties it will be different.

Chairman McNinch asked Commissioner Drew if he felt that there had been enough precedence set in Washoe and Clark County but that in other counties it would be different.

Commissioner Drew said that he feels these items have been partially defined and his goal is just to capture the work that has already been done.

Mr. Sullivan said Commissioner Robb had made a comment about maps. He had tried to download the firearms map but was able to print the map out.

Commissioner Robb said he tried to download the map as well, and was unable to. He suggested making a request for a hardcopy of the map from the county.

Chairman McNinch requested that Tracy put up the one that they had.

Commissioner Robb asked Chief Buonamici to look at the map he created and this map they are trying to do something that is definable for everyone involved. He asked looking at this map, where does it leave law enforcement?

Chief Buonamici said if this map is used it would be more difficult to enforce from the stand point that there are boundaries running through and would be difficult for the public to know when they are in that area and when they are not in that area.

Commissioner Robb said he was going back to the last time this committee looked at this map and said they incorporated miles and miles south of Boulder City but it's just wilderness up there. He said that the other area is Lee and Kyle Canyon because they are not incorporated. By his understanding it is legal to stand on your back porch and shoot a firearm. He said with those two being problematic. He said this is why he came up with the other map so it covers those areas. It is understandable by the public and enforceable by Chief Buonamici.

Chairman McNinch explained to Stephanie Myers that they were not in public comment period and the next agenda item would allow her time to comment on Commissioner Robb's map.

Commissioner Layne said part of the problem with the firearms discharge area is that it changes over time as areas develop. She said it's an ever changing map and the fact that it's built on section lines would make it difficult to figure out where it ends and where it begins. She said that all the incorporated cities have a view that there is no trapping. She said that is the problem I see with using it solely because it doesn't include some of the areas that we have already designated such as the Mt Charleston area.

Mr. Sullivan said that if it comes down to a map, whatever map we use it will take a work to get there. He said if regulations can be tied into the precedents that have already been set in the past it would be good and consistency is important. There is a precedent with SB213 that included some sections of Kyle Canyon road where the area was defined by sections like we have on the firearms map. He said there is a precedence already set with this map showing sections, even though there are a lot of them. He said if metro and Henderson police officers are enforcing rules about shooting within the no firearms area if we clearly defined it, our game wardens would be able to enforce it.

**9. \* Possible Recommendation to Nevada Board of Wildlife Commissioners Regarding Visitation Frequency for Certain Traps, Snares or Similar Devices Placed in Close Proximity to a Populated or Heavily Used Area – Chairman McNinch – For Possible Action**

The Committee may take action to recommend to the Nevada Board of Wildlife Commissioners the frequency at which a person who takes or causes to be taken wild mammals by means of traps, snares or similar devices which do not, or are not designed to cause immediate death to the mammals must visit a trap, snare or similar device in Wildlife Management Areas 26 and 28 or portions thereof. In providing a recommendation the Committee will consider requiring a trap, snare or similar device to be visited more frequently than a trap, snare or similar device which is not placed in close proximity to such an area.

Chairman McNinch said he said he had a couple of things he'd still like to address. He understands there is an urgency to be done. He said he doesn't feel that the committee has to come to some absolute determination in the next 45 minutes. He said that it takes time, input, and discussion. He said he will ask the Committee later if they would like to finish up this

meeting this afternoon or to continue the discussion at another date. He said DAG Newton had a comment he wanted to make and then they would continue on with the agenda items.

DAG Newton said that item 8 is defined as being able to take possible action. If the committee isn't going to take action in defining the terms or if they are going to wrap it into agenda item 9 that is fine, it needs to be made clear.

Chairman McNinch said that if there are actions that need to be taken on 8 then now is the time.

Commissioner Robb asked if a motion needed to be made to go back to agenda item 8.

DAG Newton said the committee could, but he thinks it is clear in the record what is going on.

**COMMISSIONER ROBB MADE A MOTION TO SUSPEND THE RULES AND RETURN TO AGENDA ITEM 8. COMMISSIONER LAYNE SECONDED. MOTION PASSED UNANIMOUSLY.**

Commissioner Robb said the map he proposed is a starting point. The map he used in 286 and 263 were enforceable and definable by the public. He said with that being said he would like to amend the map presented, but in area 286 and 263 to reflect the boundaries of the firearm discharge area. He understands Clark County police officers are currently enforcing those rules. He said if he could amend those two areas and after further discussion, he would be willing to make a motion to accept as a map by the committee. That would help with the discussion on Agenda item 9.

Commissioner Drew said that an amendment to the map might be more appropriate in agenda item 9. He thinks he is looking for in agenda item 8 is a decision should be made on close proximity and heavily used areas. If that is the case he doesn't think the committee is ready to do that just yet. Commissioner Drew said he would be comfortable leaving agenda item 8 and having Commissioner Robb make that motion on agenda item 9.

Chairman McNinch said he is focused on making a recommendation to the full Commission.

DAG Newton said that one way you can look at this is, if he is understanding Commissioner Robb, the proposed motion could be used as a definition of close proximity as defined on that map.

Commissioner Robb said correct.

DAG Newton said that the map could be used as the committee's definition of what close proximity or heavily used area is within Clark County.

Commissioner Layne said she has an issue with using the firearms discharge area because the Committee has already increased that area when the committee added Mt Charleston and those sections.

Commissioner Robb said he only went back to the firearms discharge area in 286 and 263. He said it did not encompass area 262 which would be left as is on the map. It would also leave 269 and the portion of 268 as is.

Chairman McNinch said there is some concern within the committee that area 263 that the boundary was drawn for purposes of convenience not for purposes of defining a populated or heavily used area. He said the suggestions out there are to define those areas a little more specifically. He thinks 286 is a mute point because the residences back up to the wildlife refuge anyways. 263 there is a good chunk of the area that isn't populated or heavily used.

Commissioner Drew said there is some importance in how you define 286. He said that if you use this map that defines populated and heavily used. It sounds like there are areas of 286 that aren't populated or heavily used.

Chairman McNinch said he understands and from that point of view there is relevance.

Commissioner Layne said she feels like the committee is talking more about agenda item 9 than we are talking about defining the whole issue of proximity and congested areas. She understands what Commissioner Robb is saying with respect to the map, but said she isn't sure she agrees. She sees Clark County with 3 million people and it will continue to develop. She said there are areas that aren't heavily congested but said that there are 3 million people in the county so she thinks that regardless where you are in the county it should be considered heavily congested. She said her concept of heavily congested looks more at the population as opposed to the density.

Chairman McNinch said that it would help if you were to define populated or heavily used areas based on your interpretation on a map.

Commissioner Layne said this discussion took place on SB213 and both Washoe and Clark County were talked about. She said in her view the Committee needs to consider the county in totality as opposed to those areas that someone would make a determination on what is heavily used and what isn't.

Chairman McNinch said he would be cautious to zero in on Washoe and Clark County. He said Washoe County has a large piece of land that is on the Western side of the mountain and there is a lot of stuff below that is populated and heavily used that needs to be considered. He said a county concept may not be the best way to go when talking about populated and heavily used areas.

Commissioner Layne said she thinks that is one of the reasons it had been discussed to separate the two of them. She said that it has been discussed that the issues being faced in Washoe County may be completely different than the issues faced in Clark County.

Chairman McNinch said that his understanding is definition of a populated or heavily used area would be all of Clark County.

Commissioner Layne said that is correct.

Commissioner Drew said that his concern is if you visit Clark County there are a lot of areas that are labeled as wilderness and is untraveled by himself. He said that makes him concerned when thinking ahead of the entire state on a county by county basis. He would still fall back and agree with Commissioner Layne that the Committee is ready to take action on agenda item 8 because he isn't sure the definition should be a map. If a map was developed under 9 and then chosen by the committee as a starting point he is fine with that, but doesn't feel that this map is the right tool for a definition. He would be in favor table this discussion and moving on to agenda item #9.

Mr. Sullivan said he follows Commissioner Drew's logic. It seems like the legal definition that is already established is vague and trying to nail that down in agenda item number 8 would be very difficult. He said a map probably wouldn't do it. He said he would accept the vague guidance that the Commission has, but would suggest moving on to agenda item 9.

Commissioner Robb said he is fine with moving forward to agenda item number 9 if that is what the committee wants.

Chairman McNinch asked DAG Newton if he needed to open for public comment.

DAG Newton said it wasn't necessary.

Chairman McNinch asked if agenda item 9 would allow the Committee to discuss the maps.

DAG Newton confirmed it was ok.

Chairman McNinch returns to agenda item number 9. Chairman McNinch asked the committee where they are at in terms of making a recommendation at that meeting. He said it was fair for the public to know what the intent is. If this meeting is continued later on or it concludes without a recommendation to the Commission that it may provide an opportunity for adjustments to the maps. He said he doesn't want people to feel that they are in a frenzy to get this all done.

Commissioner Robb said his intent would be to make a recommendation to the Commission. He said his intent because he sees himself running out of time as Wildlife Commissioner and is committed to getting this done. He doesn't think that everyone will be on board with whatever

the Committee recommends to the Commission, but pointed out that won't change in the coming weeks either.

Commissioner Layne said that she agrees with Commissioner Robb. If the goal is to break down Clark County she doesn't feel like she has all the necessary information to make a decision. She said what she wants to see an overlay of the no trapping areas. If trapping isn't allowed in some of the refuges, depending on where the lines lay, this may all be a mute point. She asked if that is a reasonable request.

Chairman McNinch asked if that information was available.

Commissioner Drew said that he appreciates Commissioner Robb and his intent to move forward. He said for him he wouldn't feel comfortable moving forward because he said there are areas on here that he isn't familiar with. He said he would like time to study the maps and look at other.

Chairman McNinch said he is sensing urgency from the committee but he is also hearing there is a need to get information and a good map. He said he doesn't want to push forward and as a committee maybe there is a need to get more focused on what is needed to make decisions. He said then hopefully a thorough discussion can be had at the next meeting regarding close proximity to populated and heavily used areas.

Commissioner Robb said his other concern is this is a Clark County issue and it will be a long time before the Committee is back in Clark County to continue this discussion. He said he doesn't think it's fair to hold this conversation in Reno or Elko. He said it may mean taking a recess and coming back.

Commissioner Layne said she agrees with Commissioner Robb. She said they are looking at the upcoming trapping season as an issue because of what happened last year in terms of registration. She said if we could get a basic map it would help. She said she could look at it later where no trapping is allowed and where some of the natural parks are. She said that would go a long way in dealing with her concerns. She said that is very possible to do, but she doesn't want to move forward with out that information.

Mr. Sullivan said it sounds like it is a matter of if it is possible to get that information here today, that would be up to Chief Buonamici and his staff. He said federal maps of the Red Rock and Desert National Wildlife Refuge would be needed as they have unique trapping regulations in those areas. He said Commissioner Layne is asking for this to clearly identify these areas. He wanted to throw out one more thing that there needs to be consideration of the words review and consider before a conclusion is reached on a map. He said like Commissioner McBeath said at this point the committee is putting the cart before the horse because this body has not decided if it does or does not want to make a change. He said once that is determined then it will be easier to zero in on where the changes need to take place.

Chairman McNinch said we need to come to a conclusion on which way the direction of the committee. He asked the committee to come up with direction to staff. He would suggest we leave here with specific guidance to them and when the committee comes back there is a line of discussion to follow.

Commissioner Layne said the Las Vegas community has a large GIS repository. She said if the information can't be here, then Rob can check with the GIS people in Las Vegas to see what they have. She said the committee can meet again later. She said if we don't have the information here she didn't know if they would have it anywhere else.

Chairman McNinch said if we are going to go down that path I would ask you to be very specific since you are asking the department to do something at the spur of the moment.

Commissioner Robb said that in listening to the discussion everyone recognizes his urgency and that the audience feels that if we are dealing with Clark County that it should be handled here. He said he doesn't want to push this topic to the point where it is done incorrectly. He said being right is better than getting it done quickly. He said even an extra trip to Vegas for a committee meeting only would be ok. He said there are two Commission meetings in Reno that would give plenty of time to work on Northern Nevada. He said there will be a meeting in Elko to discuss rural counties. He suggested another meeting in Las Vegas in May.

Commissioner Drew said he agrees. He said logistically it's not fair to the staff or to the public to try to develop the information today. He said he understands the urgency but this is a big issue and needs to give it due consideration.

Chairman McNinch said he would take it out to the public for comment but asks that the committee prepare their notes to give direction to staff. He encouraged the public to give guidance on what to give the staff for direction.

Salme Armillo, self said she is concerned that her right to use and enjoy the wilderness is overlooked. She understands that the trappers have the right to trap and isn't asking that it be taken away. She said she will take care of her own safety from wildlife, but she can't guarantee that her or her pets would be safe from traps. Her concern she has is that the rule in Nevada of 96 hours is inhumane. It is possible to do trapping in a humane manor and that is what she hopes to see. She said she likes wildlife and doesn't want to see them trapped inhumanely. She also wants consideration in the balance of the wildlife. She said when the balance of the wildlife changes, so does the balance in the plants. She would implore her right to use the wilderness.

Larry Johnson, Coalition for Nevada's Wildlife, said he believes the statements made by Commissioner Robb regarding a non response from the Trappers Association in defining a map were incorrect. He said the sportsmen's map consists of a half mile set back from every residence and 200 feet from every road. If you put that as an overlay it is a pretty extensive area throughout Washoe and Clark County. It will actually correspond well to the no shooting

zone. He said in most areas is appropriate. He isn't intimate with area 262. He is commenting on the set backs from Lee Canyon road would not be shown on your map. He said there are no trapping zones and should be shown on this map. He said whether or not area 269 should be included may be appropriate but local input if more qualified to say than he is. He said the 96 hour check is by scientific data, is not detrimental so it comes down to an emotional plea. He asked if we want to shorten that simply because people don't like it or should there be a base behind it. He said he urges the committee to do today is delay any decision until there are maps available that everyone can look over. He said it should not be done on a basis of when you leave the Commission; the committee has until the next legislative session to report back to the legislature. There are several months before these regulations would affect the 2014-2015 trapping season. He stated the emphasis for the committee should be done right.

Jana Wright said she would like to bring up SB213 where it says that the traps should be visited once every 96 hours. She said in September the Commission had a regulation that was a place holder. Nothing was going to be on the book because SB213. The 96 hours was to get a regulation on the books. The 96 hour visitation statewide was on the table for this committee to discuss. Without this regulation there will be no time frame for a trapper to visit their traps which can cause an animal to remain in a trap for an extended period of time. She thinks there should be an agenda item to discuss whether this committee has an appetite to change visitation from anywhere between 24 and 96 hours. She suggested a calendar day which is a compromise. The congested area that is used for SB226 doesn't allow trapping within a half mile of a residence. She said she doesn't like the map. She said hopefully when Director Wasley gives his report we will know video conferencing is available for the next Commission and trapping meeting.

Dr. Molde said he was following up on Jana's comments, shouldn't interfere with doing something statewide once you have considered the complexities. He said another option is to do something statewide instead of nickel and diming hunt units here and there to try to find a system that would work. His suggestion is it may not be workable, so not to lock yourselves in to that. He said as to the concern of Chairman Robb wrapping this up before he goes off the Commission, he appreciates that but as a matter of perspective 96 hour visitation has been in contention since 1979. He said he is happy to go off the Commission in order to get things right in the sense that this has been on the books for 35 years. He said there is no need to rush. He said Commissioner Robb doesn't need to personally tuck this to bed if he doesn't want to.

Trish Swain, Trail Safe Nevada, agreed with Commissioner Robb about this being a social issue. She said the social movement is very apparent in the experience that has been had the last couple months. She said there have three spectacular events around Gardnerville and Yerington. In one instance a gentleman stepped into a snare that was set right on a hiking trail. He did not sustain lasting injury but he did see more snares across the trail and more traps nearby. These kinds of incidents are inflammatory. This is going to be in the newspaper and is going public with these incidents. She said they don't understand many of the details discussed here, what they understand is that it is frightening, didn't know it was out there and when they do are extremely alarmed. She said that some people are getting in touch with her and wanting

action to be done. She said it is hard and expensive to get to Las Vegas not to mention all the unpaid prep time. She said there are people who you don't see in this room who are very involved. She said furthermore there was an incident where a dog was trapped on private property while walking with a ranch caretaker. She said the ranch owner came running out while the caretaker threw herself over the dog that was hysterical. She said the owner, while trying to release the dog, sustained injuries that resulted in an emergency room trip. She said that is in the newspaper and an established fact. She said while we hear stories of people not being hurt by traps she is hearing stories of people being hurt by traps. She said then there is the story of Gary Park in Yerington whose dog died in front of him in a conibear trap. She said the trapper made a statement in the newspaper said Mr. Park was trespassing. She explained that Mr. Park had permission to hike on the property that had since passed away. She said the point is he wasn't trespassing. She said his hand is badly inflamed and may require surgery. She said these are the things going on in the social scene and it will gain momentum. She said Mr. Park's Facebook page received 19,000 hits. She said the other point I wanted to make was the comment from Commissioner Layne about 24 hour visitation in Clark County only. She said that there is a tremendous amount of leeway with SB213. She presented a letter from Clark County Commissioner Chris Giunchigliani which said that it is his opinion that an animal left in a trap for four days is inhumane. He continued that 24 hour visitation should be in effect for all of Clark County and observe how it goes there. Mrs. Swayne said there isn't anything preventing the Committee from taking it county by county and in some areas by the hunt units. She said the last thing she wanted to point out is the statements heard about animals not suffering. She said she has received a number of letters that say otherwise. She read a quote from one, "the veterinary information shows how quickly limb injury can occur with occlusion of vessels, pinched nerves, etc. showing a need for trappers to release non-target animals including domestic pets sooner than later."

Fred Voltz said that it seems abundantly clear that when you are talking about 2 million people and 35 million tourists this is a heavily populated area. He said make it simple, make it local, and take up all of Clark County. He said the committee can deal with the other counties when meetings are held in Reno and Elko. He said the point is when it comes down to a management standpoint and a law enforcement standpoint you will want one standard statewide which should be 24 hours. He said we wouldn't want family members or pets to be stuck in a trap it shouldn't be a different standard for wild animals.

Stephanie Myers, self said she would like to agree with Mr. Voltz. She said she appreciated Commissioner Layne's comments. Commissioner Robb's map wanted to point out that the EMS has become overwhelmed in this area of Mt Charleston and Lee Canyon. She said they are trying to divert some of the public use and development of the mountain to the west side near Pahrump. She said Wallace, Trout, and Carpenter Canyon will have much more campground and public use. Mountain Springs and Potisi have had incidents and they aren't included. She said Pahrump has a population of 35,000 and should be included. She agrees that all of Clark County be included. It does matter how long an animal is in the trap, it is brutality to leave an animal with no food or water.

Chairman McNinch asked Mrs. Myers to stick to the agenda item.

Ms. Myers said the legislature has asked for a shorter time and 24 hour trap visitation statewide. She states, "boots on the ground should be the rule statewide".

Dave Stowater, Nevada Trappers Association said he has been out trapping for the last 3 months. He said he has had 20 flat tires which may have been because he bought \$35 tires. He said these areas are heavily populated and he has never had anyone help him with a flat tire. He said he may run into an occasional person. He said there is one thing that everyone can all agree on; we don't want to see animals hurt. By changing 96 hours to 24 hours or anything less is going to cause more animals from getting killed by coyotes coming to the city. He talked to a police officer who had seen a coyote in town with a cat in its mouth. His own mother's dog was killed by a coyote when it jumped a six foot fence. If we don't manage wildlife there will be more problems. He hates to see any animal hurt, but if an animal kills someone's pet maybe it should be put down.

Joel Blakeslee said there are a lot of things he would like to respond to that were said by Ms. Swayne and Dr. Molde. He said he wants to say is he sympathizes with the difficulty of the committee's task. The legislature gave the Committee direction to find a solution on a problem that wasn't identified and then gave the tool to use to find the solution. He said a solution and a tool but he doesn't think that visitation is a tool that's going to solve whatever we are trying to accomplish. He said it's obvious from comments made it is not about doing something constructive it's about hammering one more nail in the coffin and taking the trappers down a half a degree at a time. He said that is the reason he is standing firm. He said he doesn't feel like anything good will come out of this. If he could identify something good in regards to the maps he would get on board. He doesn't see what needs to be fixed. He said they aren't going to use the tool that you have given us. He state, "let's not make a bad law".

Ryan Warner, Nevada Sportsmen Unlimited, said he had a couple concerns with wildlife management and the tools that are being used. NDOW sets a standard for wildlife management and his opinion has some the best biologists in the country. He said Director Wasley has put on some wonderful presentations about deer. Commissioner Robb said even in a deer hunt there is a lot of science involved. What concerns himself is the Commission has not heard from NDOW biologists, they should be included. We have heard a lot of emotions and not a lot of facts. With the state in a drought these biologists are doing a great job managing wildlife. He understands the committee wants to hurry and get a decision but he wants to hear from biologists what the long term effects of these changes would be. He asked biologists be included in some of the decisions.

Mike Reese, Southern Nevada Coalition for Wildlife, said we are looking at evidence and maps. He asked, what example of any pet, person or anything but a target animal getting caught in those traps in the last year. He asked since SB226 went into effect what's been the outcome. We have bobcats and coyotes on school grounds, in the heart of town. There are some stragglers come through, but in the last year there has been more pet and human contact than

there has been in the past. He said he appreciated Commissioner Robb his comment about doing this right. He said look at what will happen if we do nothing and what will happen if we do something. He said so far he has not seen any data that says something has to be done. He said we need to review and consider it. He said he will applaud the time to review it. He hasn't seen anything that would show you where to go on a map, circle the area, and say this is where the problem is, let's fix it. He said let's define the criteria. He said once that information is found, ask the questions if the trapper was legally allowed to be there or were the pets legally allowed to be there. He asked the committee to consider the outcome.

John Hiatt said area 263 is heavily used recreation area. It is congested but other times it is not and should be considered as congested.

Catherine Smith said that she wanted to dispel some of the myths of the long trap visitation time. She said while predators can disease rats, mice, etc., are even more prone to carrying disease. An increase in one state in lime disease was correlated to an increase in the deer mouse population, second to a decreased number of foxes. She said this was due to deforestation, fragmented habitat, and trapping the rodent numbers significantly increase. She said rabies human transition since 2002 has been linked to bats in 21 out of 24 cases. Most other cases were from dogs from another country. She said unless you are trapping bats or dogs from other countries the culprit for disease is being missed. She mentioned the plague and 7 cases in the US occur each year. The plague usually affects rodents per the CDC website, and unless you are skinning a predator that has eaten an infected rodent transmission is almost null. She said in the 2000 hanta virus outbreak predator loss was postulated as a driver. She said it was stated that the transmission at least some hanta virus would be enhanced by predator loss. She said again it seems prudent to keep the small predators around to control the rodent population. She said indiscriminately trapping thousands of animals does not make biological sense. She said Ecosystems are not that simple and to think that we can control natural balance as well as the predators is foolish. We can even look at what happens to states when they have 24 hour visitation requirements, or do not allow body gripping traps without special permits. California and Washington have not been plagued with disease. She said indiscriminate trapping can paradoxically increase human wildlife conflict. Colorado saw a 62% decrease in sheep depredation from 1994-2004 after restricting trapping on public lands. She said recent predator studies demonstrate an increase in juvenile animals can cause more conflict. In coyotes trapping can boost population numbers. She stated, you are the Commission for Wildlife and you should be doing what is best for wildlife. Killing an animal with less than half its life expectancy does not do it any favors. She said trapping works against natural selection. As Chairman Robb said there is no scientific evidence for a 96 hour trap check except convenience. She can cite a number of reasons why long trap visitation trap checks are detrimental to wildlife including non target animals. There is substantial data to support that. 24 hour trap visitation makes law enforcement much easier; you owe it to us to give data on how it will benefit wildlife because she doesn't feel that it is there.

Gina Griesen, Nevada Voters for Animals said that she had missed some meetings and felt the committee hasn't gotten very far. She said there is a high percentage of the public who are

asking for change, the legislature who has tasked you with this and the interests of a few who are profiting from this. She said that to talk to about dogs being off leashes, that there was just an incident off of Grand Teton.

Chairman McNinch asked her to focus her comments.

Gina Griesen said it should be 24 hours for all of Clark County and maybe even more. She said it does need to be on the other side of the mountain range to include some of those areas. When a coyote is trapped just a quarter mile from residences and a man is out in the desert with his dogs that have a right to run off of their leashes and there is a coyote caught in that trap the dogs get in a fight with his dogs that creates a dangerous situation as well. She said Clark County is so congested with visitors, hikers, etc. She hears stories of dogs getting caught all the time but yet she never hears them here. She said all of Clark County should be 24 hours.

Paul Dixon Clark CABMW said that he is frustrated that there was a lot of time spent in Clark County defining safety zones around trails and roads. There are offsets now set around Mt Charleston and other areas. He said now the subject is visitation and the same arguments are being used. He asked if the public safety discussions were done wrong before. If you are going to say 24 hour visitation fixes the safety issue then you need to go back and say there should be no trapping in Clark County. This discussion makes zero sense because it has nothing to do with safety. It has to do with the amount of time that people think if they restrict the amount of time that it will restrict the trapper's ability to trap or do things. We have already dealt with the safety issue. We are now taking this social issue and are seeing if the shortened amount of time will change anything. He said we need to consider this based on the merits of the social issue and the welfare of the wildlife. He has heard very little about the welfare of the wildlife itself. The domestic animal and human safety issue has already been dealt with. He said it frustrates him there has been a tremendous amount of time spent here, but you aren't going to get anywhere if we are revisiting a public safety issue that was already dealt with.

Chad Schuberg, Taxidermist said his concern is the law of cause and effect. He makes his living on the outdoors. There has got to be another option other than taking the time frame down. He said it has been effective for years and to take that away would affect trapping in numerous ways that aren't being looked at. He said there have been other resolutions that are invalid. He said he doesn't see why there can't be signs to alert people of trapping in the area. He said if you can't see the sign then whose fault is that.

Chairman McNinch brought the discussion back to the committee. He asked the committee members if they want to make a recommendation to the Commission or if they wanted to come up with a list of things for staff to put together.

**COMMISSIONER DREW MADE A MOTION TO ASSIGN COMMISSIONER ROBB TO WORK WITH STAFF TO REFINE HIS PROPOSED MAP WHICH WOULD ALSO INCLUDE AREAS ALREADY CLOSED TO TRAPPING AND THE TRAPPING RESTRICTION ZONES THAT THE COMMISSION HAS ALREADY ADOPTED INCLUDING THE FIREARM CONGESTED AREA AND ALSO DEVELOP A LIST**

**PERTINENT TO PREVIOUS REGULATIONS THAT WERE DISCUSSED ON THE LAST AGENDA ITEM. COMMISSIONER ROBB SECONDED. MOTION PASSED UNANIMOUSLY.**

Commissioner Layne said that she wanted confirmation that the motion would imply that there would not be a meeting later today.

Commissioner Drew said that yes that would be his intent but it would be discussed under future agenda items.

Chairman McNinch said if it helps in processing what is on the table he said he doesn't think that agenda item means at the next Commission meeting. He said they can talk about that in the next agenda item. He said he doesn't want Commissioner Layne to think that the next Committee meeting would be at the same time as the next Commission meeting. He said there would be a meeting in between.

Commissioner Layne said she would be willing to assist Commissioner Robb assistance as she doesn't feel it is a one Commissioner job to make changes on this map. She said more people need to be involved even at the county level.

Chairman McNinch said he is sure Commissioner Robb would appreciate the help.

Commissioner Robb said that the one thing he knows about this process is even if something is pushed through the committee to the Commission there is still another chance for the public to bring thoughts forward and adjustments to be made before the Commission meeting. He said he doesn't want people to think that just because it goes through the committee doesn't mean that the public can't get changes made when it is presented to the Commission utilizing the same process.

Chairman McNinch asked if Commissioner Layne and Commissioner Robb are comfortable with everything that has presented, they know what kind of overlays and such need to be made.

Commissioner Layne said if we go down this path that we are not limiting this solution to just the map of Clark County. She said she would still like the option of all of Clark County to be looked at.

Chairman McNinch said his understanding is that would be part of the process between Commissioner Robb and Commissioner Layne. He said you guys will build maps and overlays to provide thoughts and discussion points for future meetings.

Commissioner Drew said that the motion was made to keep the ball moving forward. He said he has no intention of limiting discussion to just that.

**10 Future Committee Meetings and Potential Agenda Items – Chairman McNinch – For Possible Action**

The Committee will discuss the date, time and location of the next Committee meeting. The Committee will also review and may take action to set potential agenda items for that meeting.

Chairman McNinch said that the best way to move forward is to have discussion about populated and heavily used areas up north. He said he would like to have a discussion on setting up a meeting for the Minden, Tahoe, Virginia City, etc., areas and then move on for a discussion regarding the areas around Elko. He requested that a couple dates directions to staff, and potential agenda items. He said that Monday's and Friday's seem to work best for the committee. He asked about a meeting the week of February 24<sup>th</sup>.

Commissioner Drew asked to have the Reno meeting in conjunction with the next Commission meeting in Reno.

Chairman McNinch said he wouldn't be present at the meeting.

Commissioner Drew asked the dates that he was unavailable.

Chairman McNinch said the week of March 20<sup>th</sup>. He asked which area the Committee would prefer to concentrate on first. He said the meeting would be March 7<sup>th</sup> and asked for suggestions on agenda items. He said it is safe to say that there are couple items that will be worked on, some examples of precedents in using close proximity. He said Commissioner Drew might be able to offer some assistance to the staff. He asked if there is anything specific that the Committee would like to hear from staff.

Commissioner Layne asked if the next meeting would be a continuation of the meeting they are in.

Chairman McNinch said no. The meeting would be a discussion of the same concepts for the Reno area.

Commissioner Layne said we do have a map that's being proposed at this time. She asked if they needed to look at things such as; no trapping or federal land off limits in the Reno area.

Commissioner Drew said if you could synchronize that information on the maps.

Chairman McNinch asked if they wanted to discuss dates for an Elko meeting.

Commissioner Layne said March 30<sup>th</sup> would be better for her.

Commissioner Robb asked Commissioner Layne and Mr. Sullivan if it would be better if they had a meeting in Elko immediately after the Reno meeting so they could all travel to Elko together. He asked if they would consider doing a Friday and Saturday meeting.

Commissioner Layne said she would prefer to try to do both in the same trip.

Commissioner Drew asked if the suggestion was March 7<sup>th</sup> in Reno and then March 8<sup>th</sup> in Elko.

Commissioner Robb said yes, Friday morning meeting in Reno, then drive to Elko, have a Saturday, March 8 morning meeting in Elko, then drive back to Reno.

Chairman McNinch said tentatively they would look at meetings in Reno and Elko on March 7<sup>th</sup> and 8<sup>th</sup>.

Jana Wright asked for confirmation that there will not be an agenda item for whether the Committee has an appetite for less than 96 hour visitation for the entire state. She said that she hopes that on March 7<sup>th</sup> and 8<sup>th</sup> video conferencing will be up and running.

Chairman McNinch said that he can't guarantee video conferencing will be up and running. He said he will talk to the DAG about the 96 hour as he had provided an opinion.

Dr. Molde said that he is suggesting that the non-target data be placed on the agenda. He feels that the committee has not heard. He keeps hearing there is no information suggesting that anything other than targeted furbearers are being injured in this state and the non target data is contradictory to those claims. He has some mountain lion data regarding trap injuries as they have been checked into NDOW. He said non-target data would be a good addition to that agenda.

Stephanie Myers asked for clarification if they would be discussing Clark County.

Chairman McNinch said if they did, it would be informational only.

Stephanie Myers said that National Parks have no trapping and hunting. She said assuming Red Rock is a park and ice age Tule Springs is going to become a National Park.

DAG Newton asked for clarification if the committee would need a representative from Attorney General's office at the Elko and Reno meetings.

Chairman McNinch said yes.

Persons wishing to speak on items not on the agenda should complete a speaker's card and present it to the recording secretary. 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. In addition to this Public Comment Period, Public Comment limited to three minutes per speaker on each agenda action item, but not on reports or informational items.

Dr. Molde said he wanted to comment on the conflict of interest. He said the letter from Trish Swayne and him was said to have suggested that Mr. Sullivan be removed from the committee. He said that was not their recommendation. He said a report that he got from NDOW that shows how many bobcats were trapped per trapper from 2005. This is what prompted the comment in the letter that Mr. Sullivan may be among the most prolific bobcat hunters in the state. He said this data covered 250 trappers and that 200 of them trapped 20 bobcats or less. He said one trapper trapped 105 bobcats, two guys trapped 84, and another guy trapped 76, and another trapped 66. He said in the letter he wrote that trapping more than one hundred bobcats in one year was remarkable. He said he would be happy to send to the committee if needed.

Gina Griesen said she has concerns about the public parks and national parks. She said she hasn't received an answer regarding the Red Rock Canyon National Conservation area. She has received mixed answers on whether someone can or cannot trap in that area for two years and would like an answer if trapping is allowed below that 5000 foot level. She thinks whatever area is being looked at she wants to know what national and public parks are in that area, what the trapping regulations are, and who is enforcing those rules. She said if it is a federal agency and the state has a different rule, then it should be NDOW that enforces that rule. She said she would like a clarification on what the rules are in those national parks, refuges, etc. She said she would also echo Ms. Wright's comment about having video conferencing available.

Walt Gardner, self said he saw a lot of maps, but didn't see a map that showed high density use areas that were also planned trapping areas where the trapper had priority. He said the trappers are always giving priority to the people. The trappers were some of the first people in the state of Nevada. He said they have been pushed and are never given priority in these areas whether it is prime trapping area or not. He said it is always being given to the people and he would like the trappers to be considered in that priority. He thanked the committee for coming up to the Northern part of the state.

COMMISSIONER ROBB MOTIONED TO ADJOURN.

Meeting adjourned at 11:48 a.m.

**NOTE:** The meeting has been recorded and is available upon request. The minutes are a summary of the meeting. At the Department of Wildlife Headquarters in Reno is a complete record of the meeting, recordings, support material, summary of minutes and exhibits received/referenced during the committee meeting. The record is available upon request.

DRAFT

Dear Nevada Board of Wildlife Commissioners Trapping Regulation Committee,

I have done research on the subject of trapping in general and trapping in Nevada. All sources say the Nevada is one of the most lax states in regulating trapping. As I read the "Trapping in Nevada" page on the Nevada Fish and Wildlife website, I was struck by how little is required of trappers. No where did I find any information or guidelines on the numbers of animals that can be trapped. I could find no info on data that is currently required to be collected even though there is a provision that allows for such data collection. I could find no information on humane euthanasia.

A trapper's priority is the money that can be collected for an animal pelt. I can understand that trappers, then, want to do all they can to decrease costs and to increase profit. However, they have decided to be a part of an activity that impacts the health and safety of human beings as well as other living things not wanted by the trappers. Since they are asking to be allowed to kill on public lands, they should be willing to meet the highest standards of trapping.

They have no monetary interest in the humane treatment of animals; therefore, they seem reluctant to employ the most humane methods of trapping. A 96-hour (four-day) visitation requirement is inhumane on its face since we all know the types of injuries and suffering animals endure when trapped. If trapping is important to trappers, then they can visit their traps daily. If daily visitation is too cumbersome, perhaps the trappers have too many traps or their interest in trapping is superseded by other activities.

The State has a vested interest in the euthanasia used by trappers. Since retaining usable pelts is the goal, trappers must use killing methods that preserve these pelts. The State should be aware of how and where euthanasia is performed since the methods may be inhumane or even unsafe for others if chemicals are used.

A trappers wants to set traps as conveniently located for them as possible; however, location is critical for the State to ensure that citizen safety is maximized. The current 1,000 feet regulation is not even the length of a football field. Raising the requirement to 1,000 yards is only asking for a two football-field sized location. With the population of Nevada ever growing and development ever expanding, a two football-field location is not unreasonable.

The State of Nevada should make data-driven decisions. An accurate data collection system that is thorough and all-encompassing should be developed and mandatory. How can trappers use the argument that the public is unknowledgeable if they are unwilling to do their part in educating the public? Completing paperwork may be tiresome, but using public resources must include a method to ensure that said use is beneficial and not harmful.

Public lands are for the benefit of all the public, not just those who wish to profit from it. It is up to the State of Nevada to look out for the interests of all citizens not just the few who trap. To

that end, I support the following recommendations for trapping wild animals in the State of Nevada:

1. Barring trapping within 1,000 yards of homes and all hiking trails.
2. Ban leg-hold traps; replace with box or cage traps that don't injure animals.
3. Shorten the length of time trappers must check traps from 96 to 24 hours.
4. Develop a trapping identification system that allows anonymity to the casual observer but is on file with the State of Nevada.
5. Institute a humane euthanizing system to be used by all trappers.
6. Develop a required reporting system to be completed each and every year by all trappers that includes data such as placement of traps, kinds of traps, numbers of traps, kinds and numbers of animals trapped, kinds and numbers of unwanted living things trapped, euthanasia used, etc.
7. Establish and enforce a monitoring system that ensures that trappers are following all regulations and that includes a provision that will revoke the license of any trapper not following regulations.

Thank you for allowing me the opportunity to provide input to your committee.

Betty A. Sabo  
3137 Palmdesert Way  
Las Vegas, NV 89120

January 31, 2014

1-31-14

Item #8

**01312014 NBWC Trapping Committee COMMENTS – Stephanie Myers**

It was 14 years ago this month that my dog Sunshine was caught in a trap on Macks Canyon Road in Lee Canyon on Mt. Charleston in the Spring Mountains, Hunt Unit 262, only ~~30~~ minutes from where we are right now.

January.

Like this January....almost no snow. Like this January....warm.

So warm that Macks Canyon Road at 8000 feet elevation was not covered with snow – there was almost no snow on the mountain at all.

**Trappers argue that there is SO MUCH snow** at the higher elevations in Hunt Unit 262 during trapping season that the public won't be anywhere NEAR the traps they set out on long lonely roads, running and playing with their dogs. Not true 14 years ago, and not true this year.

With no signposts or notices to warn the public that trapping is occurring, many domestic dogs, and even children, can be caught and injured by these hidden roadside bombs. Where is the public safety here? *in ALL of Hunt Unit 262.*

**Trappers argue that dogs should be leashed.** This is required in developed campgrounds, picnic areas and certain trails, as it should be. But leashes are NOT REQUIRED in other parts of Clark County and the Spring Mountains. Everyday Tom, Dick and Jane, the ones who like to run and play with their usually-cooped-up dogs, do NOT KNOW that trapping is occurring. Trapping is something from Lewis and Clark in 1804. These folks are surprised and horrified to learn that trapping is happening TODAY, and right under their noses in Hunt Unit 262.

**Trappers argue that they have given up so much.** Baloney. They didn't want the <sup>highest</sup> upper trails in the Spring Mountains; they don't want to walk. I measured the roads – the measly 200 feet on either side of the 5 roads that this Committee ruled trap-free last year. It is 1.89 square miles. It is nothing. Trappers gave away nothing in Hunt Unit 262.

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**Trappers argue that animals would die anyway. This is a bogus argument. We're all gonna die. Nature has been handling this problem all by itself for centuries. You can walk out of this room and get hit by a car, but should we put you in a trap for 4 days so you can die more gracefully? Absurd.**

**I'm sure that 9 out of 10 trappers in this room are responsible, but there are many bad apples in the supposed "sport," including Assemblyman Ira Hansen. This Committee is heavily unbalanced; avid trapper John Sullivan should not have been appointed to this Committee and should resign.**

**I just talked with a woman whose dog was caught in a neighbor's trap for many days. She searched, but couldn't find her dog. The trapper released her dog 4 days later - what a surprise that the dog was even alive! But gangrene has set in - the dog's leg had to be amputated.**

**It makes a difference how long an animal is captured in a trap. It is outright brutality and animal abuse to leave an animal in a trap - with no food, no water, no protection from predators for 4 long days. You would be thrown in jail if you did that in town.**

**Mt. Charleston may not be a heavily populated area by resident population. Neither is the Strip. But with 2 million visitors a year, the Spring Mountains, Hunt Unit 262, are heavily populated with visitors: residents from Las Vegas and tourists from all over the world. They do NOT know that trapping is happening right here, right now. In Hunt Unit 262, visitors swarm by the millions to ski, hike, bike and simply enjoy the outdoors. Their dogs and children should not be at risk at ANY time of year.**

**The legislature wants the NV Board of Wildlife Commissioners to lower the 96 hour trap visitation rule. A reasonable request.**

**Trapper convenience should be at the lowest priority as a determining factor. Trappers are feeding at the trough of PERSONAL PROFIT. Trapping is a COMMERCIAL ACTIVITY.**

**24 hour trap visitation statewide. Boots on the ground. Thank you.**

Statewide  
^

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Item #8

We're opposed to any changes in the 96 Hour Trap Check  
in Regards to SB 213

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We're opposed to any changes in the 96 Hour Trap Check  
in Regards to SB 213

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## TESTIMONY TO TRAPPING REGULATION COMMITTEE

Dec. 7, 2013

Trish Swain, Co-Ordinator

TrailSafe Nevada

1285 Baring Blvd.

Sparks, Nevada 89434

[info@trailsafe.org](mailto:info@trailsafe.org)

### **PUBLIC COMMENT**

Mr. Chairman and Committee members: Here we are on Saturday night in holiday season after a snow storm. This circumstance is no easier for you than for me. The weather is bad enough to cause several people who want to be here to stay home instead. I ask your indulgence and allow me to quote from their messages to you. I hope you acknowledge you received at the very least 27 emails supporting TrailSafe and urging you to adopt strong and effective trapping regulations. All of these request 24-hour trap visitation statewide. I ask the chair for permission to quote from some of those emails after my testimony because one writer, Valerie LeBel-Flatley, can't be here and her comments are particularly meaningful. I also ask you to let me read Mr. Gary Park's email and recount the story of his pet's tragic death in a Conibear™-type trap. Mr. Park wanted to be here but his schedule won't permit. This case is particularly notable because his hand was wounded trying to free his dog and may require future surgery. His story on Facebook so far has 19,472 hits.

I thank this committee for your comments in Las Vegas when it was clearly stated that change is upon our society and it is time for new adjustments. This cultural shift is amply reflected in the communications I receive.

There is a general perception that the "rurals" all favor and support trapping. I can show you heartfelt communications from communities above and beyond Reno and Las Vegas: (list on last page) This is a partial list because I had to change computers in mid-stream and lost some of my messages. TrailSafe received communications from persons in these communities agreeing that tighter trapping regulations are needed. Many of these include stories of trapped pets and the anguish and frustration of the pet owners. These stories are posted on the TrailSafe website. Three pet owners suffered injuries to their hands trying to free pets.

Valerie LeBel's email illustrates an important point. What will it take for communities who want protection from traps to obtain that protection? Do we have to go through a year or two-year-long process every time a community wants trap regulation? Or can we find the courage and the political will to make a bold step – write flexible regulations that will allow for inclusion of communities such as Virginia City Highlands. And find the will to make trap visitation 24 hours across the board, with no haggling over exceptions? How long do we want to drag out the regulation process? As you can see, and as I told Dr. Lent at a meeting years ago, I'm not getting any younger. But as you've seen from the volumes of email you and I receive, more people are waking up to this situation and demanding better protection of public safety and better

treatment of animals, so it is reasonable to expect the demand for trap regulation will outlast me.

## **MAP**

Here is our map and a list of the hunt units included. We included areas around population centers and we also included areas around outdoor recreation. Our colleagues in Clark County urge your attention to Unit 262 – the Spring Mountains – where tourists and recreationists do not want to hear the cries of a trapped, suffering animal for four days in a row, or accidentally come upon traps.

A Lovelock couple had the miserable experience of hearing an animal in mortal agony, crying out for 3 days - not in the Spring Mountains, but closer to Lovelock. No trapper showed up for 3 days to put the animal out of its misery. Caron Tayloe will read you that message. These folks and others in Lovelock demand better trap regulation and certainly support 24-hour visitation.

Obviously we want 24 hour visitation for the entire state. We see no reason Nevada is exceptional – no more so than California, Arizona, New Mexico, Colorado, Washington which are large Western states like Nevada, but which have 24-hour trap visitation. Or any of the 33 states which already have 24 hour visitation. Can we avoid another long negotiation process? Instead can we ask of you a bold, humane, sensible and responsible decision to mandate 24 hour visitation statewide?

Also, chopping the state up with mini-regulations will present NDOW with a difficult job enforcing trapping regulations. Uniform regulations would assist our wardens.

Because of the numbers and locations of unintended trappings, many of these units are included and Dr. Molde can speak to you most eloquently about that.

You have copies of our map and we urge adoption of our map as it stands, or better yet, 24-hour visitation statewide. We hate to see this process grind on for years to come. Thank you so much for this opportunity to enhance public safety and humane treatment of animals. By making such a decision, you will enhance Nevada's image. We want to be a state where efforts are made to reduce animal suffering.

Partial list of communities  
Trish Swain, Co-Ordinator  
TrailSafe Nevada  
Dec, 7, 2013

***TrailSafe received communications from persons in these communities agreeing that tighter trapping regulations are needed. All of them support 24-hour trap visitation. Many of these include stories of trapped pets and the anguish of the pet owners. These stories are posted on the TrailSafe website. Three pet owners suffered injuries to their hands trying to free pets.***

Mason Valley	Elko	Tonopah
Lovelock	Las Vegas	Reno
Sparks	Incline Village	Carson City
Henderson	Goldfield	Red Rock
Washoe Valley	Ely	Stagecoach
Palomino Valley	Mesquite	Genoa
Pahrump	Silver Springs	N. Las Vegas
Boulder City	Sun Valley	Wellington
Fallon	Minden	Yerington
Gardnerville	Stateline	Virginia City Highlands