



# Clark County Advisory Board to Manage Wildlife

## MEETING MINUTES

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Date: August 8, 2017  
Location: Clark County Government Center  
500 S. Grand Central Parkway Pueblo Room  
Las Vegas, NV 89155  
Time: 5:30 pm  
Board Members Present: Paul Dixon, Chair J. Michael Reese, Vice Chair  
Brian Patterson William Stanley Joe Luby

The agenda for this meeting was posted in the following locations;

- Nevada Department of Wildlife, 4747 West Vegas Drive, Las Vegas, Nevada, 89107;
- Clark County Government Center, 500 Grand Central Parkway, Las Vegas, Nevada, 89108;
- City of Henderson, City Hall, 240 Water Street, Henderson, Nevada, 89015;
- Boulder City, City Hall, 401 California Avenue, Boulder City, Nevada, 89005;
- Laughlin Town Manager's Office; 101 Civic Way, Laughlin, Nevada, 89028;
- Moapa Valley Community Center, 320 North Moapa Valley Road, Overton, Nevada, 89040;
- Mesquite City Hall, 10 East Mesquite Boulevard, Mesquite, Nevada, 89027.

Date: August 2, 2017  
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### 1. Call to Order

- The meeting was called to order at 5:30 pm by Chairman Paul Dixon
- Roll call of Board Members was performed by the Secretary, Stacy Matthews. A quorum was present.

### 2. Pledge of Allegiance

- Chairman Paul Dixon requested all stand and asked Vice Chair Reese to lead the attendees in the Pledge of Allegiance.

### 3. Approval of Minutes of the June 20, 2017 CCABMW Meeting (*FOR POSSIBLE ACTION*)

- Chairman Paul Dixon asked the Board and attendees for any comments or corrections to the Minutes of the June 20, 2017 CCABMW Meeting.
- Board Comments:
- Vice Chair Reese commented very well done.
- Public comment: none
- A motion was made and seconded to approve the minutes of June 20, 2017 CCABMW Meeting as posted.
- Motion passed 4-0 with 1 abstention (William Stanley did not attend June meeting).

4. **Approval of Agenda for August 8, 2017 (*For Possible Action*)** Unless otherwise stated, items may be taken out of the order presented on the agenda, and two or more items may be combined for consideration. The Board may also remove an item from the agenda or delay discussion relating to an item at any time.
  - Chairman Paul Dixon introduced this topic stating that he reserves the right to pull agenda items out of order, and he may call for a break as needed.
  - Board comments: None
  - Public Comments: None
  - A motion was made to approve the agenda as posted for the August 8, 2017 Board Meeting.
  - The motion passed unanimously.
  
5. **CAB Member Items/Announcements/Correspondence: (*Informational*)** Clark County Advisory Board to Manage Wildlife (CCABMW) members may present emergent items. No action may be taken by the CCABMW. Any item requiring CCABMW action will be scheduled on a future CCABMW agenda. CCABMW board members may discuss any correspondence sent or received. (CCABMW board members must provide hard copies of their correspondence for the written record).
  - Vice Chair Reese noted that the California Youth Shooting Sports Foundation held their US Open Clay Shooting competition over 4 days in July. 600 kids attended. Shot 130K targets, and another 20K during practice.
  - Joe Luby announced this will probably be his last meeting as a member of the Board. His travel is increasing and he does not have the time needed to carry out his duties as a Board Member. His term is up in October and he will not be able to attend the September meeting.
  - Chairman Paul Dixon stated that there will be a celebration for Jeremy Drew in recognition of his six years on Commission August 12<sup>th</sup> 2 pm in Minden. He also shared that he had been alerted by Susan Russell and a newspaper article stating that water is being turned off on golf courses and it is impacting wildlife. He has raised this to NDOW, asked them look into it. Also, on August 14<sup>th</sup>, NDOW will present "Living with Nevada's Urban Coyotes" on Monday and Wednesday August 14<sup>th</sup> and 16<sup>th</sup>, to provide information to residents on how to protect animals and be coyote aware.
  - Chairman Paul Dixon also noted that the Commission just added a new agenda item for Saturday: Wildfire update and emergency deer and antelope hunts will be talked about at the Commission Meeting. You can email if you have input. Paul Valentine he thinks this item is informational and will come back to CAB in the future. Paul also noted that Cory Lytle sent out a 2017 Assessment of Economic Effects Specific to Livestock Grazing prepared for the N-4 State Grazing Board, which highlights the negative impact of too many horses on the Range. We will have this on the next agenda.
  - Stacy Matthews announced will be posting two upcoming CCABMW vacancies.
  
6. **Recap of June 23<sup>rd</sup> & 24<sup>th</sup> Commission Meeting Actions (*Informational*)** – A recap of actions taken by the Wildlife Commission will be compared to Clark Recommendations.
  - Chairman Paul Dixon summarized the actions of the Commission:
    - Upland Game Bird seasons were accepted. Our suggestion of starting the seasons October 1<sup>st</sup> was not accepted.
    - Duck stamp funding projects: Chairman Paul Dixon made comments about invasive species we control. Motion was made to accept projects as written.
    - CCABMW Budget was accepted and approved.
    - Heritage Project extensions accepted and funded. Chairman Paul Dixon made comments on Project 18-02 requesting strong monitoring, and on Project 18-05 fuel reduction fire fuel. We

recommended changing to complete removal. The discussion ended with plans to leave "islands" of junipers, etc., with more complete chaining in between.

- Heritage Tag vendors:
  - Mule Deer - Wynn and NSU,
  - Antelope - Persian County Chukars Unlimited and Nevada Waterfowl Association,
  - Elk - Rocky Mountain Elk Foundation and Meadow Valley Wildlife Unlimited,
  - Desert Big Horn Sheep - Wild Sheep Foundation/Fraternity of the Desert Bighorn Sheep and NBU
  - California Big Horn Sheep - NBU
  - Turkey - WHIN, NSU, Meadow Valley Wildlife Unlimited, 2 to Carson Valley Chukar
  - Discussion came to Paul from NSU, asking if they could host their tag to another event. You need Director approval or Commission approval. To avoid seeking approval, submit a joint proposal.
- Upland Game Plan approved as written.
- Invasive Species Management Plan is back for review.
- Deer and Antelope Land Owner Compensation is also back for review
- Partnership of Wildlife accepted as presented.
- Chairman Paul Dixon sent a letter to Governor Sandoval supporting Rex Flowers, and recommending reappointment of Commissioner Valentine, etc.
- Chairman Paul Dixon asked Commissioner Valentine if the Governor reappointed everyone and appointed a replacement for Jeremy Drew.
- Commissioner Valentine responded that everyone was reappointed but has no knowledge of a replacement for Jeremy Drew.
- Jana Wright offered her congratulations to Paul Valentine noting that on the website some term lengths changed, kind of staggered. He might have changed to stagger.

## 7. Action Items:

**Discuss & make recommendations regarding the following Action Items from the Board of Wildlife Commissioners August 11<sup>th</sup> & 12<sup>th</sup>, 2017 meeting agenda, as well as additional items brought forth to the CCABMW from the public for discussion.** CCABMW agenda & support materials are available upon request to Stacy Matthews (702) 455-2705 or [smatthews@co.clark.nv.us](mailto:smatthews@co.clark.nv.us). The final Commission agenda & support at [http://www.ndow.org/Public\\_Meetings/Commission/Agenda/](http://www.ndow.org/Public_Meetings/Commission/Agenda/).

**A. Nevada Aquatic Invasive Species Management Plan (*For Possible Action*)** The CCABMW Board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about to the final AIS Plan which addresses any recommendations for modification of the draft AIS Plan from the Commission's June 23 and 24 meeting and other comments received from the public.

- Chairman Paul Dixon introduced this item.
- Board Comments:
  - Vice Chair Reese stated that the Plan did not talk about any other entities that are doing the funding.
  - Chairman Paul Dixon responded that the sportsmen are the only ones doing the funding. Purchase of the Aquatic decal provides funding. NDOW did get some general fund for invasive species.

- Vice Chair Reese noted that there are inspection places at lakes where quagga mussels have been found where boats are checked on way out, not on way in. Have they identified every place this occurs and are they doing inspections there?
- Chairman Paul Dixon responded that they are doing periodic checks on all navigable bodies of water looking for quagga mussels, and if found, inspection stations are set up.
- Vice Chair Reese noted that going into Utah every boat is pulled over and inspected entering the state. Our plan did not address these kinds of inspections. He asked if there are any plans to check boats launching on lakes and rivers with no quagga mussels.
- William Stanley pointed out that for just the lower basin of Lake Mead, there is a \$1 Million annual economic impact. There should be a better answer for financing this.
- Chairman Paul Dixon responded that based on the last 8 years, there is a resistance to increasing fees.
- William Stanley further speculated that the economic impact is in hydro production. \$1 Million impact is probably maintenance of the dam, electricity.
- Chairman Paul Dixon agreed that it's infrastructure.
- Public Comment: None
- Public Comment Closed.
- A motion was made and seconded to accept as written.
- Motion passed 5 – 0.

**B. Commission Policy 9, Americans with Disabilities Act (ADA) – First Reading (*For Possible Action*)** The CCABMW Board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners to repeal or revise Commission Policy 9, ADA.

- Chairman Paul Dixon introduced this topic stating that this Policy has become stale with respect to Federal ADA requirements thus it is recommended the Commission remove the policy from the Commission Policy and follow Federal rules.
- Vice Chair Reese asked if having a policy avoids a lawsuit for not having one.
- Commissioner Paul Valentine shared that the Commission discussed the requirement to maintain an ADA Policy. Director Robb said that all policies have to meet ADA requirements, so this policy is redundant.
- Vice Chair Reese asked if there were any complaints this past year.
- Chairman Paul Dixon responded the only persons concerned about ADA rights were people who wanted access to parcels. It was brought up to NDOW, who stated there are no requirements for ADA access. If there were ADA requirements, hunting areas would not exist.
- William Stanley noted this ADA policy only addresses meetings.
- Public Comment: None
- Public Comment closed
- A motion was made and seconded to approve Policy 9 as drafted.
- Motion passed unanimously 5-0

**C. Commission Policy 29, Draft Arbitration Process for Applicants Dissatisfied with Elk Incentive Tag Awards, First Reading (*For Possible Action*)** The CCABMW Board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about Commission Policy 29, Draft Arbitration Process for Applicants Dissatisfied with Elk Incentive Tag Awards.

- Chairman Paul Dixon introduced this topic, noting that this update to Policy 29 is intended to bring the Policy into currency with the latest NRS and NAC rules.
- Vice Chair Reese stated that this was tied to a formula.
- Chairman Paul Dixon this is just the administrative policy governing the process to get arbitration if the landowner does not agree with the NDOW findings (based on the formula). A & B are numbers gathered from the ranchers are put into the formulas. Days, use, type of crop, etc. are input by the Rancher and NDOW Biologist. The Incentive Tag is governed by the usage of the Rancher's land over 365 days. Damage compensation tags are based on a one day count, so it's the luck of the draw. You get 1 tag per 50 animals.
- Vice Chair Reese said he knows a lot of Ranchers that have elk come on their property, but who want to charge access fee for upland game on same property. Do they need to provide access only during elk season or for all sportsmen?
- Chairman Paul Dixon stated that NDOW have only written for Elk on private land to allow access to landlocked public lands.
- Vice Chair Reese asked can a rancher write a trespass fee for anything other than Elk?
- Chairman Paul Dixon is going to make a note of that for the Commission.
- William Stanley asked, based on NAC 502.424A, what does access really mean? Can you drive, ride a horse, or do you have to walk?
- Chairman Paul Dixon clarified that the NAC states that the hunter shall reach public lands without crossing private land, or a rancher can allow access if they are getting incentive tags.
- William Stanley asked what access means, drive, ride a horse, or walk 25 miles.
- Chairman Paul Dixon responded that access is not defined. It is what Land Owner agrees to with NDOW and what is in the written agreement. This is why the number of cow Elk Tags is so aggressive because we are trying to get herd numbers down to those required in the elk management plans. This has thrown off the bull to cow ration and more bull tags have to be issued. Is what we are doing is best for wildlife in this state?
- Elk incentive tags are tolerance for having elk on your property. Deer and Antelope are compensation for damage done to your crops or property.
- Public Comment:
- Dave Famiglietti asked are these agreements available for public record?
- Chairman Paul Dixon answered that you can contact NDOW and request the agreements. NDOW is trying to define access and what does it mean for Deer and Antelope.
- Joe Luby, this policy does not address those things. This is what the arbitration is about.
- Chairman Paul Dixon agreed that Policy 29 only pertains to the Arbitration Process for landowners receiving incentive tags. Access questions, etc. are interesting side questions. What is not covered is issues sportsmen may have relative to the number of incentive tags issued. There is no arbitration process. Their only means are to give public comment, agendize it, or talk about it at the Commission meeting during public comment.
- A motion was made and seconded to accept Policy 29 as written.
- Motion passed unanimously 5-0

**D. Commission Policy 63, Protecting Wildlife from Toxic Ponds, First Reading (*For Possible Action*)** The CCABMW Board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners to repeal or revise Commission Policy 63, Protecting Wildlife from Toxic Ponds.

- Chairman Paul Dixon introduced this item about toxic ponds. This is updating Commission Policy 63 based on NAC updates in the 2015 legislative session. There are a lot of strike outs in the revisions.
- William Stanley voiced his opinion that reporting kills if an animal is killed on any ponds, should be mandatory, not voluntary, so we can collect data.

- Chairman Paul Dixon explained that they wanted mandatory reporting, but this was too vague. The verbiage was added to make it mandatory reporting. Then they struck out artificial ponds and made it industrial ponds. So, the NAC was changed to industrial ponds.
- William Stanley asked about fracking, namely the bladders maintained next to a fracked well. Leakage will bring wildlife. It is a manmade storage system for some really bad stuff.
- Vice Chair Reese read from the Policy that these bladders qualify as a manmade body of water.
- Brian Patterson added it is no different than a 55 gallon drum of water.
- Paul Dixon will ask for definition of fracking bladders for clarification.
- Joe Barnes, NDOW Wildlife Diversity Supervising Biologist, if you go through the changes, reporting is mandatory.
- Public Comment: None
- A motion was made and seconded to accept Policy 63 as written.
- Motion passes 5-0

E. **Commission General Regulation 470, Miscellaneous Petitions, LCB File No. R095-16 (For Possible Action)** The CCABMW Board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about amending Chapter 501 of the Nevada Administrative Code (NAC). The regulation was developed by the APRP Committee after several public meetings incorporating relevant suggestions from the public, legal counsel, the Department and the Committee. The amendments will simplify petition form requirements and the petition process overall.

- Chairman Paul Dixon introduced this item and explained new language, original draft, new language, and strike-through.
- Public Comment: None
- Vice Chair Reese noted if they put submit a petition without enough time to agendaize it, the petitioner can state that it can go on next agenda.
- A motion was made and seconded to accept 470, LCB File No. R0095-16 as written.
- Motion passed 5-0

F. **Commercial Reptile Collection (For Possible Action)** The CCABMW Board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about commercial collection of reptiles in Nevada along with numerous potential alternatives for consideration.

- Chairman Paul Dixon introduced this item noting that this policy will not allow bucket traps. He read the list of legal means for collecting and what is not allowed for collecting. Nevada is still one of the few states that has an open policy on collecting reptiles.
- Vice Chair Reese asked how many permits are issued to collect reptiles in the State?
- Joe Barnes, NDOW, responded that there are currently 9 or 10 licensed collectors. On average, about 14,000 animals are collected each year, with about 500,000 collected over the last 30 years. Take numbers are down significantly from fifteen years ago.
- Dave Talaga asked what the breeding rate is for these animals.
- Joe Barnes replied that it varies by species and environment.
- Vice Chair Reese asked about the permits.
- Joe Barnes explained that the permits are \$250 per year and cover the entire state and 365 days a year and unlimited numbers. He then went on to summarize the four possible courses of action for the Commission: 1) Cease permitting and collecting altogether. 2) Have the

- Department draft a permanent regulation prohibiting commercial collection, 3) Have the Department develop regulations that limit collection by species, season, year, and/or collection area in the state, or 4) take no action and allow unlimited commercial collection.
- Chairman Paul Dixon asked for clarification on the statement that take numbers are down.
  - Joe Barnes responded that the current collection rates are about 50% of what they were 15 years ago. Annual take currently is around 9000 animals. Data comes from self-reporting done by the collector. There are problems with that, as it is difficult to verify. Another issue is the "pit-fall" traps (a five gallon bucket dug into the ground so the lip is level with the ground) which are totally illegal. Usually there is a cover board over it so a snake or lizard crawls under the board, falls into the bucket, and can't get out. Unfortunately, that kind of trap works for scorpions as well, and collecting scorpions is not regulated, so people caught using such a trap simply say they are trying to catch scorpions. He believes there are at least 700 pit-fall traps in the Amargosa Valley alone. In a two month period there were over 100 reptile fatalities in 30 of these traps. If you do the math on 700 traps 12 months of the year, the fatalities could be significantly more than 10,000 reptiles killed each year.
  - William Stanley asked about surrounding states.
  - Joe Barnes noted that Idaho has one collector grandfathered in who collects rattlesnakes as a health service when a landowner finds one. California has one collector for educational or research purposes, Utah and Arizona do not allow collection.
  - William Stanley asked what caused those states to limit or prohibit collecting.
  - Joe Barnes responded that he does not know.
  - Joe Luby asked about the data collection.
  - Joe Barnes answered that the collectors report how many days they go out and how many animals they collected. Also, the statute puts the evaluation of the impact on population on the collector, not the Department.
  - Public Comment:
  - Jana Wright cited presentations to the Commission by Jason Jones, NDOW Biologist, in her view that the outlook for reptiles in Nevada is somewhat bleak. Thus, she recommends that the Board vote to cease collections immediately.
  - Stacy James noted that Nevada is the only western state still allowing commercial collection. She is alarmed at the 14K average number of animals collected from [self-reporting](#), and not knowing impact is a concern. With a \$250 permit, what is this costing the state, putting data in the system, monitoring the GIS, etc.
  - Chairman Paul Dixon responded that for certain activities that are done, it is not self-funded. It is funded through leveraging. You are taxing other programs to pay for oversight of this program. We are the driest state in the nation, and tighter management is required or there won't be any left.
  - Stacy James added that the US is number one exporter of reptiles. She would recommend we prohibit the commercial trade or at a minimum put it on hold until better data is available.
  - Dave Talaga stated that based on the number of people harvesting, vs number of animals collected or killed, he would recommend stop the harvesting until the biologists have data to move forward.
  - Kelly Ward commented over the past 15 years ago the number of reptiles collected declined. 15 years ago were there more permits being issued for collecting. Is the decline because there are there less animals or has the prices per animal increased over the years?
  - Joe Barnes, NDOW, noted that the collectors are making a lot of money off the reptiles.
  - Jana Wright added that at the June Commission Meeting, Jason Jones from NDOW did a 58 page presentation.
  - Stephanie Myers added that it was an incredible presentation. The money these people are making is incredible.

- Chairman Paul Dixon voiced his opinion that until we have more information we should have a cease and desist.
- William Stanley asked if the biologists know what the effect is on other species for circle of life.
- Joe Barnes responded that a lot of species feed on reptiles, everything is connected.
- Vice Chair Reese stated that since 1990 we have lost 190K deer in state, and you're talking 14K reptiles collected each year. Once you shut something down you are shutting down the line of communication of data. He feels NDOW should determine how often the collectors are doing it on a yearly basis, and we should regulate by seasonal, or something like that. Making a motion to shut down completely, you are losing your data.
- Brian Patterson added that if you shut it down then it will be a black market commodity and the Department will end up spending more resources. There might be a way to limit to areas of state, until you get more data on impact of low lying areas. Push to wilderness area.
- Joe Barnes, NDOW, responded that relative to the data we have obtained standardized 1986 data was sporadic and spotty, voluntary versus mandatory. Now they have to list individual location by reptile. They have been trying for 2 years they have been analyzing the data. To have them continue to collect the data is worthless. They have to report on Age Class (adult or juvenile). Almost 98% is reported as adult. That is not accurate. There is no way to verify the numbers. If you look at it scientifically, there is no way to crunch the numbers. The numbers from the commercial collectors is worthless. The Department wants guidance from the CCABMW. The onus is on the collectors to determine population impact.
- Brian Patterson asked can the Department use the mortality rates to make changes.
- Joe Barnes repeated that pit-fall traps are a problem. Wildlife Diversity looks at 200 species. They don't have the resources to hone in on this. Pit-fall traps is an extra source of fatality then what is reported. 50/50 is the mortality rate. Impacts are far greater than expected. Is it illegal to have Pit Traps for scorpions?
- Joe Luby asked if collections were stopped, what would change. You don't have the data, and you don't have the resources to do population studies, etc.
- Joe Barnes responded in the last couple of years we are trying to shift resources.
- Joe Luby assumed that the shifting of resources will continue regardless of whether or not collection is stopped.
- Joe Barnes said they will try to look at population studies and the impact of collecting in certain areas. There are 3 decades of data to look at.
- Chairman Paul Dixon asked the BLM attendee about pit-fall traps.
- Aaron Rutledge, BLM, stated he has no opinion on commercial collection in the land use authorization. We have not been approached at BLM to do this, and we have never issued land-use permits for this. Pit-fall traps are illegal based on statute.
- Brian Patterson seems like an enforcement issue, a BLM enforcement issue. If you have someone on BLM land doing something without a land-use permit should be a BLM enforcement issue.
- Dave Talaga noted that biologists are scientists and they collect data. If they collect data that is of no value then they cannot do anything of value. The first thing they need to do is establish a baseline. The evidence is that they are taking far more than is sustainable. You need to stop permitting until you have a baseline. Save the species because they don't have the manpower to save the habitat. Put a hiatus on this until the biologist establishes a baseline.
- Joe Luby not seeing preponderance of evidence that we are eliminating reptiles. 14K reptiles a year going back 31 years, says the population is sustainable. Don't ban activity based on 31 years of evidence. We don't know what percentage of the total population 14K is. If we regulate something that a citizen relies on for their livelihood, we should take a very cautious look at the reasons.

- Brian Patterson agreed without a baseline how you can say taking 10 is too many. I wouldn't go one way or the other. You have certain activities or areas so you know what is sustainable to harvest. We don't know what is out there. He has issues with pit-fall traps, if all we're doing is monitoring them rather than putting a stop to that illegal activity, that is concerning to him. I say I am doing X but I am really doing Y. If you take away collection completely, it will go underground and you will get zero data. Tighten permitting rules and regulations, charge \$1000 a year instead of \$250 have a mandatory educational requirement like the hunter safety class. The whole thing seems loosey ~~goosey~~-goosey. He understands the man power has been an issue. He would err to the middle.
- Joe Barnes responded that 14K reptiles a year is an average over a span of years. 30 years ago it was higher. They were collecting 25K-35K reptiles in a year. Now it's down to about 9K per year.
- Joe Luby responded that the numbers don't correlate to each other. How many days the collect per year. What was the price per animal then versus now?
- Joe Barnes noted that each collector must submit a data sheet that gives the location, time of day, number of animals collected, types, etc. Some days there are 100's of animals. And the start and finish for their collection. Once a month on the 10<sup>th</sup> all forms are submitted. When, where, and what was collected.
- Joe Luby asked do we have meetings with these people.
- Joe Barnes apologized for not being able to clearly answer all questions. Jason Jones' presentations are awesome. Catch per effort data solid, areas are collected. Cannot draw conclusion on non-collection data. If they were taking records how many seeing vs how many collecting would be helpful. We have data gap we know that. We have four choices they need guidance on.
- Joe Luby stated that this was brought up as CCABMW and Commission Agenda items, thus there is a desire to have something happen. Joe there is a big opportunity to meet with these 10 people to see what they are seeing as boots on the ground. If they are collecting 98% adults, ask them to explain that. These guys can be biologist interns.
- Brian Patterson took the opportunity to apologize for any belittling comment he made. He has the utmost respect for NDOW. He doesn't believe these collectors are chasing lizards or snakes. If they are collecting animals in the numbers they are reporting, they are checking traps. If they are collecting that many in a day, they are probably in a trap. Maybe they are releasing youth. Easy to get more information from them. More reporting requirement on their part. \$250 in fees is nothing, require more input for the privilege.
- Chairman Paul Dixon asked is there any black market in another state like Utah or California that NDOW knows about.
- Joe Barnes stated he doesn't know for sure. Some biologists from other states have stated that our state acts as a conduit. Animals are extracted from CA and sold here. He doesn't know if there is an example.
- Chairman Paul Dixon noted that when shed hunting was outlawed in Utah, the amount of shed hunting increased dramatically in Nevada. He personally believes because we are the only state that allows the reptile collection, talk to the 9 to 10 permit holders and do a questionnaire. If you lose the eyes and ears in the field that will affect records. Personally, come down with interviews with people and put some sort of a limiting system with greater requirements. Use care and caution until we know what the impact is, greater reporting and limiting take. We can only have one pet turtle per household.
- Vice Chair Reese suggested re-writing the questionnaire to get the pertinent information to help make a sound recommendation. We appear to have a sustainable population and every year we take out 9K to 10K currently. We see a trend from 30K to 9K. What is driving that trend? Maybe market is less favorable now. This is data we need to know. Our decisions need to be based on science.

- Joe Barnes responded that you are illustrating why self-reporting is not functional. Not sure how we would build information to allow it to keep going. You are suggesting we ask the collector instead of collecting, do not-for-profit population surveys. He's not sure how we do that.
- Chairman Paul Dixon pointed out that since the onus is on the collector to ensure they are not impacting the population, then require them to document the species they collect to help you monitor the population.
- Vice Chair Reese asked are all permit holders in Clark County?
- Joe Barnes responded saying no, they are in Fallon and all over.
- Vice Chair Reese suggested that the Department determine which species are most impacted by collectors. Species that reproduce once every several years should be higher priority. Perhaps collecting should be regulated by species, or by species, by month, by season.
- Joe Barnes when looking at imperfect data the overall message may be confusing. The surrogate we have for population numbers is the collection data. When you see a 50% decline over 20 years, as a biologist, you have to suspect there's a problem.
- Joe Luby stated that there may be another factor leading to the decline, namely that 20 years ago they were getting \$30 and today they're getting \$2 dollars for the same species. They don't collect what is not profitable. There is not enough good information to warrant making a decision to ban collecting and erase 31 years of practice in this state.
- Joe Barnes asked regardless of the profit they are making off of a public resource?
- Joe Luby responded that we do not know what profit they are making.
- William Stanley noted that when we have a biologist speak about the mortality rates in Big Horn Sheep, we get alarmed as sportsmen. The State of Nevada hires Biologists and we trust them. When you tell him there is an issue, you are the expert and we are paying attention. One thing that disturbs me is that not one person who is a commercial reptile collector bothered to shown up tonight. Don't feel this is someone's lively hood. When every state has outlawed it, including Arizona, maybe we should look at what we are doing. They are taking and profiting from the resource.
- Chairman Paul Dixon asked for a motion, based on all of the discussion.
- Motion: Talk to people who are collecting data, are there sensitive species that are worth high dollars versus lower cost species.
- A motion was made and seconded to recommended bullet point 4 - No further action and continue to allow unlimited collection, with the caveat that the Department should take the opportunity for more data to be collected before we are asked to ban a practice that has been in place for 30 years.
- Brian Patterson suggested adding recommendations like seasons.
- Joe Luby argued that doing so is the same as Bullet 3. He stands with Bullet 4.
- Paul Dixon Offered that we don't have unlimited collection, for a while. Let's collect information, interview collectors. Find out what is the value of animals. If Nevada ranks in the top 10 or top 5 in the world for reptile distribution, there is real value.
- Motion fails 3 - 2
- A new motion was made and seconded to recommend for Bullet 3 as written.
- Motion passes 3-2.

**G. Bureau of Land Management (BLM) Public Land Parcel Disposal (*For Possible Action*)** The CCABMW Board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about maps depicting lands identified by the Bureau of Land Management (BLM) as potentially suitable for disposal in BLM's existing Resource Management Plans (RMPs) across various BLM districts in Northern

Nevada. Critical habitat or important hunting areas will be identified as conflicts with any future land transfer proposals.

- Chairman Paul Dixon introduced this item and described the color coded maps. They are determining if land has value beyond its commercial value to NDOW and the sportsmen of this state.
- Vice Chair Reese observed that most of the land indicated for sale in the Ely area is frontage road. He has no objection to sale of that type of land. When you look at the Winnemucca area, the marked areas overlay guzzlers and critical areas. Not opposed to selling off frontage road property, but unclear as to why other areas were chosen.
- William Stanley added that the 93 corridor south of Ely and east of Cummings is where they plan a bridge to allow Cummings to flood under 93 and not wipe out the roadway. Also, along 93 is the planned Elk Refuge winter range where they are building the high fences to keep the Elk in the area and to keep them off the road and from being road kill.
- Brian Patterson asked who is buying the land. He also commented that just because it is going up for sale doesn't mean it's going to be purchased.
- Chairman Paul Dixon stated that this was part of the proposal from Congressman Amodei. Proposal based on temperature maps some parts of the state there are some large parts of land. The I -80 corridor has large areas of land to be sold off. Based on maps they have species of economic and habitat areas. Due to fires, this land is important.
- Vice Chair Reese asked who can buy the land. It could be a rancher, mining interests, etc. If the land is auctioned off, it should go into SNPLMA (80% - 85%).
- Joe Luby asked what they mean by disposal.
- Chairman Paul Dixon responded that the federal government deeds to state to sell.
- Aaron Rutledge, BLM, stated that there is some input at the state level.
- Chairman Paul Dixon indicated that everything colored Dark Blue/Medium Blue in the valleys is Sage Grouse.
- Brian Patterson noted that on the Winnemucca map bigger parcels, why would you want to dispose of those.
- Chairman Paul Dixon clarified the issue before the Board as "should the commission be driven by chat maps, should they be disposed of.
- William Stanley asked for confirmation that this would authorize a letter to Congress since only Congress can transfer the land.
- Chairman Paul Dixon confirmed.
- Brian Patterson stated that agrees with all of the five bullet points in the proposal.
- Vice Chair Reese noted that part of the land outside Winnemucca is the county dump.
- Public Comment:
- Joseph Donnelly noted that with these sales, a large amount of public land can be made inaccessible to hunters and sportsmen because you have to go through small piece of private land to get to it. He advised caution that no public lands should be made inaccessible through this sale.
- Chairman Paul Dixon stated that he agrees and feels very strongly about this issue. He cited the Ruby Mountains without two or three access points, the entire mountain range would be land locked.
- Vice Chair Reese said there should be an easement.
- A motion was made and seconded to accept the draft letter as written.
- Joe Luby asked for an amendment to the motion to demand no net loss of public access.
- A revised motion was made and seconded to accept the draft letter as written with amendment of no net loss of public access.
- Motion passed 5-0.

**H. Evaluation and Review of the Landowner Deer and Antelope Compensation Tag Program (*For Possible Action*)** The CCABMW Board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about the current Landowner Deer and Antelope Compensation Program, recent updates to statutes, share current practices, identify areas of necessary improvement, and provide a potential revision process for the Commission's consideration.

- Chairman Paul Dixon introduced this item noting that the Board had reviewed this previously and had provided comments to the Wildlife Commission.
- Vice Chair Reese, seeking clarification, noted that the write-up uses the word "animals". So, if the landowner has 30 deer and 20 antelope on his land, will he get a tag for having 50 animals? What is the definition of animal? If he gets a tag will it be a deer tag or an antelope tag? Lincoln County asked to have antelope and deer separate.
- Chairman Paul Dixon and Commissioner Paul Valentine had never heard or pondered that question.
- Chairman Paul Dixon stated that it is NAC 502.426 that clarifies that it is the number of animals by species. So if a landowner has 45 deer and 45 antelope on his land he gets no tags.
- Vice Chair Reese said that for him, raising the ceiling limit to 2.5% of tags issued solved the problems.
- Chairman Paul Dixon cautioned that private property numbers will get worse over time with the climate change and sale of public lands.
- William Stanley referenced NAC 502.4248 1 a. stating that the Department is giving the landowner tags for damage to his fields, the landowner in turn must provide access to hunt public land around your farm so that the following year you don't have as much damage. You need to give access, but what does that mean? Public land is on the other side. If the access point is 50 miles away, do I have to walk it?
- Vice Chair Reese stated that he feels November 1<sup>st</sup> should be last day for count.
- Public comment: None
- A motion was made and seconded to reiterate the CCABMW June recommendations and add 1) all counts by November 1<sup>st</sup>, 2) what does the word "access" mean, and 3) define number of animals as of a species or a combination of species.
- Motion passes 5-0

**I. Proposed update to muzzle loader regulations for big game hunting (*For Possible Action*)** The current regulations say little about muzzle loading pistols but do not seem to allow them for hunting big game, regardless of the power and accuracy of the pistol. Technological advances have resulted in the production of some very powerful, accurate, and reliable muzzle loading pistols that would be suitable for hunting. The CCABMW Board will review, discuss and make recommendations to the Nevada Board of Wildlife Commissioners about proposed regulation wording changes.

- Chairman Paul Dixon introduced Joseph Donnelly to address this topic.
- Joseph Donnelly referenced the handout he had supplied to the Board and stated that handguns are currently not allowed as legal muzzle loader weapons. The muzzle loader restriction require the use of iron sights. Iron sites allow some of the modern design handguns to do good job in hunting fields. Thus far, 31 other states allow hand guns. He mentioned his recommendation regarding the minimum requirements for a handgun as being .44 caliber or greater with a capacity of 40 grains of black powder. All of that is up to the Commission to evaluate and decide.

- Vice Chair Reese asked are you proposing as part of the muzzle loader season or any legal weapon season?
- Joseph Donnelly said his intent is just for muzzle loader handguns in muzzle loader season.
- Vice Chair Reese compared the muzzle loader handgun to the crossbow which can only be used in an "any legal weapon" season. He envisioned crossbow hunters wanting to hunt during archery season if this was allowed.
- Joseph Donnelly argued that the crossbow is a unique weapon whereas the muzzle loader handgun is, in some cases, just a shortened version of the muzzle loader rifle. He further described the Colt Walker as a .44 caliber weapon that, prior to the .357 Magnum, was ~~advertized~~advertised as the most powerful handgun in the world. Also, you can pick a level of power you feel is appropriate, 40 to 50 grains of powder.
- Chairman Paul Dixon asked for a feel for the number of people you think the regulation change would impact? Is it just you or a community greater than you?
- Joseph Donnelly responded that since 31 states allow muzzle loader hand guns, you would see more of a market for it.
- Chairman Paul Dixon read a response from Tyler Turnipseed, NDOW Chief Game Warden, who noted that muzzle loader handguns are prohibited under the current regulation. The proposed changes will fall under the same NAC that was discussed at length for over a year dealing with smart rifles, cartridge length, rifle caliber, and handgun cartridges for big game hunting. The Wildlife Commission approved the regulation and submitted it to the Legislative Commission who deferred to vote on change. NDOW has been asked to resubmit the proposed regulation as written. Since there will be 2 years of discussion already, so he is not sure there will be any desire to open the NAC for additional changes. Regardless, the process will take time.
- Joseph Donnelly acknowledged that it will take time. He is aware that the previous discussions on the NAC invited a lot of arguments. He doesn't see that his proposal would generate a lot of arguments.
- Joe Luby questioned, given Tyler's email that stated that NDOW was directed by the Wildlife Commission to resubmit the proposed regulation, how can it be resubmitted to the Legislative Commission if it has not been discussed in public?
- Commissioner Paul Valentine said he believes it was a legal issue that caused the deferment, and it has never come back. He thinks it had something to do with the smart rifle.
- Joe Luby asked why Tyler thinks that this has been sent back to Commission. Joe checked the agendas and minutes of the Wildlife Commission and cannot find any mention of it. It was not resubmitted even though Tyler believes NDOW has been directed to resubmit. Also, Joseph Donnelly is asking why not add his revision. It cannot go back to the Legislative Commission without going through Wildlife Commission.
- Joseph Donnelly proposed that we need to look at the wording and avoid hot buttons that will cause more discussion.
- Chairman Paul Dixon stated that he doesn't think there is an appetite to re-open the NAC until the three changes go through. He feels this is a good proposal and it should go forward, but unwanted changes to the NAC might result by trying to add this into the mix.
- William Stanley reading from Tyler Turnipseed's email that in December 2016, the Legislative Commission deferred a vote. He clarified that the LCB does not vote on anything, it is the Interim Legislative Committee that reviews and votes on proposed regulations. Regulation from Commission was sent back to Commission. If the Interim Legislative Committee decides to entertain a regulation again, they can and it doesn't matter what the Wildlife Commission does.
- Joseph Donnelly asked if you have to submit any proposed changes sequentially. Can this be submitted now?

- William Stanley stated that 30 days before the legislative committee convenes and 90 days after signing die, no regulations can be entertained by the Interim Legislative Committee. There is a BAR period (you can't change regulations during that period). The BAR period is ending. The timing is right.
- Chairman Paul Dixon added that they will have to make a change the 50 caliber.
- Vice Chair Reese offered that they can do a temporary regulation until they meet again.
- William Stanley stated the Interim Legislative Committee regulation has to approve it.
- Joe Luby said that Mr. Connelly has asked the Board to recommend that we change the NAC now.
- William Stanley stated his understanding that Joseph Donnelly feels if this moves independently of the other changes to the NAC, that it will address black powder hand guns and avoid the controversy already part of the proposed NAC changes.
- Joseph Donnelly confirmed that strategy.
- William Stanley cautioned that if you open up the NAC, they can change anything. Tyler is reluctant to open NAC because there is a real chance that they can negate other parts of the NAC or proposed regulation.
- Joseph Donnelly asked if there was another way to say that a handgun is the same as a rifle, only smaller.
- Paul Hearne, NDOW Enforcement, stated that the law specifies a riffle is different from a pistol.
- Joe Luby said with all due respect to Tyler, it is not his decision to decide what we send forward to the Interim Legislative Committee.
- Chairman Paul Dixon responded that if Tyler's bosses decide that this is no something they want to go forward with right now, they can influence the Wildlife Commission to affect how this goes.
- Joe Luby said that there is no reason why this Board shouldn't vote to recommend this proposal to the Wildlife Commission, and let them do with it what they will.
- Chairman Paul Dixon stated that he didn't want Joseph Donnelly to think this would be a simple process.
- William Stanley stated that he is in favor of this. It is a no-brainer, but, the unintended consequence, because you opened up the body of law, can have unintentional changes. For example, we could end up with black powder outlawed. You never know. That is what Tyler is speaking to. Is it the right time. It is all about timing.
- Dave Famiglietti stated that for the record, crossbow should not be used as an argument for promoting this issue. He further asked if anyone is keeping a hit list of potential items after 503 is done? Can this be presented down the road once we have gotten out of the weeds on 503? So that next time we make some changes, this is low lying fruit. He supports the first three recommendations.
- Public Comment closed.
- Joe Luby stated that people are not wanting to open up 503 again. Tyler is saying it will be opened up again. It's a no brainer for the Interim Legislative Committee. It should be fixed in the law and make it better.
- William Stanley countered saying, if they opened up NRS 503 in the last legislature and passed a statute, The Interim Legislative Committee will have to open the NAC (Administrative Code). It is going to open.
- A motion was made and seconded to accept that they modify NAC 503 to allow the use of muzzleloader handguns for any hunting purpose.
- Motion passes 5-0

**8. Public Comment -Members of the public may provide public comment (*Informational*)**

Comments will be limited to three minutes; unless you represent a group then you will be limited to

six minutes. Any item requiring Board action not on this agenda may be scheduled on a future agenda.

- Jana Wright asked Commissioner Valentine to find out what NDOW is planning to implement relative to SB 364, Trap ID. Will it be in effect for the upcoming trapping season? ( Paul Hearne, NDOW, answered NO) Jana went on to state that if "no" is correct, why wouldn't it be? SB 213 went to Legislative Commission where Senator Settlemyer pushed to defer it to after the 2015 Legislative Session where he passed SB 1 it back to "may", not "shall". Now it is "shall". What is the departments plan is, if a regulation is needed, and what is the timeline? She further noted that there is going to be an election for chair and vice chair of the Commission. She is unclear as to whether Grant Wallace can be Chair again, but she would like to see someone from the south elected as Chair. She would support Commissioner Valentine as Chair or Vice Chair
  - Stacy James thank you for sending out coyote's information, she found it very helpful. Also, she asked if anyone knows of any other animals being collected commercially.
  - Chairman Paul Dixon said he can take that under advisement and ask, but he has no knowledge of other species being collected.
9. **Authorize the Chairman to prepare and submit any recommendations from today's meeting to the Wildlife Commission for its consideration at its August 11<sup>th</sup> & 12<sup>th</sup>, 2017 meeting in Minden, Nevada. (*For Possible Action*)**
- Public comment: None
  - A motion was made and seconded to authorize the Chairman to prepare and submit any recommendations from today's meeting to the Commission for its consideration at its August 11<sup>th</sup> & 12<sup>th</sup>, 2017 meeting in Minden, Nevada.
  - Motion passed unanimously
10. **The next Clark County Advisory Board to Manage Wildlife meeting is scheduled for September 19<sup>th</sup>, 2017 in the Clark County Government Center Pueblo Room, 500 S. Grand Central Parkway, to support the scheduled Wildlife Commission meeting on September 22<sup>nd</sup> & 23<sup>rd</sup>, 2017, in Las Vegas, Nevada.**
11. **Adjournment**
- Meeting was adjourned at 8:49 pm.