

**Nevada Board of Wildlife Commissioners' Meeting DRAFT Minutes**

Washoe County Commission Chambers  
1001 E 9th Street, Building A  
Reno, Nevada 89512

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***Videostreaming and Teleconferencing available at:***

Nevada Department of Wildlife  
Southern Region Office  
4747 Vegas Dr.  
Las Vegas, Nevada 89108

and

Nevada Department of Wildlife  
Eastern Region Office  
60 Youth Center Road  
Elko, Nevada 89801

Public comment will be taken on every action item and regulation workshop item after discussion but before action on each item, and at the end of each day's meeting. Public comment is limited to three minutes per person. The chairman, in his discretion, may allow persons representing groups to speak for six minutes. 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 to complete a speaker card and present it to the Recording Secretary. To ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments in order to avoid the appearance of 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 that antagonize or incite others are examples of public comment that may be reasonably limited.

Nevada Board of Wildlife Commissioners present for the two-day meeting:

Chairman Brad Johnston	Vice Chairman Paul E. Valentine	Commissioner John Almberg
Commissioner Tom Barnes	Commissioner Tiffany East	Commissioner Kerstan Hubbs
Commissioner Tommy Caviglia	Commissioner Casey Kiel	Commissioner David McNinch

Secretary Tony Wasley

Senior Deputy Attorney General Bryan Stockton

Nevada Department of Wildlife personnel in attendance:

Deputy Director Jack Robb	Deputy Director Liz O'Brien
Wildlife Diversity Administrator Jennifer Newmark	Game Division Administrator Brian Wakeling
Chief Game Warden Tyler Turnipseed	Habitat Division Administrator Alan Jenne
Conservation Education Administrator Chris Vasey	Data & Technology Services Administrator Chet Van Dellen
Fisheries Division Administrator Jon Sjoberg	Wildlife Staff Biologist Pat Jackson
Wildlife Staff Biologist Russell Woolstenhulme	Wildlife Staff Biologist Mike Cox
Wildlife Staff Biologist Cody Schroeder	Wildlife Staff Biologist Cody McKee
Management Analyst Kailey Taylor	Executive Assistant Liddy Patterson
Administrative Assistant Megan Manfredi	Administrative Assistant Brandy Arroyo
Administrative Assistant Natalie Pannunzio	Administrative Assistant Brandi Martinez
Administrative Assistant Kathleen Teligades	

Public in Attendance:

Paul Dixon, Clark CABMW	Chad Foster, Douglas CABMW	Steve Marquez, White Pine CABMW
Gene Green, Carson CABMW	Chrissy Pope, Nye CABMW	Glen Bunch, Mineral CABMW
Joe Crim, Pershing CABMW	Steve Robinson, Washoe CABMW	Tom Cassinelli, Humboldt CABMW
Shawn Mariluch, Lander CABMW	Cory Lytle, Lincoln CABMW	Scott Torgerson, Lander CABMW
Bob Rittenhouse, Douglas CABMW	Don Molde	Henry Krenka
Gerald Lent	Karen Boeger	Rex Flowers
Rachel Buzzetti	Walt Gardner	Mitch Buzzetti
Paul Strasdin	Sonya Almberg	Daniel Hetzer

Catherine Smith  
Tina Nappe  
Kathryn Bricker  
Jana Wright  
Michael Gowan

Jonathon Lesperance  
Davin Elmore  
Larry Johnson  
Stephanie Myers

Matt Dixon  
Mel Belding  
Elaine Carrick  
William S. Gibson

**Friday, Jan. 25, 2019 – 9:30 a.m.**

- 1 Call to Order, Pledge of Allegiance, Roll Call of Commission and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Johnston

The meeting was called to order by Chairman Johnston. All Commissioners were present.

CABMW roll call: Paul Dixon, Clark, Chad Foster, Douglas, Steve Marquez, White Pine, Gene Green, Carson, Chrissy Pope, Nye, Glen Bunch, Mineral, Joe Crim, Pershing, Steve Robinson, Washoe, Tom Cassinelli, Humboldt, Shawn Mariluch, Lander, Cory Lytle, Lincoln.

- 2 Approval of Agenda – Chairman Johnston – For Possible Action  
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

**COMMISSIONER ALMBERG MOVED TO APPROVE THE AGENDA. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED 9-0.**

- 3 Member Items/Announcements and Correspondence – Chairman Johnston – Informational  
Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record). Correspondence sent or received by Secretary Wasley may also be discussed.

Chairman Johnston stated that he received correspondence that related to agenda items that would be discussed later throughout the meeting.

Commissioner AlMBERG extended the appreciation of White Pine County Advisory Board to the Nevada Department of Wildlife about the Kirch water levels.

Commissioner Hubbs has been forwarding emails she has received that has not already been received by the Department.

Vice Chairman Valentine spoke with Rex Flowers about an idea he had and presented to the Tag Allocation and Application Hunt Committee (TAAHC).

Secretary Wasley shared correspondence with the Commission that wasn't already shared. Announced that he has been reappointed by Governor Sisolak and is thankful to serve again. Shared that current media opinion is unfavorable regarding the recent Safari Club International event that was held in Reno and the coverage on the Department shows a gross oversimplification of the Department's involvement.

- 4 County Advisory Boards to Manage Wildlife (CABMW) Member Items –

Informational

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

Paul Dixon, Clark CABMW, claimed that the Las Vegas area has a larger population of coyotes in urban areas and there is not enough public information on how to live with them. They are requesting more public education and awareness. They also have confusion regarding chronic wasting disease, positive sample identification and information regarding what to do, or notification to the hunter about consuming the meat.

Steve Marquez, White Pine CABMW, stated that the current off highway vehicle (OHV) trail construction is trying to run through White Pine County and goes through significant habitat. They are requesting to have a say about any action taken or being sought regarding it.

- 5\* Approval of Minutes – Chairman Johnston – For Possible Action  
Commission minutes may be approved from the Nov. 2 and 3, 2018, meeting.

No Public Comment.

**COMMISSIONER MCNINCH MOVED TO APPROVE THE MINUTES FROM THE NOVEMBER 2 AND 3, 2018 MEETING AS PRESENTED BY THE DEPARTMENT. THE MOTION WAS SECONDED BY COMMISSIONER EAST. MOTION CARRIED 9-0.**

6 Reports – Informational

- A\* Wildlife Heritage Account Report – Deputy Director Liz O’Brien  
A report will be provided on the funds available (interest and principal) for expenditure from the Wildlife Heritage account in the upcoming year.

Deputy Director Robb provided the Wildlife Heritage Account Report in place of Deputy Director O’Brien. He gave a brief report regarding the upcoming expenditures. (exhibit file)

- B Western Association of Fish and Wildlife Agencies Mid-Winter Conference (WAFWA) – Secretary Wasley and Commissioner McNinch  
A report from the conference held in Tucson, Arizona will be provided by the attendees

Commissioner McNinch said there were many discussions of states experiencing similar issues in lack of civil discourse. Wolves, bears, drones, public lands, shed antlers all have similar reactions. It is more common around threats to hunters and guides and destruction of property. Legislation might be needed. Air bows and air guns are a new technology and might need a new regulation put in place. Utah will consider taxing these types of weapons and Arizona has innovative ways to include the public by taking advantage of current events to fundraise through texting options as they’re playing off of the emotions of the moment. This method could possibly help ease public concerns on some issues. Arizona also has a point insurance policy in place that protects a hunter’s bonus points for a small fee. Nevada is changing their opinion of wildlife to be more in line with California’s, this changes the way some issues should be handled. Recovering America’s Wildlife Act (RAWA) shows signs of encouragement and reason for optimism, it could be a game changer for wildlife agencies to receive a \$26 million federal match. There was also an emphasis on recognizing eighteen new governors.

Secretary Wasley said that WAFWA deals with seventeen states and the meeting gives individual states an opportunity to develop regional programs. It also allows for states to develop unified positions on certain issues. It is a way to gain access to federal partners who also attend the meetings. It is a way to share science and hearing other's success and failures allows us to be efficient. Chronic Wasting Disease (CDW) will eventually hit Nevada and the Department has a response plan and are active in prevention. The Pitman – Robinson to modernize how money is spent would broaden our ways for conservation. The Migratory Bird Treaty Act has new interpretations that has become a national issue.

C Department Activity Report – Secretary Wasley

A report will be provided on Nevada Department of Wildlife activities.

Secretary Wasley read from the Department Activity Report. Commission General Regulation 480, Turkey Shot Size, was approved by the Legislative Commission and became effective on December 19, 2018. The regulation revises provisions relating to the shot size and cleans up existing language.

The Director and Deputy Director, as well as other staff, attended the Recreational Boating and Fishing Foundation (RBFF) annual meeting in Atlanta, Georgia. The Director also attended a North American Wetlands Conservation Council (NAWCC) meeting in Washington DC where a nearly \$900,000 grant was approved for a Lahontan Valley Wetlands Projects. The Director's Office attended the Welcome Reception for New Legislators on January 15, 2019 where we were able to meet with new Natural Resource Committee members. The Director also accepted a personal invitation from the Governor to attend the State of the State Address in the Assembly Chambers on January 16. The Legislative Session will begin on February 4, 2019. The language for the Department's housekeeping bill (Assembly Bill 83) has been released. Some examples of revisions in this bill will include moose as a big game animal in statute, clarification of resident qualifications for licenses, tags, and permits, and simplifying the process for buying a resource enhancement stamp. There are two other bills coming from the Department. Senate Bill 55 revises Nevada Revised Statute (NRS) 503 language to include muzzle-loading muskets and rifles to match Nevada Administrative Code (NAC). Assembly Bill 74 incorporates antler dealers in the statute which currently regulates fur dealers. Antler dealers will be required to be licensed in this state and keep records when buying and selling skulls, heads, and certain antlers. The Friends of Nevada Wildlife Legislative Luncheon is scheduled for March 19, 2019. Commissioners are encouraged to attend if available. The Department is pleased with the work of the new license vendor from the past year. We would like to thank the Commission and our customers for their patience while we resolved any issues. License certifications are vital to our Dingell-Johnson and Pittman Robertson funding models, so we are happy to announce that fishing license sales are up 40.57 percent while hunting license sales are up 28.25 percent.

The Game Division invested substantial effort in the drafting of season recommendations for presentation at this Commission meeting. Special effort was made to identify changes from prior season structures and provide a brief rationale for the recommended changes. A respiratory disease outbreak in bighorn sheep with a significant die off seems to be ongoing in the Clan Alpines in Unit 183. Although there have been rumors of feral goats in the area, strain typing confirms that the specific *Mycoplasma ovipneumoniae* that these bighorn sheep have is identical to that from a southern bighorn sheep herd that underwent a similar die off several years ago. A recent effort to capture bighorn sheep that are currently suffering from clinical symptoms and our inability to find them may indicate that most of the mortality has already occurred. Chronic Wasting Disease (CWD) surveillance concluded for fall 2018 with about 450 samples collected. This is our largest surveillance collection to date, and no CWD was detected in Nevada. Although this

is positive news, the continued expanded detections in other states like Montana make vigilance important. The Department is working with the Department of Agriculture to ensure legislation may be adopted to provide greater regulation that can limit the probability that CWD will be introduced from a neighboring state. Landowner compensation tag counts have been completed for 2018, providing compensation tags for pronghorn and mule deer in 2019. While finally tallies are still being tabulated, the final number of tags being issued will probably be in the low 300s, like the past two years. Preparations continue for the Desert Bighorn Council meetings that Nevada will host in Mesquite during April 17–19, 2019. Game staff participated in the mid-winter meeting of the Western Association of Fish and Wildlife Agencies (WAFWA) along with the Director, Deputy Director and a handful of Conservation Education staff. The current revision to the book "Managing Cougars in North America" is ongoing, and the workgroup intends to have a first draft for Director review in July 2019. One hundred four mountain quail were captured near Roseburg, Oregon and relocated to Hendry's Creek in the north Snake Range. One hundred four mountain quail were released into the northern Snake Range on November 17, 2018. The quail were captured in the mountain ranges surrounding Myrtle Creek, Oregon. The Department is participating on the United States Fish & Wildlife Service (USFWS) CORE Team to perform updates and revisions to the Species Status Assessment for the Bi-State Sage-grouse. The species is once again considered "proposed for listing" under the Endangered Species Act (ESA), including critical habitat. The team has until February to prepare the assessment, although the shutdown of the federal government may influence completion schedules. The research project designed to passively estimate black bear populations in Nevada is well underway by Michigan State University. The Wildlife Conservation Society has agreed to collaborate and contribute their GPS movement data collected in the same region to increase the accuracy of the population model. The bear population within Nevada is now being estimated through three methods – a standard accounting population model, using mark-recapture data and program MARK, and now using hair snags and movement data. The standard accounting model and program MARK have generated remarkably similar estimates in the past, and the passive estimation will prove interesting.

The Fisheries Division have Aquatic Invasive Species (AIS) inspection stations continuing to operate despite the Federal agency shutdown because Lake Mead is still accessible to private watercraft. During this period staff have conducted approximately 150 inspections and 10 full watercraft decontaminations. In 2018 Lake Mead stations conducted more than 17,000 inspections and 800 full decontaminations. Angler creel reports indicate good results from Lake Mead so far this winter with abundant nice striped bass in good condition being caught. Anglers have also been having good results for crappie in the Overton Arm through early January. The Federal furlough affecting Federal Wildlife Services (FWS) and other federal agencies since before the Holidays is beginning to affect some activities, particularly coordination to prepare for the 2019 field season and some field work. Devils Hole Pupfish winter surveys and the annual Lahontan Cutthroat Trout Interagency meeting have been cancelled and we anticipate delays in moving forward with development of the regional Springsnail Conservation Strategy. A contractor (Springs Stewardship Institute) has been hired to help develop the final strategy but workshops scheduled for later in January likely will be postponed because of the Federal shutdown. Sparks Marina pond experienced a fish kill in early January, like events that have occurred at least once over the past few winters. The primary cause seems to be low dissolved oxygen levels after a lengthy period of cold temperatures with no wind to provide surface aeration. We are continuing discussions with the City of Sparks on the potential to install aerators in the lake that could increase oxygen levels during the winter.

Western Region staff are working with United States Geological Survey (USGS) to finalize new monitoring protocols for isolated Great Basin Western Toad populations which will make our

survey work much more robust and defensible. This is particularly important given the recent Endangered Species Act (ESA) listing petition for the Dixie Valley toad and likely future efforts to list other isolated toad populations across Nevada. Fisheries staff have made considerable progress working with the Fish & Wildlife Service, US Forest Service, the State of California and others on updating recovery goals for Lahontan Cutthroat Trout. The goal was to have the new recovery goals completed by February or March, but that effort is now on hold until the Federal agency shutdown is resolved. Considerable progress is being made on the upgrade and replacement of supply wells at Mason Valley Hatchery. The existing wells date to hatchery construction in the mid-1980s and the new wells will provide a much more secure and expanded water supply for trout production. Gallagher Hatchery in Ruby Valley also now has an updated fully operational alarm system to protect fish production at that facility.

Mark Svancara, an Idaho man, was sentenced December 17, 2018 for unlawful possession of a mule deer. Svancara, a repeat offender in Idaho, was charged in Nevada for allowing his daughter to shoot a buck in Unit 081 with a Utah general tag. He possessed the deer for some time knowing it was harvested in the wrong area. Svancara paid over \$3000 in fines and is looking at a loss of hunting, fishing, and trapping privileges for five years. Lead game warden on the case was Nick Brunson. Trevor Walch reached a plea deal for a trapping violation for selling furs without a trapping license. This is Walch's fourth trapping violation in five years and the Department will be seeking revocation of his license privileges. Lead game warden was Jason Jackson. William Randal Flynn was convicted of unlawfully catching a vulture in a trap due to trapping with jack rabbits as exposed bait. He was also convicted for failing to visit traps in 96 hours and being more than 48 hours late. Flynn was later arrested and given credit for time served in jail for the conviction. Elko County still has charges pending for the possession of controlled substances unrelated to this case. Lead game warden was Fred Esparza. Felony charges have been filed in Elko Justice Court on Idaho resident Skip Crown for unlawful killing of a mountain lion in 2016. Crown is currently revoked in Idaho for hunting and fishing violations. Crown was incarcerated earlier this year for unrelated charges in Idaho. In addition to investigating this case, Game Warden Jason Jackson helped write and serve the Idaho search warrant that was involved with this case. Felony charges have been filed in Humboldt County against Charles Sieppel for intentionally killing a deer without a tag. This case occurred less than a mile from the Elko/Humboldt County line in March of 2017. In addition to being the lead on this case Jason Jackson also wrote the search warrant that was involved in this case. Felony charges were filed in Elko County against Alan Mollote for intentionally shooting a mule deer buck without a tag. Associated with this case Steve Thornhill was convicted in October for obstructing a game warden and paid a fine and lost privileges for three years. This investigation stemmed from the killing that occurred in November 2017. Lead Game Warden was Quinn Hesterlee. Felony charges have been filed against Jay Yergensen in Elko County for the unlawful killing of a big game animal. Yergensen allegedly shot a trophy class mule deer in Unit 081 during the archery season of 2018 without a tag. Lead game warden was Buck Tingle. Jaime Salazar was charged for an allegation of being an ex- felon in possession of a firearm. The charges stemmed from a hunting accident investigation where Salazar allegedly shot another hunter while coyote hunting in Elko County. Lead Game Warden was Jason Jackson. Charges were recently requested in Elko County Juvenile Court for a juvenile that shot a large 4x4 mule deer buck in Unit 010 with the wrong weapon type. Game Warden Quinn Hesterlee was the lead on that case. Rubio bear poaching case: This is a case that began in 2017 in the Dayton Valley area and took approximately a year to fully investigate and file charges. We recently received evidence from forensic testing indicating there were four shooters like the investigation had suggested. The three current defendants in this case had a status hearing on Jan 16<sup>th</sup>. They waived their preliminary hearing and go to their pre-trial conference Feb. 4<sup>th</sup>. Much more to come on this. Western region wardens investigated a double fatality boat accident on Topaz Lake that happened January 12. Three adult

men took out a pedal boat to go fishing. The boat began to take on water and partially capsized. One man fell into the water drowned where the boat flipped. One man swam approximately 130 yards and drowned less than 30 yards from shore. One man knew he couldn't swim to shore, turned around and held onto the partially submerged pedal boat, which likely allowed him to survive. There were no flotation devices on board. Game wardens also helped piece together where subjects were last seen and helped with the two-day body recovery effort. Charges are pending. Fallon Warden Ryan Drew is investigating the possible illegal harvest of a bighorn sheep in the wrong unit. The tag was for Units 044 and 182 and the suspect reported shooting his sheep in Unit 183. His report shows that he scouted in Unit 183 as well. Western region wardens helped with a southern region case because the suspects live in the western region. This case involves multiple people, some employed in law enforcement, that killed deer without tags and/or on other peoples' tags. Western region wardens did surveillance on houses, conducted interviews and seized deer meat that was involved in the case. Western Region Game Warden Randy Lusetti began a residency fraud case several months ago on a California resident claiming to be a Nevada resident. This case also turned into a felon-in-possession-of-a-firearm investigation and took several months to complete with surveillance and interviews in California. This subject turned himself in on arrest warrants December 7<sup>th</sup>. Booking charges were providing false information to obtain Nevada resident hunting license (misdemeanor); false information to obtain Nevada resident big game tags (gross misdemeanor); hunting on license obtained by false statement (misdemeanor); killing of antelope without a valid tag (felony); possession of unlawfully killed antelope (gross misdemeanor); and possession of firearm by person convicted of felony crimes (felony).

Western region game wardens have worked a lot of injured deer (hit by car) and feeding deer in the Genoa area. Because of the feeding issues, we are planning a saturation patrol and possibly a PR campaign to help the area residents understand why it's bad to feed big game and that it illegal. Southern Region Game Warden Victor Jordan is investigating a wanton waste case that appears to be a bighorn sheep with the head removed in the Spring Mountains. Lincoln County Game Warden John Anderson is investigating a deer killed on private property without permission. Multiple game wardens participated in "Shop with a Cop" benefit events around the state during the holidays. Game wardens around the state have investigated/documented several stolen traps.

The Public Information Officers from the Conservation Education Division, conducted interviews with the local news outlets - Ch. 4, Ch. 2, and KOH 780 radio regarding the Sparks Marina lake turnover and the Carson City Gun Range. They staffed a booth at the Nevada Cattlemen's Association Convention in November and staffed a booth at the Sacramento International Sportsmen's Expo in January. They continued participation with SageWest and are drafting a communication strategy for the Nevada Collaborative Conservation Network and standard operating procedures for their new website. The Conservation Education (Con Ed) staff have made updates to the Fishable Waters Maps and the 2019 Fishing Guide. New publications for Wildlife Management Areas are set to be on shelves before summer. The staff continues to collaborate to revamp all urban wildlife brochures to have consistent messaging, branding, formatting and contact information. The Con Ed Staff surpassed the goal of 35,000 followers on Facebook and the number continues to grow. The Department's Instagram following also increased by more than 20 percent and is now at 4,900 followers. In November, the Con Ed staff posted a video from a Facebook follower capturing a moose walking through sagebrush in Wells, Nevada. The post became the Department's most popular post of 2018 reaching close to 290,000 people and earning nearly 16,000 reactions, 3,400 shares, and almost 3,000 comments. After receiving more than a dozen Facebook messages of other moose sightings in the state, the Con Ed Staff and Game biologists are working on a citizen science project. Staff is encouraging the

public to send in sightings and documenting the information we receive to be used toward research on the species. The moose sighting in Wells, Nevada and the citizen science project that followed have been covered by news outlets including Reno Gazette Journal, Carson Now and KTVN Channel 2, reaching more than 500,000 people. A Con Ed Staff member attended the National Association of Interpretation National Conference in New Orleans, Louisiana. Sessions covered multiple environmental and outdoor education topics such as wildlife education pop-up programs and incorporating citizen science in programming. A framework for wildlife education program evaluations was created with specific focus on “Living with Wildlife” presentations. In December, the Con Ed Staff presented to the Kings Canyon Home Owners Association in Carson City on “Living with Wildlife”. The presentation covered biology and behaviors of bobcats, mountain lions, coyotes and bears as well as information on mitigating and preventing conflicts with these animals. The Statewide Outdoor Education Coordinator performed site visits throughout the state to shooting ranges that completed projects funded through the Hunter Education Program. During these visits staff also met with potential project leaders for additional shooting range improvements. If anyone is interested in the Hunter Education Shooting Range Grant Funds they can contact our Statewide Outdoor Education Coordinator Aaron Keller and he will help facilitate your application. The Statewide Outdoor Education Coordinator applied for funding through the George H.W. Bush *Vamos A Pescar* Education Fund. We were pleased to hear this week that our grant application was selected for funding, and we are excited to introduce Hispanic families to fishing, boating and the importance of wildlife conservation. The Department has partnered with the Ruby Mountain Rios of the National Wild Turkey Federation to co-host this year’s Elko Sportsman’s Expo, which is scheduled for March 2-3, 2019. We have several non-profit booths as well as almost 30 vendors signed up. The Con Ed Division has produced videos that provide viewers with trout fishing tips and an overview of the Hunter Education program. Both were posted on the Department’s Facebook and YouTube pages. To date, the two videos generated 2,200 and 3,100 Facebook views respectively. Additionally, Fly of the Month classes have been held and videos were released immediately on social media after the classes.

The Department’s wildfire rehabilitation projects controlled by our Habitat Division are well underway across a multitude of 2018 wildfires. Nevada Partners for Conservation and Development, has to date, spent approximately \$2,900,000.00 on herbicide, seed and application. Additionally, we are working with our federal partners to ensure restoration actions continue or are covered during the federal government shutdown. Water development staff have finished coordinating construction priorities with regional staff and the sportsman-conservation groups that provided extensive volunteer assistance. The Northern and Southern Crews will each be working on seven guzzlers with the assistance of the volunteers starting in January and finishing in July. The water development construction season kicks off with the rebuilding of Five Ram guzzler in the Muddy Mountains. In addition to the volunteer projects, each crew will conduct maintenance flights and perform minor-moderate maintenance throughout the year. The Fallon Naval Air Station made the Draft Environmental Impact Statement (DEIS) for the proposed Fallon Range Training Center Expansion available for public review on November 16, 2018. The comment period was recently extended to allow for additional review time and now closes on February 14, 2019. The DEIS and electronic comment submission is available at [frtcmoderization.com](http://frtcmoderization.com) for those wishing to review the proposal and provide comments. The Navy’s Preferred Alternative is Alternative 3 in the DEIS and would renew the existing 202,800 acre withdrawal and add approximately 672,000 acres of new military withdrawal. Of this, approximately 424,466 acres would be closed to public access for use as bombing ranges. From a wildlife perspective, the B-17 and B-20 bombing ranges contain the highest habitat and wildlife values, particularly for populations of bighorn sheep, pronghorn and waterfowl on a portion of the Fallon National Wildlife Refuge. Approximately 41 water developments are directly implicated in the withdrawal, and of these, eighteen would lose public access and six would remain closed to public access as part of

the renewed withdrawal. The Department and the Navy have scheduled an upcoming meeting to discuss future access agreements to provide the Department access for management activities and provide sportsmen opportunities to hunt bighorn sheep on B-17. The status and details of these agreements is currently undetermined but are a high priority for the Department and sportsmen. The Department is preparing a full comment letter for submittal before the February 14<sup>th</sup> deadline. The Final Legislative Environmental Impact Statement (LEIS) for the Nevada Test and Training Range Expansion (NTTR) was made available to the public on October 26, 2018. The existing NTTR includes 2,949,603 acres in the current withdrawal, with approximately 826,000 acres overlapping the USFWS Desert National Wildlife Refuge, established in 1936. Through the NTTR LEIS, the Air Force would like to renew the existing withdrawal and include an additional withdrawal of 301,507 acres, to improve the range's capacity. Due to the nature of the NTTR, all existing and proposed withdrawals would be closed to the public, except for a small window during the holiday shutdown that is open to hunters with valid tags. The Department fully participated throughout the development of the Draft LEIS; however, several changes were made between the Draft and Final LEIS, including: Alternative 3 inaccurately describing existing hunt seasons for Units 252, 253, 280, 281, and 282. Additionally, should the expansion occur in Alternative 3C, Units 283 and 284 would be affected with the hunt season reduced from 30 days to approximately two weeks. This would require a new Memorandum of Understanding to be drawn with the Department. While the Final LEIS has been made public, the Department of Interior, through BLM, has authority to process federal land withdrawal applications, and provide recommendations to Congress. The Silver State Trail project is currently in the Draft Environmental Assessment comment period, ending February 1st, 2019. The Department has been providing feedback to BLM throughout the process, with the aim of reducing or eliminating impacts to sage-grouse, elk and mule deer, and habitat. Our primary concerns currently are that the proposed routes occur within close proximity to several known sage-grouse leks, as well as intersect all seasonal sage-grouse habitat. Both routes also intersect crucial summer and winter habitat for big game. Habitat conditions will likely be impacted by increased establishment of noxious/invasive plant species because of increased use of the trails, which may also cause increased potential for wildfire. The Department has been working with BLM to provide recommendations on alternative routes that would be less impactful for wildlife and habitat. The Department continues to push the Partners in Conservation database through State contracting processes and hope to select a contractor and begin working on developing the database later this spring. This database will serve as a launching point in developing a more user-friendly and spatially connected database. Certain components of the database would be made available to project partners and/or the public as a means of improving communication among partners, ensuring landscape-scale considerations are used in project planning, and ultimately, telling the story of habitat work to the public. Former Governor Sandoval issued an Executive Order (2018-32) on December 7th, 2018, which directs the Sagebrush Ecosystem Program to develop Temporary Regulations to require compensatory mitigation, using the Nevada Conservation Credit System and Habitat Quantification Tool, for new and expanding anthropogenic disturbances on State and Federal lands in Nevada. The Sagebrush Ecosystem Technical Team is currently drafting the Temporary Regulation language with the regulation hearing, approval by the Sagebrush Ecosystem Council, and final adoption is expected to occur at the next Council Meeting, however a date has not been scheduled. The process to transition the Temporary Regulations to establishing Permanent regulations will begin in summer and is expected to be completed in November of 2019. The Department is accepting new Wildlife Heritage project proposals for state Fiscal Year (FY) 2020 until March 1, 2019. Thanks to the generosity of Nevada's sportsmen, a record amount of Heritage funds will be available for new projects in FY 2020: close to \$980,000.

The License Office has started the new licensing year with vessel registrations and preparing for the upcoming hunting application periods. The Department has already registered over 12,000 vessels and started accepting applications for Spring Turkey hunts on January 14. We have taken over 1,200 applications to date and will accept Spring Turkey applications through Tuesday, February 5. The Department has now fully staffed our customer support center in Reno and have been assisting customers with vessel registration, license purchases, harvest return cards, and other concerns. We look forward to working with Kalkomey in the upcoming big game draw application period to address customer needs and assisting as many constituents as possible. IT staff continues to deploy upgraded computers and Microsoft Office 365 software to take advantage of better document sharing and cloud-hosted services. We expect to complete this deployment early this year. The Department deployed a new GIS data collection tool to assist with our annual winter raptor monitoring efforts. This tool collects data in the field and automatically enters it into a mapping database that supports enhanced data analysis and results presentation.

January is the time of the year when Wildlife Diversity conducts our annual winter raptor survey. With the government shutdown, we are having difficulty getting all the routes covered. Of the 69 routes statewide, 43 are covered by federal partners. Several individuals have still volunteered for their routes and are doing them on their own time, which is greatly appreciated. Other surveyors have volunteered to pick up several additional routes and new surveyors have been brought on. At this point we think we will have adequate coverage for the surveys. Wildlife Diversity biologists have been surveying known bat hibernation sites throughout northern Nevada. We have several sites across the state that we annually monitor for both numbers of hibernating bats as well as any potential evidence of White Nose Syndrome symptoms where a small number of bats are swabbed for fungal spores that would indicate the presence of the disease. In addition, biologists have surveyed approximately twenty abandoned mine sites in the Crescent Peak area of southern Nevada along the California border and has another twenty mines to survey. Once completed, the Nevada Division of Minerals has funding to secure these sites to protect the public while conserving valuable bat roosting sites. Work continues the Golden Eagle Tracking Project in Dry Lake Valley in Lincoln County, and at the Hycroft Mine in northwest Nevada. We are tracking a total of 8 eagles with satellite transmitters - 4 territory-holding adults and 4 non-territorial individuals of various ages. Combined with occupancy, density, and breeding success information, it is expected this data will provide information that will help conserve the breeding population of golden eagles in Nevada and provide information to land managing agencies relevant to NEPA projects. Last week the entire Wildlife Diversity Division met for three days for our annual coordination meeting. During this annual meeting, the team reviews biological work and results from the prior year as well as decides on priorities for the coming year. This year, Wildlife Diversity will continue the second year of a statewide nest occupancy study on ferruginous hawks that we began last year. In addition, we will start working on pale and dark kangaroo mice in select areas, while continuing annual work on breeding birds, short-eared owls, nightjars, bats, pikas and reptiles. Staff had the opportunity to snow shoe into two camera traps that are deployed in the Tahoe Basin.

D\*      Litigation Report – Senior Deputy Attorney General Brian Stockton

Senior Deputy Attorney General Stockton gave a brief synopsis of the pending cases being heard that are or could affect Nevada and the Department (exhibit file).

Commissioner McNinch asked if there was a settlement program for the Smith Foundation.

Senior Deputy Attorney General Stockton said yes, it appealed to the Nevada Supreme Court and was sent to a settlement program. The settlement is scheduled for March 14<sup>th</sup>.

Commissioner Hubbs asked about the status of United States versus the Truckee-Carson Irrigation District hearing.

Senior Deputy Attorney General Stockton said that it was continued due to the government shutdown and stated that US attorneys are not allowed to make appearances during a shutdown.

- 7 Nevada Department of Wildlife Project Updates – Secretary Wasley – Informational**  
The Commission has requested that the Department provide regular project updates for ongoing projects and programs as appropriate based on geography and timing of meetings. These updates are intended to provide additional detail in addition to the summaries provided as part of the regular Department Activity Report and are intended to educate the Commission and public as to the Department's ongoing duties and responsibilities

Wildlife Staff Specialist Russell Woolstenhulme presented a PowerPoint regarding the 2018 avian botulism outbreak (exhibit file). He gave an overview of what it is, described the low risk to humans, its causes, how it is spread, its history in Nevada and the confirmed events in Nevada in 2018.

Commissioner East asked about the smaller water ways to contaminated areas and if there was a proactive outreach for prevention with home owners' associations (HOA).

Wildlife Staff Specialist Woolstenhulme answered yes, that most HOAs are aware and have installed aeration systems to help with oxygenation but some bodies of water have ownership confusion between counties and cities. Also, the Department is building a database so that pond ownership can be identified, and actions can be taken quickly to find solutions.

Commissioner McNinch stated that he appreciated the Department taking the lead on the botulism clean up. He also said that some HOAs were not cooperative in the clean up efforts and aeration fixes. He offered that additional education and information may be needed.

Commissioner Hubbs asked if the initial disease absorption was from water and how it begins.

Wildlife Staff Specialist Woolstenhulme answered that the bacteria already exist in water and reproduces when the climate is right to populate. It is then eaten by birds and the cycle begins.

Commissioner Hubbs asked if predators would carry botulism if they consume it.

Wildlife Staff Specialist Woolstenhulme answered that most are not bothered by it, but some avian predators focus on the sick birds as prey and can be affected but land predators are not affected.

The Commission was provided a viewing of the film on feral horses and burros entitled "Horse Rich, Dirt Poor" that has been sponsored by The Wildlife Society. Several current and former Department employees participated in filming various aspects.

- 8 Commission General Regulations – Workshop –Public Comment Allowed**

A\* Commission General Regulation 482, Public and Sellable Lists, LCB File No. R192-18 – Data and Technology Services Division Administrator Chet Van Dellen – Workshop/Public Comment Allowed

The Commission will hold a second workshop to consider amending Chapters 488 and 502 of the Nevada Administrative Code (NAC). This regulation clarifies the authority of the Department to remove specific personal information from any list sold or distributed by the Department or the Department's licensing vendor and makes it confidential. The regulation also simplifies how a person can request that their personal information remain confidential by removing the requirement that the request be in writing. The Commission held a workshop on November 2, 2018 and directed the Department to bring the regulation back for a second workshop for further discussion.

Data and Technology Services Administrator Van Dellen presented a PowerPoint describing the existing statute, the difference between the actual regulation and how the Department implements the regulation, the need to update the regulation, what the actual revision will be and the Department's commitment to improve that implementation (exhibit file).

The existing Nevada Revised Statute (NRS) Chapter 239 talks about public records and in NRS 239.010, section 1 reads "...unless otherwise declared by law to be confidential, all public books and public records of a government entity must be open at all times..." This is interpreted by the state as if there is a state regulation stating that something is confidential than that information can be protected by the government entity based on that regulation. The proposed regulation is to be compliant with the existing NRS. The current NAC reads, Upon the written request of a person who as obtained a certificate of number or a certificate of ownership, license, permit, tag or other licensing document from the Department pursuant to Title 45 of NRS, or any regulations adopted pursuant there to, the Department shall remove the name and other personal information of the person from any list sold by the Department. This is on the books right now and is what we must currently follow.

The Department follows this regulation by asking customers a question when they create their account on the licensing website and when they do business at any licensing agent or at the counter that the Department is selling a product through. Currently the question is "remove from public or sellable lists?" It is a yes or no question. If you say yes, The Department takes that as the customer would like to be removed from anything the Department distributes. If you say no, we consider that you would like to remain on anything the Department distributes. That implementation includes anything the Department may or may not sell, distribute for free, post on the website, including draw results. If you request public records from the Department, the Department will redact your name and address and other personal information from the request if you checked yes to that question. That is the Department's current practice to follow the current regulation.

Concerning the public draw results, if a customer checked yes to this question, we did not include their name or address or any other information in the public draw results. The draw results were posted as a PDF file because PDF readers are freely available and is a static product that is not sortable although a person could have their own software that can convert it to a format that is sortable. The Department sorted the list by customer name because we felt that it was arbitrary, it did not imply anything to the results although there was concern regarding finding specific hunts because it was not sorted by hunt. The Department asked customers if they wished to be removed from the draw results which was a departure from prior years, but we felt that it would make us compliant with the existing regulation.

The problem with the existing regulation is that the way it is written right now states that a person who has “obtained” a tag or license but does not include anyone who has “applied” for a tag. So those who are unsuccessful are not covered by the regulation. It also omits the word “confidential” and we need that word to be compliant with the statute determining whether we can withhold or redact information upon request. These two important things are needed to update this regulation to be compliant with the current statute.

Any regulation change requires a small business impact statement. The small business impact was considered before the regulation was drafted. A survey was put online and was emailed to every licensed master guide and taxidermist in our system from 2018, it was open for over a month and the Department received 73 responses. Of the 32 businesses, 44 percent, said they do not request the list from the Department. Of the 41 businesses, 33 percent, said they do request the list but only 25 of them said that it was essential to their business. It was a mixed result.

Possible ways to update the current regulation is to add the term “confidential” to be compliant with the statute mentioned earlier and include anyone who “applies” for a tag as well as “obtains” a tag so successful and unsuccessful applications will have the protection. The term “distributed” is not fully covered by the regulation, it just says anything “sold” by the Department. The Department is committed to being transparent and compliant with the public record’s intent, where anything done by the government should be open to scrutiny and due diligence. However, to meet that, we have stopped charging for public records requests since most of the information requested is readily available, easily to compile in a friendly data set and is not financially worth the administrative effort to collect the funds. The term “distributed” will be added because most of the data is not being sold and this would cover anything that is given out for free.

We want to state that our licensing vendor is covered by this regulation and be clear that the licensing vendor can not give out any information that the Department would otherwise not give out. Clarification on what defines personal information is also needed. The original regulation simply said name and other personal information. We added address and phone number since we found this in another NRS, which has to do with security and privacy of personal information. This statute defines what personal information as; first and last name, home or other physical address, email address, telephone number, social security number, any identifier that allows a person to be contacted either physically or online and any other information that in combination with an identifier could make the information personally identifiable. This is the standard that we would like to get to when we talk about other personal information.

The Department’s implementation has been adjusted after hearing concerns from the public and the Commission. Two questions will now be added, one asking, “Do you still want to be on the tag result list?” and the other asking “Do you want to be removed from other lists?” Both are yes or no questions. The Department wanted to keep it at two questions to not slow the application process down. The Department also wants to improve the tag draw result posting by offering it in PDF and Excel so anyone can download it and sort it accordingly. Prior year results are still available upon request. Instead of completely removing a customer from the draw results if that’s what they choose, the Department will redact that customer’s name showing the customer wished to be removed but also showing that every tag was allocated and done in a transparent manner.

Commissioner Hubbs asked for clarification on the other options being presented instead of just one opt out question.

Data and Technology Services Administrator Van Dellen reiterated the wording of the regulation as well as the implementation of the regulation. He explained the two questions and stated that the second question includes marketing or other entities that request a list from the Department.

Vice Chairman Valentine asked how often the questions will be asked to the customer.

Data and Technology Services Administrator Van Dellen said that once the questions are answered, they can be changed under the customer's personal information section of their profile.

Commissioner Barnes asked what personal information is given out if a box is not checked.

Data and Technology Services Administrator Van Dellen said that a person's social security number is protected regardless of a checked box but that each request is unique to what the requestor is asking for and will only include what they are asking for. He also said that the draw results would include a customer's name, city and state.

Commissioner Caviglia asked the percentage of the customers in the recent year who opted out of having their personal information available.

Data and Technology Services Administrator Van Dellen replied with over 80 percent but stated that could fluctuate with the addition of another clarifying question.

Commissioner East asked for clarification if a person does not request removal, would they still be included in the upcoming results?

Data and Technology Services Administrator Van Dellen answered yes and stated that the current regulation as written has customer information as public information unless requested otherwise.

No Public Comment in Las Vegas.

Public Comment in Reno:

Rachel Buzzetti, representing the Nevada Outfitters and Guides Association, stated that the sellable lists are important to the hunting guide's businesses and that the recent option to be removed had a significant impact. She said it helps the businesses by being able to use the sellable list and without the clients to advertise to could increase the number of unlicensed guides being used.

Henry Krenka, President of the Nevada Outfitters and Guides Association, stated that landowners with landowner tags would not have the resource to sell their tags with so many people opting out of the sellable list and should be provided a list of successful tag holders for their personal use. He also stated that he had no issue with people writing in to opt out of the list and that the Department has overstepped by offering this option. He asked for no regulation change.

Mitch Buzzetti, representing the Nevada High Desert Outfitters, stated that the regulation will cause hardship for family businesses by taking a cut in profits. He feels personally attacked by this regulation and said that it should be left alone.

Don Molde, Private Citizen, stated that wildlife belongs to everyone and not just the sportsmen. He is in favor of leaving the regulation alone for public transparency.

Rex Flowers, Private Citizen, agrees that people have the right to privacy and the option to opt out of the sellable list. He thinks there should be two different questions, to opt out of the tag results and to opt out of the sellable list. He also stated that all lists should be paid for regardless of who requests it.

Walt Gardner, Private Citizen, stated that the Department needs to be transparent with the tag draw results and there has been fighting about the results posted which is why a private contractor was hired to begin with. County websites show public information that the Department is trying to protect.

Gerald Lent, representing Nevada Bow Hunters Association, requested his written testimony to be included in the minutes. It is as follows: Since you will be voting on a Regulation next time, I have some important information for you. I've attended the tag draw for the last 18 years except last year when I was refused by the Director to attend, saying it was not a public event. So, in the lunch recess, I went back and checked some data: In 18 years only 1-2 people per year wanted to opt out of the draw and in many years zero people wanted to opt out, and the only people then who wanted to opt out were ones who didn't want their information sold to Cabela's, etc. Every single one! Especially the Sportsmen's representatives on this Commission should know what the people they represent really want. Over 99 percent plus of all applicants want to see a list of successful and unsuccessful applicants. Sportsmen love this transparency and loved the system they had. Just do a drop down on the application. PLUS: The Request for Proposal and Contract that Kalkomey executed required the successful and unsuccessful list to be published! It stated you will produce the results – not individually – that included everybody! The contract was violated! Also: Commission General Regulation 18-10 says: Draw results information will not be released in any way before the draw results are posted on line. Kalkomey violated this lawful regulation that we have to abide to! I have absolute proof of this! The contract was violated again!

Shane Evans, Private Citizen, is a master guide in Nevada and recommends adding the question, "Would you like your name to go to a master guide?"

Paul Dixon, Clark CABMW, asked if a drop-down menu or check box option online would be the same as a written request paper trail. He then stated that what the Department has put together is the same, only easier.

Public Comment in Elko:

Bill Gibson, Private Citizen, included written statement as follows:

11/25/2019

NEVADA BOARD of Wildlife Commissioners

Thank you for the opportunity to present concerns



My name is William S. "Bill" Gibson and have owned & operated Elko Guide Service since 1976.

I am and have been a licensed Nevada Master Guide for over 40 years

I have served on the ELKO Convention Center MARK Committee, Elko County Wildlife Advisory Board, received Nevada Commission on Tourism development Award and was appointed by 2 Nevada Governors Richard Bryan and Robert Miller to the Nevada Guides Advisory Board. Yes, Virginia, there was a time when Nevada licensed guides, legislators, sportsmen and tourism officials saw a need to advise the Department and Commission on guide related matters such as

1. FAIR, OPEN, HONEST AND TRANSPARENT BIG GAME TAG DRAWINGS.
2. PUBLICLY AVAILABLE RESULTS - SUCCESSFUL, UNSUCCESSFUL REJECTED AND WITHDRAWN
3. SPECIAL MULE DEER TAGS AVAILABLE THROUGH NEVADA GUIDES
4. INCREASING POPULATIONS OF BIG GAME THROUGH TRAPPING

TRANSPLANTING & INTRODUCTIONS MOST NOTABLY ELK, SHEEP, & ANTELOPE

The successes were many and APPARENT to all. NDOA decided they did want or need any more guide info so funding was withheld and the Guide Advisory Board was DISBANDED. I wonder if any commissioners now serving even know that there ever was a NEVADA Guide Advisory Board?

Most of us were very happy with the drawings being held in Fallon, Nevada and the COURTESY/professionalism of the Wildlife Administrative Services staff.

In 2017 I was informed that a new Drawing Provider had been chosen but was assured that things would run smoothly and results of the guided Non-Res. TAG drawing provided the same as in past years. What NDOA did NOT say was that the general TAG Drawing process (on which we also depend) would be completely destroyed... NO PAPER applications, CONFUSING, HARD TO NAVIGATE AND THE RESULTS OF THE DRAWING HIDDEN. The limited opt-in list provided (FINALLY) WAS NOT complete NOT useable, NOT acceptable and has caused a substantial loss of bookings, loss of cabin rental D.I.Y. income, a loss of other tourism related rural business.

NDOA HAS CREATED AN UNNECESSARY financial hardship on rural Nevada small businesses. Not only guide service but also taxidermists, meat processors, motel and hospitality providers and others have been negatively impacted.

all this because NDOW wants to create SALVABLE LIST  
VERSUS FREELY AVAILABLE public information. IN SHORT  
LAYMAN'S TERMS .... IT WASN'T BROKE but NOW IT IS!  
MAYBE we will need to hire HACKERS to keep  
Public information Public .... NOT SECRET!

### IN CONCLUSION:

1. The NEVADA TAG DRAWING RESULTS need to remain FREELY ACCESSIBLE PUBLIC INFORMATION
2. The "Kalkomy Enterprises" processes for the Nevada TAG DRAWING need to be simplified, open to the public, held in NEVADA, TRANSPARENT, HONEST AND NOT BE TURNED INTO FOR-SALE LISTS by NDOW.
3. EXISTING COMMISSION REGULATIONS for written opt-out NOTIFICATION to N.D.O.W. (AFTER FREE PUBLIC DRAWING RESULTS ARE POSTED) are SUFFICIENT and SUPERIOR to any new regulation proposed.
4. Any new regulations proposed must first be evaluated for FINANCIAL impact: AND negative impacts to NEVADA LICENSED MASTER GUIDES AND their mostly rural businesses

Dave Gowan, Private Citizen, stated his business was negatively impacted by the lowered publicly available successful tag draw applicants and doesn't believe that most sportsmen know what the definition of a sellable list means. He requested that the questions should be more specific with definitions. He said that most clients of his are not internet savvy and they do not have email addresses.

Commissioner Hubbs stated that most of the public agitation is received by bad behavior shown on social media. She asked what is best for wildlife and is it better to have privacy or transparency. The transparency would be shown by the empty name in the tag draw list showing a customer who opted out of that option, but it is best to know who and how many hunters are in the field for the public to hold people accountable. She said that more transparency is better.

Commissioner Almborg stated that the fact that 80 percent of the customers chose to opt out of having their information public speaks loudly and that a specific question regarding having their information apart of the tag result list may help with some spoken concerns. He recommended explanations of opt out questions.

Commissioner East asked how many sportsmen requested their privacy before this option.

Data and Technology Services Administrator Van Dellen answered that it was difficult to tell since 2004 when the regulation first came into existence. The numbers prior to the implementation of the online option was small since there was no way to know about it unless you read through the Department regulations. The existing regulation says that if it is requested, we will take your information off the list. It is the Department's interpretation that when you make a selection known to the Department through a traceable action, that would be considered a written request. All of this would be attached to your personal customer profile.

Vice Chairman Valentine stated that people may not have realized what the sellable list was and agrees that a better question description is needed.

Data and Technology Services Administrator Van Dellen stated that no other public list says when and where you will be at any given time like the hunt seasons and areas do. He also pointed out that the opposition is only from one industry.

Commissioner Caviglia stated that Nevada is on its own by being the only state that provides a tag result list.

Chairman Johnston stated that he hears a consensus that people should be able to keep their information private and asked if it is better to bring the regulation up to date with the 21<sup>st</sup> century or leave it as is. He noted that he has heard a lot about transparency but only from the Department and not letting those know they can opt out of the list. Transparency works both ways. He doesn't see a problem with having that option online, but should we inform the public of that option when they apply for a license? Should it be easier or harder for people to exercise this option? He doesn't think that how the regulation is written is the issue, but the implementation is. He noted that people opted out for the first time with this new option. Do not want to make business difficult for outfitters or the public to stay private.

Commissioner Hubbs stated that it is possible that many opted out because of “click bait” and thinks it may be better for new hunters to go out with an experienced guide opposed to being alone for safety purposes. Is a list of licensed guides available to the public?

Chairman Johnston said there are the licensed master guides and sub-guides who work under master guides. He doesn't know how many individuals that draw their first tag and go out solo. They're usually with someone who has hunted before or may higher a guide or may go with a friend.

Data and Technology Services Administrator Van Dellen replied with saying that anyone who requests the available list through a public records request will get the list.

Chairman Johnston said you also cannot assume that anyone who hires a guide service will be hunting with the actual master guide. A lot of the time you will be dealing with the sub guide who still has passed a test but has much less experience than the master guide.

Secretary Wasley answered Commissioner Hubbs' question saying that the Department did provide a list of all licensed guides in Nevada to successful tag holders as a resource for them to use after the last draw results were posted.

Commissioner East stated that she personally conducted several informal focus groups asking why most people opted out and her results were that the people were not wanting solicitations like received during the last political race. Is a list of the licensed Nevada guides available on the Department website?

Data and Technology Services Administrator Van Dellen replied yes.

Commissioner Barnes stated that he was sympathetic towards guides regarding their loss of business, but most of the public chose to keep their information private. He asked what the difference was between writing in or checking a box online. He thinks keeping up to date with technology is important.

Data and Technology Services Administrator Van Dellen said, to clarify, the word written is still in the regulation but it's the Department's and public's interpretation of what the word written means. You click a box for hunt area and season selection, acknowledging terms and conditions on almost every website, that is in the Department's mind a written application even though it is done electronically. This would be no different than the rest of the process, it is still in the existing regulation.

Commissioner McNinch stated that the issue is complicated for him.

## 9 Committee Reports - Informational

- A\* Tag Allocation and Application Hunt Committee (TAAHC) Report – Commissioner and Committee Chairman Paul Valentine  
The Commission will hear a report on the Committee's recent meetings.

Vice Chairman Valentine reported that the TAAHC meeting was held January 23<sup>rd</sup>. Thanks were given to Chairman Johnston for all his hard work on the Committee. He said that the Committee reviewed many NACs for modifications and that the junior hunters obtaining hunt points was not changed. They changed the NAC and now allows Military members to reinstate their bonus

points after active duty and bonus points will not be returned to a hunting party unless the entire party returns their tags. He said that the transferring of tags will require changes to NRS.

- B\* Landowner Compensation Tag Committee Report – Commissioner and Committee Chairman Brad Johnston  
The Commission will hear a report on the Committee's recent meetings.

Chairman Johnston reported that they met on January 24<sup>th</sup> and gave thanks to Mike Scott and Tom Donham for how the program is going and its historical overview. Recent trends show an increase in antelope tags, not deer and that follows the trend of antelope populations. There were issues with the statutory cap and asked if it should be divided out by species and quotas which may require a statutory change. He claimed there was an issue with a hunter selecting a weapon type on their application. The programs are working well and he will have more details from future meetings.

- C\* Public Lands Committee Report – Commissioner and Committee Chairman Tom Barnes  
The Commission will hear a report on the Committee's recent meetings.

Commissioner Barnes reported that they met on January 24<sup>th</sup> and started with public comment regarding the Silver State OHV trail concerns relating to wildlife. Habitat Division Administrator Alan Jenne gave a wildfire update concerning seeding and the government shutdown. There are fuel reduction and grazing issues with flexibility for range improvement and healthy range lands. Shawn Espinosa was wanting to talk about the ongoing projects discussed at an upcoming Committee meeting, possibly at the Commission level. A wild horse discussion was had on where we are and where we would like to go and how to get there.

- D\* Legislative Committee Report – Commissioner and Committee Chairman Tiffany East  
The Commission will hear a report on the Committee's recent meetings.

Commissioner East reported that they met on January 25<sup>th</sup> to review the legislative process and calendar to identify when bills would be heard. There will be many Carson City meetings and the next one will be in mid-February to determine the structures of bills for the March Commission meeting. There are a variety of bills that may affect our public lands, water, firearms, wildlife and trapping.

- 10 A Briefing on Two Recent Surveys "America's Wildlife Values: The Social Context of Wildlife Management in the U.S." and "America's Wildlife Values: Nevada State Report" – Secretary Wasley – Informational

The Commission will be provided a briefing on two recent surveys completed by Colorado State University and Responsive Management under contract through the Association of Fish and Wildlife Agencies (AFWA). The first is a nationwide survey entitled "America's Wildlife Values: The Social Context of Wildlife Management in the U.S." and looks broadly and comparatively at how American's value wildlife among states, which was completed just prior to the September meeting of AFWA. The second is a more detailed examination of specific values from Nevada and is entitled "America's Wildlife Values: Nevada State Report." The draft was finalized in November after the Commission last met and involved specific questions developed in association with the Department. The Department invested additional funding to obtain the more detailed examination for the Nevada state report.

Secretary Wasley presented a PowerPoint briefing on America's Wildlife Values (exhibit file). He explained that this project was funded by the US Fish and Wildlife Service (USFWS) to understand the conflict about wildlife management and its affect on all 50 states. The findings were built on a 2004 data set and shows a 15 year look. It is a good opportunity to see the rate of change over time based on human dimensions, meaning social science. He said it was also based on 2018 data on public values in all 50 states and 2018 data on fish and wildlife culture from 28 states. The facts themselves are not controversial but what to do with the results can sometimes be. A bill introduced on Tuesday in Montana states "the director, Department or Commission may not use social science, human dimensions or people's attitudes, opinions or preferences in decision making processes related to fish and wildlife." Sixty different studies came up with four type categories; traditionalist/utilitarian, mutualist, pluralist and distanced. Nevada was broken out in three main areas, the Reno/Washoe area, the greater Las Vegas urban area and the rest of the state. Scientists speculated that the results show an increasing trend in mutualism.

Commissioner East asked how the low Nevada percentage of traditionalists would affect the Department.

Secretary Wasley said the present state in Nevada and the Department will be the future for other states. The impacts will be realized once the more controversial issues are addressed. This affects trust in the Department and limited resources are being used more and more over fighting about polar values instead of helping everyone. Core values are rarely changed and established early in life so how do you change a person's core values? You don't, you change their behaviors and attitudes. The message we give may need to be tailored to those with differing wildlife core values even if the message is the same. The growth in expectations requires more time preparing for public records requests and we are not taking that time to act or execute conservation. A larger fiscal piece is being spent to defend the agency to fulfill expectations of public trust.

Commissioner McNinch stated that the core value aspect won't change if people don't listen to what others are trying to say. What the presentation shows is that it creates awareness. How something is acted upon can change the public view of the agency. Things add to the consideration of that such as, people who are accepting of hunting and fishing but do not participate in it. If we continue to do good things for wildlife, we will continue to protect that group of people.

Commissioner Hubbs stated that so many people who are concerned about some issues may contribute funding if they knew how. Urbanites who randomly view wildlife may be more defensive of it opposed to those in rural areas who see it every day.

Secretary Wasley responded that in the survey conducted, many people didn't know that funding from hunting went to conservation efforts and that hunting was regulated or the food value of lean, organic protein. The Nevada state report contains questions around the bear hunt and urban wildlife management.

Commissioner Hubbs stated that the lack of hunting in urban areas occurs when people don't know how hunting takes place and they see unethical behaviors out in the field through social media. This causes concern to the public.

Mr. Hetzer is appealing his hunting, fishing, trapping and other license and permit privileges suspension.

Chairman Johnston asked Mr. Hetzer if he still wanted to move forward with the appeal even though some documents that the Department would rely upon were not shared with Mr. Hetzer in the appropriate time?

Mr. Hetzer was unsure what documents were being discussed but felt he had enough time to prepare for the hearing and wanted to proceed.

Chairman Johnston said that this hearing was pursuant to Nevada Administrative Code 501.165 subsection 2 and statute NRS 501.1816 and will be confined to the record on review. The Commission will allow only evidence that is in the record regarding the suspension or revocation of the license permit or privilege that is on file with the Department to be presented and consider only allegations of procedural error committed by the Department that affect the rights of the appellant. He asked Mr. Hetzer if he clearly understood that the job of the Commission at this time is to determine whether the Department acted appropriately following the conviction of the justice court in White Pine County.

Mr. Hetzer said he understood and would like to appeal the conviction sentenced upon him and wanted to get an idea of what the appeal would entail.

Chairman Johnston stated that he had a ten-day time frame to appeal the misdemeanor sentenced on October 23, 2018 and his time to do so had expired.

Mr. Hetzer had no answer to the expired time to appeal and stated that he had a fishing license, was not over the game limit and the guns in his vehicle were not loaded. The judge did not give him a court order to stop hunting and fishing.

Chairman Johnston said that he was convicted of obstructing, hindering, delaying or interfering with a Department employee from doing their duty, which is violation of NRS 501.385. What is relevant at this appeal is what he was already convicted of and the demerits that the Department assessed as result of that conviction.

Mr. Hetzer claimed that was correct and he was told by a warden that demerit points are not always assigned to that violation.

Chairman Johnston asked if he thought the Department erred in assessing the twelve demerit points.

Mr. Hetzer said that it was a judgement call by the warden.

Chairman Johnston asked if Mr. Hetzer could point out the administrative law or statute that the Department violated in assessing him the twelve demerit points.

Mr. Hetzer said that in the regulation booklet it states that the demerit points are assessed higher due to the severity of the charge.

Chairman Johnston said that the NAC 501.200 listed under "miscellaneous fish and game" classifications of violations assesses twelve demerit points when obstructing a Department employee, including a game warden in violation of NRS 501.385, saying that if you are convicted

of a crime that you were convicted of, it is an assessment of twelve demerit points. How did the Department error in assessing the demerit points?

Mr. Hetzer said that the demerit points were a judgement call by the warden and that it was his belief that the ticket was written out of spite. He said it was decided after seeing that he didn't have over the limit of fish and that the ticket given would be for hindering a game warden. The warden fixed his report to make it look justified and put that he would write a ticket that would take away everything for three years, which never happened. The warden never looked for the fish or inspected them himself or looked for where they were. The warden was in a hurry. He was unaware of the ten-day window to appeal but had paid his fine and followed protocol. He admitted that his interaction with the warden could have been better and that he wasn't at the lake with criminal intent. The interaction turned into one big misunderstanding.

Chairman Johnston stated that what occurred between Mr. Hetzer and the warden was not relevant to the current appeal, the court already found him guilty and the Commission is not concerned with what transpired between Mr. Hetzer and the warden. He told Mr. Hetzer to focus on how the Department made an error in assessing the twelve demerit points. He asked if he understood the issue.

Mr. Hetzer stated he understood and believes there is an appeal because there can be an overturn or reduction of the demerit points.

Chairman Johnston stated that the Commission does not have the authority to overturn a conviction of justice. Again, he asked how the Department erred in assessing the demerit points when the NAC says that a violation of NRS 501.385 results in twelve demerit points.

Mr. Hetzer stated he had not broken the game law.

Chairman Johnston said that he could not claim that because the Ely court said he did, proven without a reasonable doubt and the Commission was not here to argue that.

Mr. Hetzer claimed he understood now that it was explained twice. The facts were put incorrectly in the report that the warden wrote so that he would have justification for writing the ticket. The judge said if it was within his power, he would not issue the demerit points.

Chairman Johnston said that was outside the power of what the judge does. The judge heard the case and found Mr. Hetzer guilty of a crime, the collateral consequence of that crime is the assessment of twelve demerit points.

Mr. Hetzer stated he didn't understand why there would be an appeal if it was not possible to reduce the points. He came to the Commission today believing that a decision could be made to overturn his demerit points.

Chairman Johnston said that their role was to determine if there was a procedural error made by the Department that has affected his rights as the appellant.

Mr. Hetzer stated that the error was made when warden the was allowed to submit information that did not obtain all the facts.

Chairman Johnston said that's not the procedural error of why we're here but going back to the underlying criminal case that was tried before the justice of the peace in Ely.

Mr. Hetzer claimed that new information came to light after the court hearing and because of this. He believed that the Commission had the power to change this. What he gathered was that the Commission has no power to change this at all.

Chairman Johnston said the Commission could overturn the demerits if it could be proven that the Department erred in giving them to begin with, such as if the Department assessed the points when no court conviction was made. This case has already been heard and sentenced by court and the Commission cannot overturn a court appointed law. If a felon is caught owning a gun, they do not get to say that they were innocent of their crime. He asked if Mr. Hetzer understood.

Mr. Hetzer said he was told that the demerit points were flexible.

Chairman Johnston said to assume that they were flexible, and then asked why Mr. Hetzer believes the Department erred in assessing the twelve?

Mr. Hetzer said what he did was not derivative of such a large punishment. He had a license, is not a poacher, had a bad interaction with a warden who decided to write the largest ticket he could. He could not afford a lawyer at court and the judge said it was not a serious enough case to provide a public defender. He did not understand the demerit points until after the fact. I was found guilty, but the judge did not see the case as such a serious crime, so he reduced the sentenced fine and said that to receive the maximum number of demerit points and lose the ability to be an active sportsman is overkill. Mr. Hetzer said he was hoping to plead his case to the Commission for a possible overturn in demerit points.

Commissioner Hubbs stated that she does not see where the Department erred in assessing the points and has not heard why Mr. Hetzer was asked several questions by the game warden but failed to respond. She asked if that was true.

Mr. Hetzer claimed to have lied once on a response and did not lie to the warden again and that the things said in the report were character assassination by the district attorney of White Pine County but that they are not true. It is difficult to defend yourself against a professional district attorney in a small town they are not familiar with.

Commissioner McNinch asked if he plead guilty in court.

Mr. Hetzer replied no and had no choice but to go to trial where he was found guilty.

Chairman Johnston said that he admitted he lied to the warden and Chairman Johnston has an issue with sportsmen who lie to wardens. This Commission hearing is not about what Mr. Hetzer should and shouldn't have been convicted of. He was given an opportunity to present evidence, he did not appeal the conviction, did not take steps to set aside the conviction if there is the ability to do so. We are left with an individual convicted of a violation of NRS 501.385. Our NAC says that if a person is convicted of obstructing or hindering a game warden under that statute, they will be assessed twelve demerit points. He has have not heard anything on how the Department erred.

Mr. Hetzer claimed that there is a double standard and that his fishing companion also lied but was not ticketed. He asked if the appeal could be postponed until the next Commission meeting.

Chairman Johnston denied the request.

Mr. Hetzer stated that for the next three years he will not be purchasing any sporting supplies or tags and that it would not benefit anyone.

Chairman Johnston stated that he did not need to hear from the Department regarding the matter and that the appellant has not provided any information showing that an error was made in the assessment of his demerit points.

Commissioner McNinch said that it is unfortunate that the Commission needs to hear these types of appeals and he can see the pain it causes but the Commission does not make the decisions, the court does. If there has not been a procedural issue, it is no longer a discussion for the Commission.

Commissioner Hubbs said that NAC 501.200 does issue twelve demerit points for Mr. Hetzer's violation and that she did not find a way for them to waiver or provide relief from it.

Commissioner McNinch clarified that it was not unfortunate that the Commission could not provide relief but that it was unfortunate the Commission must process something that was already legally processed.

Commissioner Hubbs stated that a sportsman who comes across a game warden should answer truthfully and the testimony provided today showed that he did not answer truthfully.

**CHAIRMAN JOHNSTON MOVED THAT THE COMMISSION DENIES THE APPEAL OF DANIEL HETZER BASED ON THE OCTOBER 23, 2018 MISDEMEANOR JUDGMENT AND SENTENCE AND ORDER OF THE COURT THAT WAS ISSUED IN THE JUSTICE COURT OF ELY TOWNSHIP NUMBER ONE, COUNTY OF WHITE PINE, STATE OF NEVADA FINDING MR. HETZER GUILTY OF OBSTRUCTING, DELAYING, HINDERING OR INTERFERING OF A DEPARTMENT EMPLOYEE FROM HIS OR HER DUTY IN VIOLATION OF NRS 501.385. ON THAT SAME DATE, A NOTICE OF ENTRY OF THE MISDEMEANOR JUDGEMENT WAS ENTERED ADVISING MR. HETZER OF HIS 10-DAY TIME PERIOD TO APPEAL THE DISTRICT COURT WITH NO EVIDENCE THAT AN APPEAL HAS BEEN TAKEN OR IS PENDING. THE DEPARTMENT ISSUED A REVOCATION LETTER TO MR. HETZER ASSESSING HIM WITH THE TWELVE DEMERIT POINTS DATED OCTOBER 23, 2018. MR. HETZER APPEALED THAT REVOCATION ON AN APPEAL FORM DATED NOVEMBER 15, 2018. THE NAC 501.200 STATES THAT TWELVE DEMERIT POINTS ARE TO BE ASSESSED TO SOMEONE WHO COMMITS THE CRIME THAT MR. HETZER WAS FOUND GUILTY OF AND THEREFORE THE DEPARTMENT DID NOT ERROR IN ISSUING THE POINTS. THE COMMISSION DOES NOT HAVE AUTHORITY TO REMOVE OR REDUCE THE MISDEMEANOR CONVICTION NOR HAS THE AUTHORITY TO REDUCE THE POINTS GIVEN THAT WERE SET FORTH IN THE NAC. THE DEPARTMENT FOLLOWED THE NAC FOLLOWING THE CONVICTION AND NO ERROR HAS BEEN SHOWN. FOR THOSE REASONS, THE APPEAL IS DENIED. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED 9-0.**

12 Public Comment Period

Persons wishing to speak are requested to complete a speaker's card and present it to the recording secretary. No action can be taken by the Commission at this time; any item requiring Commission action may be scheduled on a future Commission agenda.

No Public Comment in Elko.

Public Comment in Las Vegas:

Jana Wright, Private Citizen, was on the Department website looking at the Committee assignments and the changes are not current. She requested that the Department update their website.

Public Comment in Reno:

Gerald Lent, Private Citizen, stated that he attended the tag draw for the last 18 years but was refused attendance by the director during the last draw. Only one to two people per year wanted to opt out of the tag result list. Those who did were not wanting solicitations. The Commission should know what the people want and the Kalkomey contract required that the list be posted to the public. Kalkomey violated the contract. He requested that the Department be honest to the sportsmen.

**Saturday, Jan. 26, 2019 – 8:30 a.m.**

- 13 Call to Order, Pledge of Allegiance, Roll Call of Commission and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Johnston

The meeting was called to order by Chairman Johnston. All Commissioners were present.

CABMW roll call: Bob Rittenhouse, Douglas, Paul Dixon, Clark, Chad Foster, Douglas, Steve Marquez, White Pine, Gene Green, Carson, Chrissy Pope, Nye, Glen Bunch, Mineral, Joe Crim, Pershing, Steve Robinson, Washoe, Tom Cassinelli, Humboldt, Shawn Mariluch, Lander, Cory Lytle, Lincoln, Joe Crawford, Lyon.

- 14 Approval of Agenda – Chairman Johnston – For Possible Action  
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

**COMMISSIONER BARNES MOVED TO APPROVE THE AGENDA. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION CARRIED 9-0.**

- 15 Member Items/Announcements and Correspondence – Chairman Johnston and Secretary Wasley – Informational  
Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record). Correspondence sent or received by Secretary Wasley may also be discussed.

Vice Chairman Valentine stated he received a call from Greg Wells in Las Vegas who had concerns about the overlapping youth hunts.

Commissioner Hubbs said she received written correspondence from the previous night from Cathy Smith wanting no bear hunts as well as from Debbie Bullock, Bobby McCullum and Don Molde regarding mountain lion trapping.

Commissioner AlMBERG said he received correspondence from Jonathan Lesperance.

Secretary Wasley said he received correspondence from Dwight Lindquist, an outfitter, saying he could not attend but will have Mitch Buzzetti speak for him today. He shared the Department employee appreciation for May and acknowledged Kim Tisdale, John Swisher and Carl Lackey for 25-years of service and Maureen Hullinger and Mike Scott for their 30-years of service.

- 16 County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational  
CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.

No Comments in Las Vegas, Elko.

Steve Robinson, Washoe CABMW, said that they received a memo concerning the ability for the state to manage wildlife on all lands. They would like to allow mountain lion hunting in the Sheldon mountain range, including Unit 033 and would like to move forward with exercising this right to better manage the wildlife thought the state. They are requesting this topic as a future meeting agenda item.

- 17\* Benefits and Challenges Surrounding Quota Setting and Application Timing– Game Division Administrator Brian F. Wakeling – Informational  
The Department will provide the Commission with a briefing regarding hunt applications and quota timing. The briefing will include comparative data from other western states and planned process improvements being implemented within the Department.

Game Management Division Administrator Wakeling presented a PowerPoint presentation regarding quotas and Seasons (exhibit file). He answered the question asked if it was possible to set seasons and quotas at the same time with yes. He included that when that is done, there are tradeoffs which include benefits to the hunters applying for hunts. It would also benefit Commissioners by establishing season and quotas at the same time which could mean less meetings but a longer single meeting. He said there were concerns for accelerating the quotas as it could create conservatism with an already conservative approach that is already viewed. That if there was not adequate time for research, the Department may be denying more people tags that could be given out. The Department would be able to shorten the application period to allow for more time to apply and/or push back the draw date. All these options are possible but could be costly. The Regulation posting deadlines are not flexible. Most of the species surveys are completed earlier in the year but the later ones could be rushed. The Department is exploring changes in the data analysis and different survey systems with new techniques. The request is possibly premature before that knowledge is known.

Chairman Johnston asked if the change was made, when the earliest meeting would be that they could hear it.

Game Management Division Administrator Wakeling answered that it is possible to be done in the January meeting but the earliest for quotas would not be recommended before a March meeting.

Secretary Wasley said that March is a potential date for quotas but is problematic for Elk and mule deer. March would introduce a greater level of conservatism that was mentioned by Game

Management Division Administrator Wakeling, even though the Department is already reporting having light harvest levels.

Chairman Johnston recommended contacting the CABMWs to ask if this is even wanted and the Commission can revisit the option if there is support for the change.

Game Management Division Administrator Wakeling expressed concerns regarding the attendance at the CABMW meetings for this subject.

Chairman Johnston asked if the Department could reach out to the CABMWs regarding the issue.

Secretary Wasley answered yes.

18\* Draft Fiscal Year 2020 Predation Management Plan – Wildlife Staff Specialist Pat Jackson – For Possible Action

The draft Fiscal Year 2020 Predation Management Plan will be presented to the Commission for initial review. Following this review, the draft plan will be updated and shared with the State Predatory Animal and Rodent Committee (PARC). All comments from the PARC, County Advisory Boards to Manage Wildlife, and any other interested entity will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at their March 2019 meeting. The Commission will receive an update at the March 2019 meeting from the Wildlife Damage Management Committee and may provide additional direction at that time.

Wildlife Staff Specialist Jackson presented a PowerPoint presentation on fiscal year 2020's predator plan. He said that the unused funds roll over to be used in future years and does not go back into the general fund. Some revenue demanded that 80 percent be spent on lethal removal of animals. The Project types are - implementation, experimental management and experimentation. The Projects recommended for continuation are 21, 21-02, 22-01, 37, 38, 40, 41, 42, 43, and 45. Project 22-074 – Monitor Rocky Mountain Bighorn Sheep for Mountain Lion Predation has been changed from lethal killing of lions to monitoring for bighorn sheep removal and only removing mountain lions that consume bighorn sheep. Project 44 – Lethal Removal and Monitoring of Mountain Lions in Unit 024 involves a struggling sheep population. The mountain lions have been collared and are monitored. He said that horses comprise a surprising amount of their diet.

Vice Chairman Valentine asked if Projects 42 and 45 were to approximate the populations and asked how long it would be for the results to reach the Commission.

Wildlife Staff Specialist Jackson replied yes, and Dr. Robert Montgomery at Michigan State is the person in charge. They are currently analyzing the first year of results now. They need one more field season to be able to analyze the data. Project 42 may not result in a population model but will show holes and recommendations to the Department on how to fix them. If there is enough data, he will come to the Commission with a part two update. Project 45 will not have complete data until next year and Project 42 will not have complete data for the next couple of years.

Commissioner Hubbs asked if additional funding be used for habitat rehabilitation, and if Wildlife Staff Specialist Jackson had any peer review journals for Project 41.

Wildlife Staff Specialist Jackson replied that he will have a list the next time he speaks with the professor in charge of gathering the data. That there were titles published in 2018 but he would come back with a more thorough list during his next presentation.

Commissioner Hubbs asked if there was an increase in bighorn sheep population.

Wildlife Staff Specialist Jackson answered yes, although it is still small and struggling.

Commissioner East asked if there were horse kill sights anywhere else besides around Project 44 areas.

Wildlife Staff Specialist Jackson stated that they were not actively visiting kill sights in other areas, but a minority of lions focus on horses. A Utah State University theory is that the Delamar area is good habitat for lions and because of that, lions are more willing to take a risk on a larger animal such as a horse.

No Public Comment in Elko.

Public Comment in Las Vegas:

Stephanie Myers, Private Citizen, stated that the lethal removal of mountain lions and coyote projects to protect big game species was not wildlife management but a kill manifesto. She said that many of the population oppose these plans and the Department should take the lead in changing the predator fees and requirement to spend 80 percent on lethal removal.

Jana Wright, Private Citizen, said that the Department needs to change the fee and mandate for killing predators. She would like to see a running total of money spent year to year.

Public Comment in Reno:

Jonathan Lesperance, Washoe CABMW, stated that they received the documents that reference the projects two days before the CABMW meeting and that wasn't enough time given to them for review. He asked the Department to consider giving them enough time to receive the discussion materials before their meetings.

Paul Dixon, Clark CABMW, stated they CABMW agreed with the model and that the data is very important for controversial predator management.

Chrissy Pope, Nye CABMW, stated that they would like to receive the discussion materials with enough time to review before their CABMW meetings.

Catherine Smith, Private Citizen, stated she had a concern over the strong cultural bias for lethal control. They would like to limit the predator control for chronic wasting disease that is coming to Nevada and that predators are a great defense against the disease. She asked how the predator removal in Nevada was affecting the ecosystem and not just prey.

Mel Belding, Private Citizen, wanted to remind everyone that predator management is only one part of wildlife management. He gave the Department praise.

Chairman Johnston reminded all that this was the first reading of the plan and it will come back to the Commission again after the Park Committee comments on it. This way the CABMWs are given enough time to review and discuss them. Project 37 and 38's justification and detail given by Wildlife Staff Specialist Jackson should be given to the public to see. He suggested adding the presentation detail to the plan details to appease the public with knowledge and information.

Wildlife Staff Specialist Jackson said that the suggestion would not be a problem.

Commissioner Hubbs asked if the projects were the same as last year.

Wildlife Staff Specialist Jackson replied yes, and that there were no new projects this year.

Commissioner Johnston stated that he understood the cultural bias on lethal removal but the law states that 80 percent of the funds are to be spent on lethal removal and the Department should not break the law to appease the public. He asked if the Commission would hear from these Projects again at future meetings?

Wildlife Staff Specialist Jackson replied yes, many more times.

19 Commission Regulations – For Possible Adoption – Public Comment Allowed

A\* Commission Regulation 19–05, 2019–2020 and 2020–2021 Big Game Seasons – Wildlife Staff Specialists Mike Cox, Cody Schroeder, and Cody McKee – For Possible Action  
The Commission will consider adopting 2019–2020 and 2020–2021 hunting seasons and dates for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat, including limits, hunting hours, special hunt eligibility, animal sex, physical characteristics, hunt boundary restrictions, and legal weapon requirements, and emergency depredation hunt structure and statewide quota.

Game Management Division Administrator Wakeling gave a brief explanation identifying the Department's rationale as to why the changes were recommended (exhibit file).

Wildlife Staff Specialist Schroeder opened the antelope season portion by explaining that the Department added a nonresident archery hunt in Units 043 – 046 because they were over quota for residents and wanted 10 percent of the tags to go to the high demand for nonresidents.

No Public Comment in Las Vegas, Elko, Reno.

**COMMISSIONER MCNINCH MOVED TO APPROVE THE ANTELOPE PORTION OF REGULATION 19-05 AS PRESENTED BY THE DEPARTMENT. VICE CHAIRMAN VALENTINE SECONDED THE MOTION. MOTION PASSED 9-0.**

Wildlife Staff Specialist McKee began the elk hunt portion with the Department recommendation highlights of a late season cow and spike hunt to close on a later date. This would give sportsmen time for their holiday season. The exceptions to the late season hunts are Unit 051 with a low-density herd. Unit 113, ultra-late hunt, was designed as a management tool since the elk herd seeks refuge during the open seasons and trickle out when the seasons close. This herd population is denser than preferred by the Department. The changes made to Units 061 and 071 are designed to shift early and late rifle bull hunts to earlier in the year. He stated that mature bulls immigrate into Idaho around the hunt opener. The Department proposed a consolidation of Unit 072, 073 and 074 cow, spike hunts since they are part of a single population objective and the consolidation would provide a better hunt for sportsmen.

Chairman Johnston asked if Units 061, 071 early elk seasons will overlap the deer season in those areas.

Wildlife Staff Specialist McKee confirmed they would overlap and added that it would have more hunters in the field. He stated that the recommended mid-season spike hunt would swap some hunters for others and should not have a significant impact.

No Public Comment in Las Vegas, Elko.

Public Comment in Reno:

Rex Flowers, Private Citizen, opposed any season going beyond December 31 so that all hunts line up with the ending of the Heritage and Silver State tag season deadlines. He said that the shed hunting NAC was to protect wildlife from harassment and he doesn't see how harassment prevention would be maintained by swapping shed hunters for actual hunters.

Mel Belding, Private Citizen, agreed with Mr. Flowers and would like the seasons to be consistent.

Commissioner Hubbs agrees that differing closure dates for shed hunting and actual hunting didn't make since.

Commissioner AlMBERG said that the elk species do not shed early in the season and that the recommended hunt would be prior to the animal shed. He said shed hunt seasons impact deer more than elk and the impact of shed hunting is mainly in February, not January.

Commissioner Barnes stated that the questions he received from the Elko CABMW were answered by the biologists and Commissioner AlMBERG. He said that the discussed factor would have already been considered by the Department.

Chairman Johnston stated that the information presented by shed antler hunting disturbance do not relate to an extra few hunters in the field. Shed hunting and actual hunting are two different activities.

Secretary Wasley said that the Department is trying to maintain the desired harvest at planned levels and minimize the conflict between hunters and their expectation. Hunting is the removal of population, shed hunting regulations are for the protection animals and their habitat.

Commissioner Hubbs agreed that shed hunting and hunting are different ideas altogether.

Commissioner Caviglia stated that most hunts end January 25 and the Unit 113 hunt is a rare exception. He agreed with why the Department proposed it.

Commissioner Kiel asked if there was a specific reason for the January 5 date.

Wildlife Staff Specialist McKee answered that the Department was trying to remain consistent with the dates of hunts in White Pine county and Lincoln county. The Department wanted to give hunters more time to get to the field and have a more flexible hunt. He stated that the last week of a hunt is less popular than the beginning weeks of a hunt.

Vice Chairman Valentine stated that five days won't make much of a difference.

Wildlife Staff Specialist McKee reminded everyone that all the CABMWs except for Eureka agreed with the recommendation.

**COMMISSIONER BARNES MOVED TO APPROVE THE ELK PORTION OF REGULATION 19-05 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER HUBBS SECONDED THE MOTION. MOTION PASSED 9-0.**

Wildlife Staff Specialist Cox opened the bighorn sheep portion by stating changes recommended by the Department with the inclusion of a resident early season for the high elevation populations. The Wassuk range on Mount Grant was moved to a later date due to conflicts of rams watering by the town of Walker. The Gabbs Valley range was split by Units 205 and 207 because biologists felt an early season in 207 would provide hunters better opportunity. The Nevada test and training range requires a weekend opener, those hunt opening dates do not match the other openers. The non-resident hunt changes were made to mirror the changes of resident hunts and have opened more units for non-residents. This is reevaluated every few years to keep a 90 percent to 10 percent tag split. He stated the demand for non-resident sheep tags has surpassed the demand for resident sheep tags.

No Public Comment in Las Vegas or Elko.

Public Comment in Reno:

Mel Belding, speaking for self, agreed with the Unit 207 seasons but questioned why it was only a twenty-day season. He requested the Department be consistent with the other 30-day seasons.

Chrissy Pope, Nye CABMW, requested a Unit 017 North hunt to be on Sept 20 – Oct 20 because it does move the sheep down for a better hunter opportunity.

Chairman Johnston asked if the Unit 207 Oct 15 – Nov 5 hunt is shorter hunt than the other seasons.

Wildlife Staff Specialist Cox answered yes and explained that the reasoning was because the herd has potential to be used as source stock but has concerning pathogens. He said there is a small window to capture the animals and that the Department could wait until next season to move the sheep. The Department tries to stop capturing animals ten days before the hunt openers.

Commissioner East asked if the Department had a problem with the Nye CABMW recommendation of a Unit 017 North hunt on Sept 20 – Oct 20.

Wildlife Staff Specialist Cox stated that there has never been an early Unit 017 season and that biologists want hunters in the field as early as possible due to the conducting of aerial surveys at the time requested. The Department does not want the surveys disturbing the animals before the season. He said the reason the sheep are staying higher is because Nevada has not had enough snow cover in recent years to push them down and recommends an opener no later than September 15<sup>th</sup>.

Vice Chairman Valentine asked why Unit 173 north hunt is not extended to October 20.

Wildlife Staff Specialist Cox answered that the hunt stands at 30 days as is the standard for other hunts.

Vice Chairman Valentine asked why the southern Units are going 40 days.

Wildlife Staff Specialist Cox replied that the Department is trying to be consistent with the management plan and has not embraced the 40-day hunt season for all hunts.

Commissioner East asked why Unit 251 is not found on the recommendation list but was mentioned earlier by Wildlife Staff Specialist Cox.

Wildlife Staff Specialist Cox replied that it was not in the season recommendations, but the Department would like it to be considered. The option came up a few days prior to the Commission meeting. If it is considered, it would be consistent with the Unit 134 hunt dates and quotas. He requested if Unit 207 is changed, to change Unit 204 to have the 15th end date.

**VICE CHAIRMAN VALENTINE MOVED TO APPROVE THE SHEEP PORTION OF COMMISSION REGULATION 19-05 AS PRESENTED, WITH THE FOLLOWING CHANGES: COMBINE UNIT 251 TO UNIT 134. UNIT 173 NORTH DATES CHANGED TO SEPT 15 – OCT 20. UNIT 204 DATES CHANGED TO OCT 15 – NOV 15. UNIT 207 DATES CHANGED TO OCT 15 – NOV 15. THE NON-RESIDENT UNIT 173 NORTH HUNT DATES CHANGED TO SEPT 15 – OCT 20. UNIT 207 DATES CHANGED TO OCT 15 – NOV 15. COMMISSIONER EAST SECONDED THE MOTION. MOTION PASSED 9-0.**

Wildlife Staff Specialist Cox opened the ewe hunt portion by recommending the elimination of Units 212 and 253 as it is no longer needed for population control. That hunt 8251 be spread out to more Units and that the Unit 068 ewe hunt be continued as last year.

No Public Comment in Las Vegas or Elko.

Public Comment in Reno:

Steve Robinson, Washoe CABMW, recommended no season for the California big horn sheep ewe hunt.

Mel Belding, Private Citizen, agreed Unit 068 should be eliminated and stated that two ewes could better serve Nevada if transplanted instead of hunted.

Steve Kellers, Private Citizen, said he is against the Unit 068 ewe hunt and agreed the sheep could be used in other parts of Nevada.

Scott Torgerson, Private Citizen, stated he was against the Unit 068 ewe hunt.

Chrissy Pope, Private Citizen, thanked the biologists for closing the ewe hunts when it was determined it was no longer necessary.

Wildlife Staff Specialist Cox stated that the Unit 068 ewe hunt was opened due to habitat and disease risk concerns. The Sheep Creek Range had recently been fire burned and productivity was reduced. The Department is trying to be responsible with herd management and there were issues concerning the growing population contrasting with domestic goat operations in the area. The Department is trying to work on a fence to keep the wild sheep separate from the domestic goats. The North areas show possible sheep at risk from a domestic sheep trailing route. The Department would like to keep the population below 150 to minimize the risk of disease. The Department is considering translocation, but twenty sheep translocated would be too much for the considered population to lose. The Department is only looking for ten sheep to be removed

and there are other of the state with enough population and potential disease risk that should be used for translocation first.

Vice Chairman Valentine asked if a transplant would be feasible if the funding was available.

Wildlife Staff Specialist Cox answered no because the transplant is scheduled for next Friday.

Chairman Johnston asked if twenty sheep for a transplant is too much for the herd to lose and asked why are we having a ewe hunt for ten sheep.

Wildlife Staff Specialist Cox replied that ten is different than twenty.

Chairman Johnston commented that not having a ewe hunt could encourage the Department for a translocation. He stated he was opposed to the ewe hunt.

Commissioner Almborg asked if the habitat on Massacre Rim that is needing sheep could accept sheep from multiple places, and if that would it be too much for the habitat?

Wildlife Staff Specialist Cox answered that twenty is the translocation number the Department wants to start with, along with predator management and collar marking. The issue is capturing the animals prior to source stock contamination. The hunt proposed is to help prevent disease and not contribute to a disease event. The Sheep Creek herd is clean but there are many exposed herds in the state and it is a difficult decision to know how some herds will react to translocation. He said moving and hunting sheep may not prevent sickness, but it helps to protect from it.

Commissioner Kiel asked if the Department could take the risk of disease for a year and use the herd as a source stock option for next year.

Wildlife Staff Specialist Cox answered that it is possible and that there is no immediate threat if they do wait one year.

Vice Chairman Valentine respects the biologist's concern and hopes that if the hunt occurs, it would be the last season for it having translocation beginning next year.

Wildlife Staff Specialist Cox responded that all the hunt choices are based on productivity and wildfire recovery. The Department would most likely come back with no option for source stock but the need to manage the herd.

Commissioner McNinch stated he appreciated the proactive approach the Department has taken regarding disease management. He is in support of the ewe hunt since it is recommended by the biologists but would agree to bypass it if possible.

Wildlife Staff Specialist Cox responded that the hunt could wait one year although it is not preferred.

Commissioner East asked how many sheep Nevada has lost to disease.

Wildlife Staff Specialist Cox replied that a survey done going back to 1980 estimated 3000 adults, and 1500 lambs were lost to pneumonia. Nevada was not the worst state in the Union regarding disease loss.

Commissioner Barnes stated that the season can still be set, and quotas adjusted if necessary.

Chairman Johnston stated that he would like to wait on the ewe hunt if that option is available.

**COMMISSIONER MCNINCH MOVED TO APPROVE THE EWE PORTION OF COMMISSION REGULATION 19-05 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 7-2 WITH COMMISSIONERS EAST AND JOHNSTON VOTING NO.**

Wildlife Staff Specialist Cox began the rocky mountain bighorn and mountain goat portion by purposing to replace Units 074 and 091 since the Department has not received answers showing a positive change in the herd. He stated that the herd has no lamb recruitments to carry the season beyond the current year so season 2020 is blank. There was a disease transmission from bighorn sheep to mountain goats recently in the East Humboldt range, leaving no kid survival. The Department showed 40 on a recent survey but there is a concern regarding their age structure of ten years old and up but not many in-between ages. The Department is positive to continue with the tag quota and season but are not ready to add a non-resident hunt to the Unit.

No Public Comment in Las Vegas, Elko, Reno.

**COMMISSIONER EAST MOVED TO APPROVE THE ROCKY MOUNTAIN BIGHORN AND MOUNTAIN GOAT PORTION OF COMMISSION REGULATION 19-05 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER HUBBS SECONDED THE MOTION. MOTION PASSED 9-0.**

Wildlife Staff Specialist Schroeder opened the mule deer portion with the Department recommendations to combine the Washoe Units 021 and 022 and change the season dates. Units 010 early and 041, 042 dates were changed for consistency and an extra season was added to the 017 Unit.

No Public Comment in Las Vegas or Elko.

Public comment in Reno:

Steve Robinson, Washoe CABMW, claimed that they had many comments about the combining of Units 021 and 022 in the Washoe area. They requested to keep them separate like the previous year with a closing date of Nov 5. He said the junior hunts do not coincide with the resident and non-resident hunts, and requested that Units 011, 013, 014 and 022 end on Nov 5. They requested to combine Units 011, 013 early and late to one season from Oct 5 – Nov 5 and Units 014 and 033 early and late seasons be combined into one season from Oct 5 – Nov 5.

Joe Crim, Pershing CABMW, requested that Units 043 – 046, shared with Humboldt County be kept as split seasons.

Tom Cassinelli, Humboldt CABMW, stated they had a split vote regarding the 043 – 046 combined seasons.

Cory Lytle, Lincoln CABMW, said they had many comments on the ending dates for junior hunts and that hunters complained about sharing a few season days with the juniors.

Chrissy Pope, Nye CABMW, stated that they did not have an issue with the Regulation but she personally does not understand the reasoning behind a middle season in Units 171-173. She stated it shortens the seasons and requested that it stay the same as the prior year.

Rex Flowers, Private Citizen, stated that the Washoe hunt in Units 021 and 022 were originally split due to the limited access to enter areas and that there is no reason to combine them into one hunt.

Mel Belding, Private Citizen, believes that if Units 021 and 022 were combined, there would be too many hunters on the field at once.

Commissioner Barnes asked if the junior hunt in Unit 081 Elko area for archery may have been a typing mistake.

Wildlife Staff Specialist Schroeder answered that it was intentional and has been set similar for the past few years to give the youth an extra ten days to hunt. He stated the season for general archery changed recently and the Department has not yet matched the junior hunt to those season dates. The Units 021 and 022 were combined due to calls regarding access to Unit 022 where road closures and fires have made it challenging. Historically the units have been combined to take advantage of migrating deer from California.

Chairman Johnston asked if the Department's management quotas would still be met if the units were split.

Wildlife Staff Specialist Schroeder answered yes.

Commissioner Almborg stated he understood the congestion concern but reminded everyone that most of the CABMWs want to have the units combined.

Commissioner East agreed that the early hunts are sometimes tough and is in favor of keeping the Unit groups combined. He understood that people have had issues with fires in Units 021 and 022 and recommended keeping them separate.

Secretary Wasley stated that the Department's logic regarding the hunts were based off surveys done on why people hunt and what they want to harvest. It showed major reasonings of hunters wanting to be in the field and provide food for their family. The early and late structure allowed the Department to cater to the objective of those hunters. Studies have shown a higher percentage of success in the late season opposed to the early. Most of the clientele do not know of the CABMW process and a result of combining the units hinders those who hunt just to be in the field.

Chairman Johnston claimed to be unsure how the combined season would impact the applicant draw results.

Commissioner Barnes said that Unit 010 having a split season has worked well to combat congestion and he will support a split season.

Commissioner Almborg claimed to be unfamiliar with Units 021 and 022 but noted that the Department feels strongly for not wanting it.

Commissioner Caviglia asked if tag numbers could drop if the seasons were combined.

Wildlife Staff Specialist Schroeder answered that was correct and said that it can be considered when the quota is set but the Department will need to further investigate the effects of combining the seasons.

Commissioner East asked how many tags would be reduced

Wildlife Staff Specialist Schroeder responded that the number would be averaged together.

Secretary Wasley stated that if the late season has more success than the early season, the tag numbers could be cut in half when averaged.

**CHAIRMAN JOHNSTON MOVED TO APPROVE THE MULE DEER PORTION OF COMMISSION REGULATION 19-05 WITH THE FOLLOWING CHANGES: TO THE 1107 JUNIOR HUNTS UNITS 011 – 013 ANY LEGAL WEAPON DATES CHANGED TO OCT 5 – NOV 5 FOR SEASONS 2019 THROUGH 2021. UNIT 014 ANY LEGAL WEAPON SEASONS BE CHANGED TO OCT 5 – NOV 5. SPLIT UNITS 021 AND 022 ANY LEGAL WEAPON WITH AN END DATE OF NOV 5. UNIT 081 ARCHERY DATES BE CHANGED TO NOV 10 – NOV 20. UNITS 131 – 134 ANY LEGAL WEAPON END DATE BE CHANGED TO OCT 31. UNITS 221 – 223, 231, 241 – 245 ANY LEGAL WEAPON END DATE CHANGED TO OCT 31. ANY LEGAL WEAPON HUNTS 1331 AND 1332 HAVE CHANGES OF UNITS 011 – 013 TO BE COMBINED WITH DATES OF OCT 5 – NOV 5. UNITS 014 TO BE COMBINED WITH DATES OF OCT 5 – NOV 5. UNITS 021 AND 022 BE SPLIT FOR BOTH EARLY AND LATE SEASONS. UNIT 033 HUNTS BE COMBINED WITH DATES OF OCT 5 – NOV 5. UNITS 071 – 073 MID-SEASON BE ELIMINATED REVERTING BACK TO DATES OF OCT 5 – OCT 20 EARLY AND OCT 21 – NOV 5 LATE. SPLIT UNITS 021 AND 022 ON BOTH ARCHERY AND MUZZLELOADER HUNTS. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 9-0.**

Wildlife Staff Specialist Schroeder opened the landowner tag portion with no changes by the Department from the previous year.

No Public Comment in Las Vegas, Elko or Reno.

**COMMISSIONER ALMBERG MOVED TO APPROVE THE LANDOWNER TAG PORTION OF COMMISSION REGULATION 19-05 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER EAST SECONDED THE MOTION. MOTION PASSED 9-0.**

- B\* Commission Regulation 19 - 06, 2020 Heritage Tag Seasons and Quota – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action  
The Commission will consider adopting a regulation to set the 2020 Heritage Tag species, seasons and quota.

Data and Technology Services Administrator Van Dellen opened with the Department recommendations to not change from previous years with the exception of the wild turkey hunt to run from Mar 21 – May 3 (exhibit file).

No Public Comment in Las Vegas or Elko.

Public Comment in Reno:

Paul Dixon, Clark CABMW, recommended that the bighorn sheep tag should be offered year-round for a better sale value.

Steve Robinson, Washoe CABMW, asked for the desert bighorn hunt to be moved from Aug 1 to a Sept 1 opener due to pressure around water sources for the animals.

Mel Belding, Private Citizen, stated that he does not feel that a year-round option is needed for the tag to be sold. He said hunting sheep in Aug is not moral or ethical and would rather see have a Sept hunt because the herds are less dependent on guzzler water.

Bob Rittenhouse, Douglas CABMW, asked for clarification on the heritage and silver state tag allocation and why there are differing numbers. He asked if the Department would want to maximize the tag quota.

Chairman Johnston clarified that there are nine Heritage tags and four proposed Silver State tags, which is two less than the maximum amount.

Commissioner Caviglia expressed his concerns that if they shortened the hunt window for the bighorn sheep tag, funds could go down.

Vice Chairman Valentine said he does not have a problem with a year-round hunt season.

Commissioner Hubbs asked if all Heritage and Silver State hunts would be considered for year-round or only a select few.

Chairman Johnston clarified that only the Heritage desert bighorn sheep hunt would be year-round.

Deputy Director Jack Robb asked that if a motion is made for a year-round hunt, clarification be made to define the start and end times of year-round to give the Department time to deposit the funds and issue a tag.

Commissioner Caviglia stated he was not in support of a year-round tag.

Commissioner East asked Wildlife Staff Specialist Mike Cox if he saw a problem with an Aug 1 opener for the animals?

Wildlife Staff Specialist Cox stated that it was his own opinion that he was more concerned with the outside view of Nevada being seen as only wanting money. That perception and ethics should be considered. He said an animal who is to be hunted will be hunted regardless of where it is. A Nevada year-round hunt compared to the Arizona and New Mexico and year-round hunt is irrelevant considering that the hunts are for different sub-species of sheep. The season date may affect the sale of the tag, but they are different animals.

Chairman Johnston stated that he does not see the tag bringing in less money if the season starts on Sept 1. The regular hunt opens Sept 15, giving two weeks for the tag holder to hunt alone. He agreed that sheep should not be hunted in Aug due to the heat.

Vice Chairman Valentine agreed with Wildlife Staff Specialist Cox and appreciated his statement.

Commissioner Almberg also agreed.

Data and Technology Services Administrator Van Dellen clarified that there are some areas that would be an exception to the tag.

**CHAIRMAN JOHNSTON MOVED TO APPROVE COMMISSION REGULATION 19-06 AS PRESENTED BY THE DEPARTMENT WITH THE TWO DESERT BIGHORN SHEEP DATES BE CHANGED TO SEPT 1 – JAN 31 FOR BOTH THE HERITAGE AND SILVER STATE TAGS. THE MOTION WAS SECONDED BY COMMISSIONER BARNES. MOTION CARRIED 8-1, COMMISSIONER CAVIGLIA NO.**

- C\* Commission Regulation 19 - 07, 2019 Partnership in Wildlife Tags – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action  
The Commission will consider adopting a regulation to set the 2019 Partnership in Wildlife tags hunt species, seasons and quota

Data and Technology Services Administrator Van Dellen opened with no Department changes from the prior year but stated that Unit 041 would continue to be closed for California bighorn sheep. Based on the Nelson and California harvest results, the Department would close Units 244 and 263 for next year's hunt, Units 031, 068 and 041 as well. Unit 091 for elk tags would continue to be closed.

No Public Comments in Las Vegas, Elko or Reno.

**COMMISSIONER MCNINCH MOVED TO APPROVE COMMISSION REGULATION 19-07 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER EAST SECONDED THE MOTION. MOTION CARRIED 9-0.**

- D\* Commission Regulation 19 - 08, 2019 Silver State Tags – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action  
The Commission will consider adopting a regulation to set the 2019 Silver State tag species, seasons and quota.

Data and Technology Services Administrator Van Dellen opened with Unit 091 for the elk tag and Unit 263 for Nelson bighorn sheep tag would be closed (exhibit file).

No Public Comments in Las Vegas, Elko, Reno.

**CHAIRMAN MCNINCH MOVED TO APPROVE COMMISSION REGULATION 19-08 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER HUBBS SECONDED THE MOTION. MOTION CARRIED 9-0.**

- E\* Commission Regulation 19 - 09, 2019 Dream Tag – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action  
The Commission will consider adopting a regulation to set the 2019 Dream Tag species, seasons and quota.

Data and Technology Services Administrator Van Dellen stated that based off of this year's tag harvest, Units 244 and 263 would continue to be closed for Nelson bighorn sheep tag and Units 031, 068 and 041 for the California bighorn sheep tag.

No Public Comments in Las Vegas, Elko, Reno.

**CHAIRMAN JOHNSTON MOVED TO APPROVE COMMISSION REGULATION 19-09 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER EAST SECONDED THE MOTION. MOTION CARRIED 7-2 WITH COMMISSIONERS HUBBS AND MCNINCH NO.**

- F\* Commission Regulation 19 - 10, 2019 Big Game Application Deadlines – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action  
The Commission will consider adopting regulation to set the 2019 big game tag application deadlines and related information.

Data and Technology Services Administrator Van Dellen stated the Department recommend the main draw dates be moved to the 5<sup>th</sup> Monday in Apr. He said with the current system being more responsive, a longer time gap for the draw is not needed. Opening the application period earlier would allow for more people to apply but the closing date would not change. They also moved all the Commission Regulation (CR) deadlines into one CR for easier understanding. The deadline for late hunts would be Feb 15 and the deadline for returning the unharvested sheep card would be the end of Feb (exhibit file).

Commissioner Barnes asked why there was a change in dates.

Data and Technology Services Administrator Van Dellen replied that it was kept the same as last year's date but was intended to be kept at the same calendar date.

Chairman Johnston asked why they wouldn't just put the date instead of referring to it as "the 5<sup>th</sup> Monday in Apr."

Data and Technology Services Administrator Van Dellen replied that the Department was continuing with tradition but is aware that next year there will not be five Mondays in the month of Apr.

No Public Comments in Las Vegas, Elko.

Public Comment in Reno:

Henry Krenka, Nevada Outfitters and Guide's Association, stated that in the past twenty years the deadline has always been the 2<sup>nd</sup> Friday of the month. He stated some of his clients could be on vacation with a specific date in their minds that would now be wrong. It would also shorten the window to apply for his overseas clients.

Data and Technology Services Administrator Van Dellen stated that last year, the CR stated the deadline as the 2<sup>nd</sup> Friday in Mar but this year was moved to the 1<sup>st</sup> Monday in Mar because the Department was trying to standardize the application period beginning on a Monday. The intention was not to shorten the application period. It could be reworded to say the 11<sup>th</sup> which is the 2<sup>nd</sup> Monday in Mar for the year 2019. The Department could say that the deadline for bonus points

would extend one week past the main application period and that the main draw period would end Apr 29 and the second draw period would end June 24.

**CHAIRMAN JOHNSTON MOVED TO APPROVE COMMISSION REGULATION 19-10 AS PRESENTED BY THE DEPARTMENT WITH A CHANGE FROM READING “X DAY OF THE MONTH” TO THE ACTUAL DATES OF MONDAY, MAR 11, MONDAY, APR 29, MONDAY, JUN 24 AND THE SECOND HARVEST QUESTIONNAIRE DEADLINE BE FEB 28. COMMISSIONER EAST SECONDED THE MOTION. MOTION CARRIED 9-0.**

- G\* Commission Regulation 19 - 11, 2019 Big Game Tag Application Eligibility and Tag Limits – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action  
The Commission will consider adopting regulation to set the 2019 big game tag application eligibility and tag limits and related information

Data and Technology Services Administrator Van Dellen stated the Department added the eligibility CR to this CR so all information is in one place (exhibit file).

Chairman Johnston stated that it was recommended by the TAAHC that people could apply for all sex options of a species but only draw one tag per species. He was under the assumption that this option was going to come forward to the Commission.

Data and Technology Services Administrator Van Dellen answered that he was not aware of the item to come to the Commission. He clarified that a person could apply for all spike, bull and cow elk tags but could only draw a spike or bull in addition to a cow tag.

Chairman Johnston asked if male and female tag applications could be made for some species, why not have that option for other species.

Commissioner Caviglia stated that this subject came up last year and asked if a person drew a ewe tag, they could not also have a ram tag?

Data and Technology Services Administrator Van Dellen responded by saying that the draw goes by random number and that they do not do male vs. other options of the species. He clarified that if you do draw a ewe tag before a ram, you would not receive a ram tag.

No Public Comment in Las Vegas or Elko.

Public Comment in Reno:

Mel Belding, Private Citizen, stated he was against the issue of ewe tags all together.

Davin Elmore, Private Citizen, stated his thoughts were to manage opportunity as sportsmen but would like to manage the results as well. He said it is time to allow our own applications to manage what is in the field year to year.

Paul Dixon, Private Citizen, claimed to be a victim of applying for a doe tag with no option for applying for a buck as well. He claimed to not have a problem with the results of the draw but would like to be able to apply for both sexes as an option.

Rex Flowers, Private Citizen, stated that with the elk hunt, they were over management objectives in years you could apply for both sexes and would like to go back to one tag per species and not one per sex. He claimed the duplicate sex option is no longer needed.

Commissioner Kiel asked what the single species draw process was.

Data and Technology Services Administrator Van Dellen replied that the Department would not go to a single species draw but would allow applications for both male and female. What a person drew first would make them ineligible for the other.

Commissioner Hubbs asked if the Commission should make recommendations now or at the next meeting.

Chairman Johnston said that the question was why elk has the dual sex option over the other species when applying. He admitted it was confusing and would like to see the person applying control the application knowing that if they draw a female tag, they would be out of luck for the male tag.

Commissioner McNinch asked if a person drew a doe tag first, would it be as if they never applied for a buck tag?

Data and Technology Services Administrator Van Dellen answered that if a person applied for both and drew a doe first, they would receive one bonus point for a buck.

**CHAIRMAN JOHNSTON MOVED TO APPROVE COMMISSION REGULATION 19-11 AS PRESENTED BY THE DEPARTMENT WITH THE ADDITION OF THE ABILITY TO APPLY FOR ONE ANTLER AND ANTLERLESS DEER AND ANTELOPE PER DRAW APPLICATION PERIOD. WITH THE EXPLANATION OF DRAWING ONE TAG PER SPECIES, PER YEAR.**

Data and Technology Services Administrator Van Dellen requested the option to remove the male/female eligibility from the junior hunts to keep the main draw eligibility at two chances instead of three chances for a tag.

**CHAIRMAN JOHNSTON CLARIFIED HIS MOTION BY ADDING THAT THE YOUTH HAS WILL NOT HAVE THE OPTION TO APPLY FOR BOTH SEXES BUT COULD EITHER APPLY IN THE JUNIOR HUNT OR THE ADULT HUNT. VICE CHAIRMAN VALENTINE SECONDED THE MOTION. MOTION CARRIED 90.**

H\* Commission Regulation 19-12, 2019-2020 and 2020-2021 Restricted Nonresident Guided Mule Deer Seasons and Quotas- Wildlife Staff Specialist Cody Schroeder- For Possible Action

The Commission will consider adopting 2019-2020 and 2020-2021 hunting seasons and quotas for restricted nonresident guided mule deer including hunt boundary restrictions.

Wildlife Staff Specialist Schroeder opened with a reminder of the changes made earlier for the resident seasons and quotas. He stated the added quota to season dates are calculated by a formula for the previous year. Units 011 – 013 and 014 early and late seasons were combined to Oct 5 – Nov 5. The Commission split Unit 021 early to have dates of Dec 21 – Jan 1 and Unit 022 early with dates of Oct 5 – Nov 5. Units 171 – 173 early, mid, late was changed to just early and late with a combined quota for early and late. Unit 033 late would be a combined season date.

No Public Comment in Las Vegas, Elko or Reno.

Chairman Johnston asked where the additional twenty tags for that season would go if they take out the mid-season in Unit 017. He also asked if the Department would want the same distribution.

Wildlife Staff Specialist Schroeder answered yes, and Unit 171 would be a 16-tag quota with the same four tags and date change.

**COMMISSIONER MCNINCH MOVED TO APPROVE COMMISSION REGULATION 19-12 WITH THE CHANGES TO UNITS 011 – 013 TO BE COMBINED WITH DATES OF OCT 5 – NOV 5, QUOTA OF THREE. UNIT 014 BE COMBINED WITH DATES OF OCT 5 – NOV 5, QUOTA OF TWO. UNIT 021 – 022 EARLY AND LATE BE SPLIT WITH UNIT 021 SEASON OF DEC 21 – JAN 1, QUOTA OF ONE. UNIT 022 SEASON DATES OF OCT 5 – NOV 5, QUOTA OF ONE. COMBINED SEASONS FOR UNIT 033 WITH DATES OF OCT 5 – NOV 5, QUOTA OF 1. UNIT 171 – 173 MID-SEASON BE REMOVED WITH EARLY DATES OF OCT 5 – OCT 20, QUOTA OF 16. LATE TO HAVE DATES OF OCT 21 – NOV 5, QUOTA OF 4. COMMISSIONER BARNES SECONDED THE MOTION. MOTION CARRIED 9-0.**

- I\* Commission Regulation 19–03, 2019 Black Bear Seasons – Wildlife Staff Specialist Pat Jackson – For Possible Action  
The Commission will consider adopting 2019 hunting season dates, open management units, hunting hours, special regulations, animal sex, legal weapon requirements, hunt boundary restrictions, and dates and times for indoctrination courses for black bear.

Wildlife Staff Specialist Jackson opened with no Department recommended changes from last year's season. He added that in 2018 three females and eleven males were harvested stating that the 21 percent female harvest was light and that the three-year average of 34 percent is stable for the population (exhibit file).

Commissioner Hubbs asked that based off the information given, what recent fires in California would affect the Nevada bear population.

Wildlife Staff Specialist Jackson answered that the bears in California and Nevada are one metapopulation and that his counterpart at the California Fish and Game Department did not see an impact on the population due to the wildfires.

No Public Comment in Elko.

Public Comment in Las Vegas:

Jana Wright, Private Citizen, stated that the Department has not shown hunting bears is a population management tool and citizens of Nevada are changing their views regarding wildlife. The Department could save time and money spent on controversial topics if they removed the bear hunts. She claimed dogs used to hunt bears is a violation of the fair chase law and it is illegal to harass animals.

Stephanie Myers, Private Citizen, stated that the Department counts 62 bear deaths in 2018 from car accidents and the killing of nuisance bears. Killing more than ten percent of a species is biologically irresponsible. She asked if there are only 459 bears in the estimated population, how is hunting managing wildlife. There is no science-based management reason for the bear hunt.

Public Comment in Reno:

Steve Robinson, Washoe CABMW, asked that the indoctrination course dates be changed to Saturday August 17 to July 27 to not conflict with the archery seasons. He said that their approval of the bear hunt was unanimous.

Chrissy Pope, Nye CABMW, stated that they fully support the hunt.

Jonathan Lesperance, representing the Nevada Sporting Dog Alliance, stated that the harvest composition was excellent. He said the sow harvest has been reduced and less than ten percent of dogs used were on sows, showing an 8 ½ day average per bear per hunt and 100 percent of the meat harvested with dogs was used. Bears are repopulating in our state and that is great.

Catherine Smith, Private Citizen, stated that she was personally against the bear hunt and only 30 percent of Nevadans support the hunt. She was requesting no 2019 season or considered shortening the hunt dates by one day. She claimed the matrix being used does not have enough statistical power to sustain the hunt and most people who come to the Commission meetings are there because of the bear controversy.

Elaine Carrick, Private Citizen, stated that yesterday's briefing from Secretary Wasley showed 49 percent of the population do not support bears being hunted. More than that did not support dogs being used in the hunt. NRS 501.181 talks of closing a hunt season on scientific data. These regulations do not take into consideration the information of the report and requested that this be the last year of the hunt.

Rex Flowers, Private Citizen, stated that he fully supports the bear hunt season.

Kathryn Bricker, Private Citizen, stated that it is important to define the purpose of the bear hunts and she supports shortening the season by one day or not having one at all. She claimed it is risky to hunt a small population and that the hunt is becoming unsustainable, that the hunt was founded for recreation and there is no reason to continue.

Commissioner Hubbs stated she looked through the report given by Secretary Wasley and shed light on how hard it was to go to a meeting and talk about a controversial topic knowing that most public comments would be set aside. The survey was hard science and the data supports what the public is feeling. She feels confident that we should not be continuing this hunt and would support shortening the season if that option was given.

Commissioner McNinch asked where the ten percent mortality number came from and wanted to know Wildlife Staff Specialist Jackson's feelings.

Wildlife Staff Specialist Jackson answered that he was unsure on where the ten percent harvest numbers originated and that predator population areas are cryptic. The additional mortalities have been added into the harvest numbers and since the Department is not seeing a rise, they do not believe the numbers are a concern.

Commissioner McNinch stated he struggles with the concept of a drop in the population and has not changed his mind in not supporting the black bear hunt. He would also be open to changes in the season.

Vice Chairman Valentine stated that he listens to the biologists who say that this is a management tool and is hopeful that a future study can show that.

Chairman Johnston stated that he does listen to those who disagree with him and that a differing viewpoint should not be viewed as futility. He relies on the Department and does not feel that his personal preference should not dictate how he makes Commission decisions. He likes the results in the numbers given and said that more bears are hunted in California than in Nevada.

**CHAIRMAN JOHNSTON MOVED TO APPROVE COMMISSION REGULATION 19-03 AS PRESENTED BY THE AND DEPARTMENT. VICE CHAIRMAN VALENTINE SECONDED THE MOTION. MOTION CARRIED WITH HUBBS AND MCNINCH NO.**

J\* Commission Regulation 19–04, 2019–2020 Mountain Lion Season and Harvest Limits – Wildlife Staff Specialist Pat Jackson – For Possible Action  
The Commission will consider adopting 2019–2020 mountain lion hunting season open units, harvest limits by unit group, hunting hours, and special regulations

Wildlife Staff Specialist Jackson opened that the Department recommended a statewide limit of Unit 245 and a unique two cat limit for Unit 091 due to an interstate agreement with Utah that shares that area. He stated there are five genetic sub-populations found in Nevada and a sixth identified as a sub-transient population. A three-year average shows Nevada not exceeding the harvest limits (exhibit file).

Commissioner Hubbs asked how many lions were taken through the predation wildlife plan in 2018.

Wildlife Staff Specialist Jackson answered that there were thirteen from Project 22-01, none from 22-074 and twelve from Project 37, equaling 25 total.

Commissioner Hubbs asked how many were taken as problematic lions.

Wildlife Staff Specialist Jackson answered that the Department would need time to pull up that data. In Unit 074 the lions are not being removed because they do not seem to be focusing their kills on sheep.

No Public Comment in Elko:

Public Comment in Las Vegas:

Stephanie Myers, Private Citizen, stated that she is strongly against the hunt and year long season as well as most of the Project plans starting as lethal removal.

Jana Wright, Private Citizen, opposes the hunt and stated that there are long discussions debating the deer, elk, and sheep but the lion section goes by quick.

Public Comment in Reno:

Steve Robinson, Washoe CABMW, stated that they had unanimous support for the hunt but would like to see Unit 033 be switched to an open Unit and an increased tag limit from two per person

to three, hounds to be used to harvest lions throughout the season and a raised limit to save the Department's predator management fees.

Rex Flowers, Private Citizen, agreed with the three-tag limit per person.

Jonathan Lesperance, Private Citizen, recommended the Department update their lion management plan as hunters largely advocate for more intelligent harvest limits and structures.

Chrissy Pope, Nye CABMW, reported that they support the hunt and asked for tags to be increased to three.

Larry Johnson, Private Citizen, is in favor of the season and limits as presented by the Department and said the lion population in Nevada is healthy and at historic heights.

Don Molde, Private Citizen, stated that the Department has a consistent estimate of the lion population in the state but young lions do not often make it to adulthood. He said the harvest spreadsheet shows injuries of Nevada lions and California lions live and die with all their teeth and toes, but the lions killed by hunters show injuries of trapping. See included photos.



Commissioner Hubbs asked if the open season was by statute.

Secretary Wasley confirmed the Department sets the seasons through regulation.

Commissioner Hubbs stated that lions breed throughout the year but that some literature has birth spikes from Jun – Aug. She asked if that was true.

Wildlife Staff Specialist Jackson confirmed that there is a birth pulse in the summer months.

Commissioner Hubbs asked if the Department would consider limiting the season for that time.

Wildlife Staff Specialist Jackson said that type of harvests can be lumped into two groups, hunters who take opportunistically or dog hunters who pursue lions actively. Hunter harvests depend on the snow and few people actively pursue lions in the summer months.

Commissioner AlMBERG stated that hounds men take their opportunities in the summer where most hunters do not.

Commissioner McNinch said that the summer month discussion was had when the regulation was originally put in place. There doesn't seem like a lot of information added to the Department

studies and hopes that the Commission can acknowledge what is found whether good or bad. He claimed to tolerate the season but would like to see more data on it.

Wildlife Staff Specialist Jackson stated that tags and seasons are set through NAC 502.307, the only thing that the Commission can set are limits and units of harvest.

Commissioner Hubbs stated lions are highly adaptable and asked what the plan is to manage the growing number, and should they update the management plan?

Wildlife Staff Specialist Jackson said that the number 245 was taken from previous recommendations of lion harvests in the state. When looking back on harvest statistics, the Department settled on this number since it was not problematic in exceeding the adult female limits.

Commissioner Hubbs asked if the Department monitors the number of trapped lions every year and if the Department traps lions.

Wildlife Staff Specialist Jackson said that trapping is not a legal method as a take for sportsmen and if a trapped lion is found, it is collared and researched.

Commissioner Kiel asked if the current Projects would further the 2012 study on the population.

Wildlife Staff Specialist Jackson replied that Project 42 is working on an integrative population model and will be beneficial once completed.

**COMMISSIONER EAST MOVED TO APPROVE COMMISSION REGULATION 19-04 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER BARNDEN SECONDED THE MOTION. MOTION CARRIED 9-0.**

20 Sagebrush Ecosystem Council Update – Chairman Johnston – For Possible Action  
An update will be provided regarding the Commissions appointed designee for the Sagebrush Ecosystem Council per Nevada Revised Statutes (NRS) 232.162.

Chairman Johnston began with stating a formal action was needed to confirm Chris McKenzie as a member of the council.

Secretary Wasley said that if it was agreed upon, the Department could reach out to the Governor's Office for approval.

Commissioner Barnes added that he heard Mr. McKenzie was doing an excellent job.

Commissioner McNinch said that he has known Mr. McKenzie for a long time and that he was very reliable.

No Public Comment in Las Vegas, Elko or Reno.

**COMMISSIONER MCNINCH MOVED TO DESIGNATE CHRIS MCKENZIE TO THE COUNCIL. COMMISSIONER BARNES SECONDED THE MOTION. MOTION CARRIED 9-0.**

21 Future Commission Meetings and Commission Committee Assignments – Secretary Wasley and Chairman Johnston – For Possible Action

The next Commission meeting is scheduled for March 15 and 16, 2019, in Clark County and the Commission will review and discuss potential agenda items for that meeting. The Commission may change the time and meeting location at this time. The chairman may designate and adjust Committee assignments and add or dissolve Committees, as necessary at this time. Any anticipated meeting that may occur prior to the next Commission meeting may be discussed.

Chairman Johnston stated the need for the Commission meeting schedules for 2020 and 2021. He requested the Public Sellable List CGR 482 be heard for adoption and an informational item on how the change would be implemented. The waterfowl seasons needed to be set and to ask the CABMWs for their preference regarding the sequence of seasons and quotas.

Secretary Wasley pointed out that due to the federal government shutdown, the waterfowl seasons and limits may need to be postponed to a later meeting. A draft of the predation management plan will be brought back to Commission. By March, the Department will have more insight on currently discussed legislative items and will hear reports from the Legislative Committee, Wildlife Trust Fund and Wildlife Damage Committee.

Commissioner East added a request for a predator hunt presentation in Unit 033 as well as ongoing partner presentations.

No Public Comment in Las Vegas or Elko.

Public Comment in Reno:

Paul Dixon, Clark CABMW, requested a public service announcement regarding the urban coyote issues and would like it to be done on a Saturday at the March Commission meeting for easy public viewing.

22 Public Comment Period

Persons wishing to speak are requested to 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 Commission at this time; any item requiring Commission action may be scheduled on a future Commission agenda.

No Public Comment in Las Vegas, Elko.

Public Comment in Reno:

Cathy Smith, Private Citizen, stated that it was legal in Nevada to use dogs while hunting bears, for a fox to be caught in a leg trap for days, for a semi-automatic weapon to kill jackrabbits for no other reason than target practice and that these facts are cringe worthy to her. She said hunter numbers are in decline in our nation and have been for years. State employees cannot be expected to make decision that could potentially put their jobs at risk so the public needs Commission leaders to make the tough decisions.

Larry Johnson, Private Citizen, stated that hunter participation in Nevada is up over 23 percent and angler participation is up 40 percent this year. The hunter participation will go up if there was better access to more critters and successful tag draws. He said he was successful in getting the Paiute tribe to consider reintroducing bighorn sheep onto the reservation in the lake range.

Jonathan Lesperance, Private Citizen, echoed Mr. Johnson's take on the value of recreational hunting and stakeholders. He cautioned against public perception being a means of wildlife management and said social values change and is constantly in flux.

Meeting Adjourned at 3:39 PM.

Note: The meeting has been videotaped and is available for viewing at [www.ndow.org](http://www.ndow.org). The minutes are only a summary of the meeting. A complete record of the meeting can be obtained at the Nevada Department of Wildlife Headquarters Office in Reno.