

Nevada Board of Wildlife Commissioners' Meeting DRAFT MINUTES

**Clark County Government Center
Commission Chambers
500 South Grand Central Parkway
Las Vegas, Nevada 89155**

5

Video Streaming and Teleconferencing available at:

**Nevada Department of Wildlife
Western Region Office
1100 Valley Road
Reno, Nevada 89512**

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. Please provide the Board of Wildlife Commissioners ("Commission") with the complete electronic or written copies of testimony and visual presentations to include as exhibits with the minutes. Minutes of the meeting will be produced in summary format.

NOTE: Public comment allowed on each action item and regulation workshop items and at the end of the meeting.

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

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

Commissioner Kerstan Hubbs not present on March 15, 2019.

Secretary Tony Wasley
Senior Deputy Attorney General Bryan Stockton

Nevada Department of Wildlife personnel in attendance for the two-day meeting:

Deputy Director Liz O'Brien	Executive Assistant Brandy Arroyo
Deputy Director Jack Robb	Management Analyst III Kailey Taylor
Game Division Administrator Brian Wakeling	Administrative Assistant III Megan Manfredi
Fisheries Division Administrator Jon Sjöberg	Chief Game Warden Tyler Turnipseed
Wildlife Diversity Division Administrator Jen Newmark	Habitat Division Administrator Alan Jenne
Data and Technology Services Administrator Chet Van Dellen	
Conservation Education Division Administrator Chris Vasey	

Administrative Assistant IV Kathie Teligades

Wildlife Staff Specialist Pat Jackson

Public in Attendance in Las Vegas for the two-day meeting:

Joseph Terry, self	Walt Gardner, self
Henry Krenka, Nevada Outfitters & Guides Association	Jana Wright, self
Sonja AlMBERG, self	E. Cargill, Nevada Ranchers/Geysers
Stephanie Myers, self	Rosemary Flores, self
Miriam Gibson, Village Voices 88.1 FM	Mitch McVicars, White Pine CABMW
John Hiatt, Carson CABMW	Chad Foster, Douglas CABMW
Tom Cassinelli, Humboldt CABMW	Billie Williams, Mineral CABMW
Dave Talaga, Clark CABMW	Kobbe Shaw, Tortoise Group

Public in Attendance in Reno for the two-day meeting:

Gerald Lent, Nevada Hunter's Association	Daryl Capurro, self
Gene Green, Carson CABMW	Mel Belding, self
Steve Robinson, Washoe CABMW	Linda Linton, self
Rex Flowers, self	Larry Johnson, Coalition for Nevada's Wildlife
Walt Mandeville, Lyon CABMW	Joel Blakeslee, Nevada Trappers Association
Jim Puryear, Nevada Outfitters and Guides Association	Doug Martin, Carson CABMW and self
Karen Boeger, Nevada Backcountry Hunters and Anglers	

Friday, March 15, 2019 – 11:00 a.m.

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

Chairman Johnston called the meeting to order at 11:00 a.m. Roll call was conducted, and the Commissioners present were: Chairman Johnston, Vice Chairman Valentine, Commissioners AlMBERG, Barnes, Caviglia, East, Kiel, and McNinch. Commissioner Hubbs was not present.

Roll call was conducted of CABMW members present: Mitch McVicars, White Pine; John Hiatt, Carson; Chad Foster, Douglas; Tom Cassinelli, Humboldt; Billie Williams, Mineral; Dave Talaga, Clark; Gene Green, Carson; Steve Robinson, Washoe.

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.

Chairman Johnston announced that the Clark County Board of County Commissioners will need the meeting room at 12:45 p.m. today. We will take a break at or before 12:45 p.m. depending on where we are on our Agenda and we will resume at 2:15 or 2:30 p.m., depending on when they are done.

Deputy Director Robb stated that there is a chance that they may not be done at 2:30 p.m. so we need to be quiet and respectful of their meeting when returning.

No public comment in Reno.

No public comment in Las Vegas.

COMMISSIONER MCNINCH MOVED TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER BARNES SECONDED THE MOTION. THE MOTION CARRIED 8-0. COMMISSIONER HUBBS WAS ABSENT.

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 indicated that he received correspondence regarding the duck season but will wait until tomorrow for that. He further indicated that he has also received an email regarding cartridge length, a regulation that was previously adopted. He stated that he is not sure if the Department received that; but if not, he will forward it to Secretary Wasley. The gentlemen who sent the email indicated that he was going to make his cartridge length 2.9995 inches to comply.

Secretary Wasley stated that he and the entire Commission received an email from Doug Martin this morning with a request to move the waterfowl season setting meeting to northern Nevada. He has also received a number of emails from an individual who is seeking opportunities to explore specialty tags for disabled hunters. He stated that he offered to engage with this individual to make sure they are aware of the process, both at the Commission level as well as at the legislature, and what would be required. Secretary Wasley stated that he received a letter from Gene Green of the Carson City County Advisory Board to Manage Wildlife (CABMW) complimenting Wildlife Staff Specialist Russell Woolstenhulme for his engagement and availability to the Carson CABMW on the waterfowl season setting effort.

Secretary Wasley stated that he received a press release from the U.S. Forest Service who announced they would not be leasing any lands for oil exploration or drilling in the Ruby Mountains. A second press release was received from the U.S. Fish and Wildlife Service that they were proposing a rule to delist wolves throughout the range in the west which would affect Nevada and would turn the management authority for wolves over to the state at some future point. Also, the nominated Secretary of Interior announced last week that Secretarial Order 3362 on big game corridors, which was originally specific to pronghorn antelope, elk and mule deer, would also be adding bighorn sheep and moose.

Secretary Wasley stated that he received correspondence from Shikar-Safari Club International which is relative to a donation that they had provided to the Department in the amount of \$25,000, specific to purchasing a truck. The Department had not moved forward to spend any of the money, and the Shikar-Safari Club International has requested that those funds be returned in the amount of \$25,000. The Department will comply and return the funds.

Secretary Wasley stated that he received by certified mail, a request from Gerald Lent to attend the big game draw. A response will be provided to Gerald Lent that is consistent with the response that was sent to him last year.

Secretary Wasley received significant input from Norman Saake, which is relative to waterfowl season dates which will be addressed when we go to that agenda item.

Lastly, Secretary Wasley stated that he received correspondence from the Nevada Outfitters and Guides Association (NOGA) expressing their frustration that the Department had unprofessionally and incompetently failed to meet a deadline. Secretary Wasley stated that he has shared the

Department's response with the Chairman and Vice Chairman. He further stated that NOGA was provided the information they were promised; however, the information was delivered about 12-14 hours after the promised deadline.

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.

No CABMW comment in Reno.

CABMW comment in Las Vegas:

Chad Foster, Douglas CABMW, stated that a member of their CABMW pointed out there was not any youth specific fishing licenses available and saw on the Department's website that a combo fishing/hunting license could be purchased. The question arose of whether a youth needed to have hunter's education to purchase a license; and, if so, that is a hardship just to take your child fishing. He asked if the Department could explore offering a specific fishing license to make it easier to take kids fishing.

John Hiatt, Carson CABMW, stated the Supreme Court recently ruled that most civil forfeitures are unconstitutional. He asked, that since this Department has used civil forfeitures as part of enforcement for poaching in the past, what impact will that have on the Department's law enforcement capability.

Secretary Wasley clarified that it is not a requirement that a youth must first attend and pass hunter education to be eligible to purchase a combination license. The hunting license would allow them to go in the field before the age of 12 to pursue upland birds and other things. Those eligibilities would not be active until the certification was obtained.

Senior Deputy Attorney General Bryan Stockton stated that he has read the United States Supreme Court case on the forfeiture issue and it did not outlaw forfeitures; what it stated was, the maximum fine in that particular case was \$4,000, and they forfeited the Land Rover which was worth \$49,000. The court said that was clearly excessive.

- 5.* Approval of Minutes – Chairman Johnston – For Possible Action
Commission minutes may be approved from the January 25 and 26, 2019, meeting.

Commissioner McNinch asked to make some clarifications on page 3 during his Western Association of Fish and Wildlife Agencies (WAFWA) update. He stated that in the middle of the paragraph, he provided that "Utah will consider taxing these types of weapons". He stated that his comment was intended to indicate that Utah was not going to allow those types of weapons, the air guns and air bows, to be used until they were being taxed. They were part of the Pittman-Robertson excise tax.

Commissioner McNinch further stated that a few lines down he made a statement that, "Nevada is changing their opinion on wildlife to be more in line with California's," and that his intent was to indicate that Nevada's attitudes towards Wildlife are very similar to those in California; that we are moving that way and that we are not doing it intentionally.

Commissioner McNinch continued to page 4, first paragraph, third line, and requested to correct the spelling of Pittman-Robertson.

Commissioner McNinch corrected Gerald Lent's represented organization on page 15.

Chairman Johnston referenced page 21 and stated that midway through the page it should state: "does not have the authority to overturn a conviction of the justice court." The next should read: "proven beyond a reasonable doubt."

Chairman Johnston made changes on page 22 to clarify statements.

Chairman Johnston corrected a typographical error in the motion on page 23.

Chairman Johnston stated that the motion states: "was entered advising Mr. Hetzer of this 10-day time-period to appeal", and that the following is to be inserted: "to the District Court." He provided that the motion further states, "the Commission does not have the authority to remove or reduce," and that should read: "the Commission does not have the authority to reverse or over turn the misdemeanor conviction nor had the authority to reduce the points given that were set forth in the Nevada Administrative Code (N.A.C.)."

Public comment in Reno:

Gerald Lent, representing Nevada Hunter's Association, indicated that the January 25 and 26, 2019 meeting minutes reflected that he signed in as representing Nevada Bow Hunters which is not correct. Mr. Lent also indicated that his public testimony was not captured in the minutes nor were his exhibit that had been given to the Recording Secretary. He requested that this be accomplished according to the Open Meeting Law.

Secretary Wasley stated that the requirements under Open Meeting Law, as far as minute preparation and availability, do not require that the minutes be approved today, but to be made available for review. Secretary Wasley offered that the Department would review the minutes to ensure that the provided testimony is included; and, we will bring the minutes back to the Commission at the next Commission meeting for approval.

Senior DAG Bryan Stockton stated that Secretary Wasley was correct, and that it would be better to approve the minutes at the next meeting, than to approve minutes that are incorrect, which is allowed under the Open Meeting Law.

Gerald Lent, representing Nevada Hunter's Association, referred to page 81 of the Open Meeting Law which says: "The minutes must include:" and under letter D, it states "The substance of remarks made by any member of the general public who addresses the body if he/she requests that the minutes reflect his or her remarks, or if he/she has prepared written remarks, a copy of his/her written remarks if he/she submits a copy for inclusion". Mr. Lent further iterated that his testimony must be included and therefore the minutes should not be approved until it is included.

Chairman Johnston stated that based on the comments he made to the minutes, as well as the comments made by Commissioner McNinch and the recollection that Mr. Lent referred to written testimony, he suggested that we not take action on the minutes. At a future meeting, we will review the revised minutes from the January 25 and 26, 2019 meeting and will take action to approve or have further comment at that time.

No Public Comment in Las Vegas.

Chairman Johnston confirmed with Senior DAG Stockton that we do not need to take formal action today regarding the minutes.

6. Committee Reports

A.* Legislative Committee Report – Commissioner and Committee Chairman East – For Possible Action

A report will be presented on the committee's recent meetings. The Commission may review bills of interest, consider legislative committee recommendations and may take official positions on any bills/BDRs. The Commission may also choose to develop platforms on bills/BDRs by supporting or opposing general concepts contained within bills/BDRs or discuss specific language as well as anything else regarding the current Legislative Session. (Support material is as of the Legislative Committee meeting held on January 25, 2019 and Feb. 20, 2019. Bill and BDR language may be viewed online at: <https://www.leg.state.nv.us/App/NELIS/REL/80th2019>)

Commissioner East gave a brief update on the platforms discussed at their Legislative Committee meeting and thanked the Committee, Chairman Johnston, Vice Chairman Valentine and Greg Smith. She stated that they took platforms on Assembly Joint Resolution (A.J.R.) 2 and Senate Joint Resolution (S.J.R.) 2 which are in opposition to the Desert National Wildlife Refuge and they added the naval expansion in Fallon so that their platform would include opposition to the naval expansion. She stated that they are opposing two water bills, Assembly Bill (A.B.) 30 and A.B. 51, until the bills include strong or mandated consideration of wildlife and wildlife habitat when managing. She stated that they voted to oppose Senate Bill (S.B.) 275, which is a bill to establish a board for the guides and outfitters; specifically taking some of the authority away from the Commission and funding it through licensing. She stated that they voted to support in concept Bill Draft Request (B.D.R.) 902 which addresses the Wildlife Heritage Account; and that there are two components to B.D.R. 902, so they hope to see that as a bill soon. One component is the transfer and use of permits and tags to a person with life threatening medical conditions or disabilities or youth under the age of 16, and the second component is the use of the Wildlife Heritage Account. She further stated that it amends Nevada Revised Statute (N.R.S.) 502.250 to add language that expends any amount in the account that exceeds \$5 million.

Chairman Johnston clarified that the Committee's position on the expenditure of Wildlife Heritage Account was that the bill would not change the purposes for which the money could be used, but instead it would allow for the expenditure of the principal down to a certain amount, and that it would still go through the same process for the same purposes outlined in the statute.

Commissioner East stated that they supported the bill in concept and when it comes back, they will take a further look at it to make sure it addresses their concerns.

Public comment in Reno:

Daryl Capurro, private citizen, stated that he has some concerns about the language in A.B. 83. He understands it to say that we will be able to defend ourselves if our life and limb is threatened by a predator; and that the word "property" was taken out. He stated that he read that to mean

that he would have to stand by and watch a mountain lion kill his animal or any other property that is threatened. He suggested that the word “property” should be returned to the language.

No public comment in Las Vegas.

Commissioner East asked that Management Analyst Kailey Taylor to clarify the amendment.

Management Analyst Kailey Taylor stated that the Department submitted an amendment to the bill which addresses light as a means for harassment. As far as the most recent public comment, a protection for livestock and pets has been added. She further stated that the word “property” was taken out, but the public will still be able protect themselves, pets and livestock.

Chairman Johnston clarified for the record that the previous comments were in connection with A.B. 83.

Commissioner AlMBERG asked another question regarding A.B. 83, and whether the use of horses could be misrepresented. He stated that we drive and push animals around with horses, and it concerned him to have the word “horse” in the language. He further stated that he understood that the definition of harass is “drive” and that is what concerned him.

Management Analyst Kailey Taylor stated that the provision is mostly discussing harassment; if you are hunting with your horse it has a different intent because you have an intent to take. She further stated that she will make a note of this to be addressed before this is up for a work session.

Chairman Johnston stated that he was more struck by the inclusion of the term “sailboat” in that statute. He asked if someone would like to entertain a motion now that positions have been taken on the bills.

Commissioner East indicated that there are two more Legislative Committee meetings scheduled for March 26, 2019, and April 15, 2019, so that they may stay abreast of everything that is coming from the legislature.

Vice Chairman Valentine stated that he is curious if the Commission members have had an opportunity to look at the recommendations from the Committee regarding the senate bills and assembly bills; and if they have any comments regarding their current positions.

Commissioner McNinch asked that the Committee track S.B. 96 to see if an opportunity for discussion arises.

Commissioner East stated that S.B. 96 is currently on the Department’s tracking list.

Public comment in Las Vegas:

Henry Krenka, representing Nevada Outfitters & Guides Association, asked if the Commission was opposed to S.B. 275.

Chairman Johnston indicated that the Legislative Committee has addressed that bill and is in opposition to it, so the Commission is not currently taking a stance on it.

Dave Talaga, Clark CABMW, stated that he has comments on A.B. 74, S.B. 85 and S.B. 120. With regards to A.B. 74, the Clark CABMW felt there were two major issues as written. First, the

current language of the bill is very confusing and the Department employee who was present at our meeting was unsure exactly how to enforce the language as written. He further stated that there appears to be no benefit to wildlife, the public or the hunter. He asked what the purpose of the bill was, and what they hope to accomplish with it.

Mr. Talaga further stated that they applaud the proposed legislation in S.B. 85 with regard to the spread of chronic wasting disease (CWD). He stated that the game warden that was present at their meeting, could not offer a clear understanding of how this would be enforced or interpreted. He stated that they understand the importance of the bill, but the wording needs to be addressed so that the hunter and law enforcement understand how to abide by it.

Lastly, Mr. Talaga addressed S.B. 120. He stated that this is a well-intended bill to increase public safety; however, he believes that the intent of this bill is to single out citizens who possess or own firearms. He suggested that the wording of this bill needs to be tightened up to deal with the real problem, which is stopping people with mental illness or criminal backgrounds from owning or purchasing a firearm without penalizing law-abiding citizens.

No public comment in Reno.

Chairman Johnston stated that S.B. 120 is a well-intentioned bill, but that the Committee found the language confusing; and that there was further confusion regarding the acquisition of a firearm in the preceding six months.

Commissioner East stated that the Committee determined that they would track this bill if Section 10 goes away as it is confusing.

Commissioner East stated that there are concerns with S.B. 85 and they are tracking it. She stated that it is a well-intentioned bill to hopefully prevent the spread of CWD. She stated that the Committee is supporting it in concept, but that once there are amendments, they will revisit it.

Commissioner Almberg asked if they could go through the legislative tracking list (Exhibit File) page by page so that he is clear on the bills and what the Committee's actual position is so that he can track it.

Commissioner East provided the following updates:

A.B. 74: she stated this is the antler bill and the Committee voted to support it in concept and they anticipate amendments.

S.B. 85: she stated that this is the provision relating to carrying a loaded rifle or shotgun and that it clarifies muzzleloader. The Committee voted to support it.

A.B. 83: she stated that this is a long-considered clean-up bill for the Department. There were a lot of provisions which were discussed; and the Committee voted to support.

S.B. 85: she stated that this is the CWD bill. The Committee voted to support it and they anticipate amendments.

S.B. 17: she stated that this is the bill that makes changes relating to the enforcement of child support obligations. The Committee voted to support it.

A.B. 30 and A.B. 51: she stated that these are the water bills. The Committee will not support these bills unless they include mandated wildlife and wildlife habitat language.

A.B. 70: she stated that this is regarding the Open Meeting Law. The Committee has remained neutral because the Commission already complies with the language proposed.

A.B. 84: she stated that this is regarding the issuance of state general obligation bonds to protect, preserve and obtain the benefits, property and natural and cultural resources of the state of Nevada. The Committee voted to support it.

S.B. 120: she stated that the Committee voted to support it.

A.J.R. 2 and S.J.R. 3: she stated these resolutions are in opposition to the expansion of the United States Air Force. The Committee talked about a platform to include the Fallon Naval Air Station. She stated that these resolutions will go to a work session on Monday, March 18, 2019.

B.D.R. 902: she stated that the Committee voted to support this, and that they brought the platform to the Commission.

Chairman Johnston stated that S.B.275, a bill that was introduced to create a separate board for master guide and subguide licensing, has been added to the tracking list, and the Committee took the position to oppose it. He stated that it is unclear on the purpose of the bill and that there is concern about language that has been struck in the bill regarding revocation of guide licenses. The Committee's view is that a separate board it is not necessary and that it needs more clarification.

Commissioner McNinch asked, when a motion is made, is it important to specify each bill.

Senior DAG Bryan Stockton stated that, if what you are doing is clear on the record, such as adopting the Committee's tracking list or adopting the actions of the Committee, then that is clear enough. He stated that if you are going to make any changes, then you would need to be specific because the list is included in the legislative tracking list (Exhibit File).

COMMISSIONER MCNINCH MOVED TO ADOPT THE RECOMMENDATIONS OF THE LEGISLATIVE COMMITTEE AS PRESENTED, INCLUDING THE ACTIONS TAKEN THIS MORNING. COMMISSIONER ALMBERG SECONDED THE MOTION. THE MOTION CARRIED 8-0. COMMISSIONER HUBBS WAS ABSENT.

- B.* Wildlife Damage Management Committee Report and Fiscal Year 2019 Draft Predation Management Plan – Commission Chairman and Committee Chairman AlMBERG and Wildlife Staff Biologist Pat Jackson – For Possible Action
The Commission will hear a report from the Wildlife Damage Management Committee chairman regarding the proposed Fiscal Year 2019 Predator Management Plan, and the Commission may take action to provide recommendations for modification of the draft for the May Commission meeting.

Commissioner AlMBERG reported that he has met with Staff Specialist Pat Jackson to review his presentation, and that Mr. Jackson added more support material regarding the literature cited. He reported that the Committee looked at the Predatory Animal and Rodent Committee's (PARC) recommendation where they wanted to drop Project 74, which is the monitoring of the California bighorn sheep, and to move those funds to the general Mountain Lion Project 37. He further reported that Mr. Jackson was able to show that the funds were moved after March 1 but that the project was not dropped. He reported that the project was started in 2015; that it has been successful; that some mountain lions have been removed; and there has been no further depredation of the sheep. He further reported that the sheep are not growing fast, but that they have been successful, and it is very important that they follow through on the project. He reported that the Committee supported to keep the project, the plan and the modifications that were provided by Mr. Jackson.

Wildlife Staff Specialist Pat Jackson stated that he has nothing further to report, and he is here to answer questions.

Commissioner East stated that she did not see the revised presentation in her support material and asked if it was going to be provided.

Wildlife Staff Specialist Pat Jackson stated that the revised presentation was provided the night before at the Committee meeting.

Commissioner Alberg stated that the revised presentation was available online under the Committee's page.

Chairman Johnston inquired whether the Commission approves the final predation plan in May; and commented that any changes from the January and March meetings are incorporated in the final plan.

Wildlife Staff Specialist Pat Jackson indicated, that yes, the predation plan and any changes will be approved at the May meeting.

No public comment in Reno.

Public comment in Las Vegas:

Jana Wright, public citizen, stated that she wanted to make a point that the agenda item references the 2019 Draft Predation Management Plan, and asked if they discussed this during the approval of the Agenda for it to state 2020 instead. Secondly, she asked if there were changes made to the draft last night.

Commissioner Alberg stated that they did not make any changes to the draft.

7. Reports – Informational

- A. Department Activity Report – Secretary Wasley - Informational
A report will be provided on Nevada Department of Wildlife activities.

Secretary Wasley read from the Department Activity Report:

The Legislative Session started on February 4, 2019. The Director's Office has been quite busy attending bill hearings and working with Legislators as well as working with other conservation organizations.

The Department is scheduled to attend the Joint Assembly Ways and Means and Senate Committee on Finance Subcommittee Meeting on Public Safety, Natural Resources, and Transportation for our departments budget hearing, it was postponed to March 22, 2019.

The Friends of Nevada Wildlife Legislative Luncheon is scheduled for March 19, 2019. The theme for that is Taste of NV and there will be some wild harvested game meats and a vegetarian option with Nevada grown produce and even a vegan option with Nevada grown mountain mahogany smoked tofu wings. We will have a deer and elk taco bar with some pronghorn, deer and elk summer sausage. We have been working with some of our wildlife groups. Gil Yanuck has provided some key support in that effort.

The Department is working aggressively with Kalkomey Enterprises again for the upcoming application period which is set to begin on March 18 and end on April 29, 2019.

LAW ENFORCEMENT DIVISION

For game wardens around the state, big game and trapping seasons have closed and summer fishing and boating has not wound up yet. The Law Enforcement Division is taking advantage of this time to complete mandatory annual training and some specialized training out of state.

Two of the three suspects in a Lincoln County antelope poaching case have reached plea agreements for their involvement, in which they received a gross misdemeanor for unlawful possession of big game. They each received a one-year suspended sentence with eighteen months of probation to include a search clause along with no alcohol or drug use for the extent of the probation. They also received a \$1,000 civil fine for Operation Game Thief along with \$650 in fines for the court and the loss of hunting and fishing privileges for the extent of their probation. The primary suspect will be sentenced later this month.

Game wardens inspected the two wildlife rehab facilities in Las Vegas for compliance with their permit. No problems were found. This was after Clark County Animal Control was informed of possible violations in the rehab community. Other non-permitted entities are being evaluated by Clark County and they will be investigated if the need arises.

Game wardens in Lincoln county issued a citation to a Utah man the weekend of March 9th for collecting shed antlers during the closed season. Approximately twenty pounds of antlers were seized. Antler season patrols are planned and underway in several parts of Eastern Nevada. As of an hour ago, the Department's Facebook page had nearly 1,000 comments on a post that the Department up relating to this citation.

DATA AND TECHNOLOGY SERVICES DIVISION

The Department conducted a successful Spring Turkey application period and draw, awarding 135 tags. With only two emails to potential turkey hunters, the Department realized over 74 percent growth in spring turkey applications.

The Department also closed a successful Non-Resident Restricted Mule Deer guided hunt application period, which realized over 16 percent growth in applications, not counting the Bonus Point Only application period. The Guided Mule Deer Draw is scheduled to take place Wednesday, March 27th with results posted by Friday, March 29, 2019.

The Department has prepared for the 2019 Big Game Draw application period, which opens this Monday and continues through the 29th. Preparations include scheduling NDOW staff coverage for our customer support center, finalizing and testing hunt seasons and choices, clarifying customer opt-out questions for making personal information or draw results private, and system load testing (which successfully handled 12,000 concurrent users with minimal loss of speed or service).

The Geographic Information System (GIS) program continues to improve our data management standards and practices by developing updated versions of the Winter Raptor and Sage-Grouse Lek survey data collection apps for use by field biologists. GIS program staff have also developed a beta version of a bat data collection app for testing this year and have participated in west-wide Crucial Habitat Assessment Tool coordination and Nevada spring snail conservation efforts with state and federal partners.

Finally, from DATS, the Department is pleased to welcome Eric Dugger as our new Information Technology Professional IV who will oversee the Department's Information Technology (IT) program. Eric has over eighteen years' experience managing state IT systems and is excited to apply his skills and expertise to improving the Department's IT capacity.

WILDLIFE DIVERSITY DIVISION

Bi-monthly tracking of thirteen desert tortoises is being conducted in Red Rock National Conservation Area. This is a collaborative effort with the Bureau of Land Management (BLM) looking at tortoise home range sizes and assessing population connectivity adjacent to urban development. The Tortoise Group has been instrumental in helping to track and train volunteers for our tortoise study over the winter. Incidentally, we observed one of our tortoises under about 6 inches of snow during the last snow storm in Vegas on February 21st. When touched the tortoise responded by retracting its legs and breathing audibly. This is one of the few observations of a tortoise overwintering with exposure to this amount of snow.

Bi-monthly radio tracking of nine Gila monsters are being conducted at Red Rock Canyon National Conservation Area with volunteer assistance. On March 1st we observed two Gila monsters basking on the apron of their dens, the first of the season. This is an on-going, long-term project in partnership with Clark County, United States Fish and Wildlife Service (USFWS), and United States Geological Survey (USGS).

Golden Eagle work has begun for the season. Diversity biologists have assessed territory occupancy for the 2019 breeding season, twelve of fourteen territories are currently occupied. A total of seven eagles are being tracked with satellite transmitters; three territory-holding adults and four non-territorial individuals of various ages.

Wildlife Diversity biologists are continuing to track two northern goshawks outfitted with satellite transmitters on their wintering habitat. To date, six satellite transmitters were deployed in summer of 2017 and 2018, of which one bird died due to undetermined causes, two transmitters are down but have not yet been retrieved due to access and snow load issues, and one transmitter has stopped transmitting for unknown reasons. So far, all individuals have stayed in northeastern Nevada for the winter with local movements between pinyon-juniper woodlands, mountain brush communities and riparian areas.

Winter Raptor surveys have been completed as of January 31, 2019. February is dedicated to entering all the data for the 58 routes that were covered. Even with the federal shutdown, our federal partners still took it upon themselves to get in the field and complete their routes on their own time. We are grateful for their commitment to Nevada's natural resources and because of this, we were able to get most routes covered.

Camera surveys for marten and snowshoe hare continued at Lake Tahoe despite record snowfall in February. Four cameras were deployed at Tahoe Meadows as part of a re-survey effort of historical marten locations, and three of those cameras captured photographs of marten, including the first photo of two martens together that has been captured in seventeen years of Department surveys at Lake Tahoe. An additional camera was placed on a suspected marten den at Tahoe Meadows, and video was captured of a single marten using and maintaining that den site through several major winter storms. Also, in the Tahoe area, three cameras were deployed to capture images of snowshoe hares after tracks were found in several locations at Tahoe Meadows. One of those cameras was placed on a suspected den, and that camera successfully captured photos

of a snowshoe hare. However, the den became completely covered by snow by the end of February and was no longer in use.

FISHERIES DIVISION

In 2018, the Department's Aquatic Invasive Species (AIS) program statewide conducted over 34,000 watercraft inspections and nearly 1,000 full vessel decontaminations. About 55 percent of the inspections and most of the decontaminations were conducted at Lakes Mead and Mohave. Northern Nevada seasonal AIS stations will begin operations in May.

The AIS inspection station at Alamo on US 93 is a critical facility to protect eastern Nevada waters and the Pacific Northwest because it provides the ability to inspect potentially infested watercraft from the lower Colorado River, Lake Powell and other waters where we don't have inspection ability. We're working with the Nevada Department of Transportation (NDOT) to implement facility upgrades and improve signage. That station conducted almost 900 inspections and 60 decontaminations in 2018.

Much of Western and Northern Nevada above or well above average snowpack levels. We anticipate a better than average ability to maintain fisheries this year, but high spring runoff may delay trout stocking for some waters including the Truckee, Carson and Walker rivers.

The upper Colorado River Basin is also above average in snowpack, currently at around 130 percent. This won't be enough to significantly improve storage in Lake Mead but might provide some stability to declining lake levels.

Improvements and dredging of the Collection Ditch at Ruby Lake National Wildlife Refuge (NWR) to improve water flow and enhance fisheries on the Refuge are ongoing and results have been very good so far. This project has been planned for several years and was partially funded through the Department's Habitat Conservation Fee program.

The state record for yellow perch was tied on February 16, 2019, with an angler catching a 1 lb. 8 oz., 13.5-inch perch from Wildhorse Reservoir. The other state record yellow perch was caught at Dufurrena Ponds on the Sheldon National Wildlife Refuge in 1987.

A media trout stocking event is scheduled for March 22, 2019 at Sparks Marina and Paradise Ponds in the Reno area. This will kick off the spring stocking season for northern Nevada and encourage our customers to purchase fishing licenses for this year.

Fisheries biologists in the Southern Region will be conducting the annual "razorback roundups" on Lake Mead and Lake Mohave in March. These annual surveys assess the status of populations of the endangered razorback sucker in the Colorado River reservoirs. Lake Mead contains the largest persistent and recruiting population of razorback remaining in the Colorado River system and is critical to species recovery.

HABITAT DIVISION

To date, the Department and fifteen other conservation partners have pooled and spent approximately \$3,200,000 across approximately 113,000 acres of wildfire rehabilitation. The funds have been allocated for a combination of seeds, seed application, herbicides and herbicide application across wildfire impacted lands. Fires where the Department is actively working include the Martin Fire, Goshute Cave Fire, Goose Creek, Sheep Creek, Strawberry, Paine, Cress Springs, Echo, West Duck and Sugarloaf Fires.

Snowpack conditions are above average across the state, with some basins being well above average. As of March 11, 2019, the at Truckee River system is at 170 percent of normal; the Carson River at 179 percent; the Walker River at 169 percent; the Upper Humboldt at 136 percent; and Eastern Nevada at 142 percent. These above average snow packs should greatly enhance our wildfire rehabilitation efforts but, our wildlife management areas will be preparing for possible flood events.

Water development crews are in the midst of the annual volunteer build season. The southern crew has already rebuilt the 5-Ram unit and the next project will be the Woody Guzzler rebuild in the Sheep Range.

Bureau of Land Management is currently working on the Silver State Trail Environmental Assessment (EA) public draft, which should be available for review late March to early April 2019. Included in this draft will be a more "wildlife friendly" alternative developed in coordination with our NDOW biologists. This alternative was specifically requested by the Bureau of Land Management. The Department has been working and providing this alternative route primarily to incorporate the most recent data to address wildlife concerns and impacts to greater sage grouse, mule deer, and elk along the Silver State Trail. Further, we are working to ensure greater sage grouse seasonal timing restrictions, as well as, ensuring that monitoring and mitigation are incorporated into the most recent Environmental Assessment.

The northern Nevada guzzler crew is back to full staff with the hiring of Colton Brunson as the new Water Development Biologist in Winnemucca. Colton was a seasonal employee with the Department for several years and most recently worked as a Wildlife Area Technician at the Steptoe Wildlife Management Area (WMA). He has experience with construction and holds Ecology and Fish and Wildlife Management degrees from University of Montana Western. The northern crew's first build will take place this weekend with the Crown Peak guzzler outside of Fallon.

The Department provided extensive comments to the Fallon Naval Air Station, who released the Draft Legislative Environmental Impact Statement (DLEIS) for the proposed Fallon Range and Training Center (FRTC) expansion. Many of our previously submitted comments to the Administrative Draft EIS were not resolved in the public version of the Draft EIS. The Department continues to meet with the Navy to develop an agreed-upon plan for managed access on the expanded withdrawal; however, progress to date has been very limited.

The Sagebrush Ecosystem Technical Team is currently drafting the Temporary Regulation language to formalize former Governor Sandoval's Executive Order (2018-32) requiring compensatory mitigation for new and expanding anthropogenic disturbances on State and Federal lands in Nevada. The regulation hearing, approval by the Sagebrush Ecosystem Council, and final adoption is expected to occur at the next Council Meeting which is on March 19, 2019.

Brady Whipple has been selected to fill the Wildlife Area Supervisor position at the Kirch WMA. He started with the agency as a seasonal at the Key Pittman WMA and has been a Wildlife Area Technician at the Overton WMA for the last two years.

The Wildlife Heritage program has a record amount of funds available for new projects in the upcoming fiscal year (FY 2020): \$979,702.65. The Department staff received and are reviewing nineteen proposals for FY 2020 that are seeking a total of around \$1.2 million. These proposals will be sent to the Wildlife Heritage Committee and the Board of Wildlife Commissioners in mid-April and in time for the Committee members to review them before the May Committee meeting.

CONSERVATION EDUCATION DIVISION

Public Information officers conducted interviews with Channel 4 in Reno, KKOH radio, Carson Now and the Nevada Appeal about bobcat sightings in neighborhoods. Conservation Education (Con Ed) staff planned a campaign to promote the Big Game Application Period. So far, five emails have gone out to hunters, encouraging them to renew their hunting licenses and start getting ready for the application period. The staff produced and printed the 2019 Big Game Seasons and Regulations book for the Department and also posted numerous social media posts, recorded a podcast, and has planned to send out two press releases to the media for the campaign.

The Department and the Ruby Mountain Rios of National Wild Turkey Federation teamed up to host the 4th Annual Elko Sportsman's Expo the first weekend in March. Between 5,000 and 6,000 attendees visited a record number of 48 booths including 22 non-profit, NGOs and Agency booths. Approximately 500 kids visited the Department Kid's Activity Room tying flies, shooting archery, decorating wildlife t-shirts, playing LaserShot and learning about wildlife.

The Con Ed staff partnered with the Wild Sheep Foundation for the 2019 Reno Sheep Show February 7-9, 2019 at the Reno Convention Center. There were nearly 1,250 kids registered for the event, and close to 4,000 attending the Youth Wildlife Exhibit section of the event. Department staff and volunteers worked a variety of educational stations including, fly tying, archery, casting and wildlife education stations. There were 32 Department volunteer instructors that assisted with the show, plus set-up and break down of the event.

The Con Ed Trout in the Classroom program has been a great success so far this year. Angler Education staff supplied over 50 classrooms with fish tanks and thousands of trout eggs. Currently 70 classrooms are utilizing the trout in the classroom fish tanks. Once the trout grow large enough to be released, staff schedules trout release field trips at local waterways throughout the western region. There have already been over 1600 students that have participated in the releases, and the program is only half way finished. Hunter Education staff and volunteer instructors have completed sixteen hunter education certification classes during the past month. Con Ed staff also successfully taught two wild game cooking classes with a total of 75 participants. Hunter Education Instructors have classes set almost every weekend until the application deadline with many weekends having multiple classes.

Friday, March 8, 2019 was Ivy Santee's official last day with the Department. After nearly 25 years of service to the people of Nevada, she has now retired to New Mexico and her home on the San Juan River.

GAME DIVISION

The Department staff attended the Association of Fish and Wildlife Agencies meeting at the North American Wildlife Management Conference held during March 4–8, 2019 in Denver, Colorado. While at the conference, Game staff attended and participated in multiple meetings and presentations. Division Administrator Wakeling chaired the Human Wildlife Conflict Working Group, which has completed a best management practices document entitled "Methods for Managing Deer in Populated Areas." This paper was approved by the Wildlife Resources Policy Committee and will be submitted for publication through the Human Wildlife Interactions Monographs series.

Game Division staff and several biologists from various Regions participated in the 2019 pronghorn translocation to the Yakama tribe in Washington State. Overall, the capture was a

success. We captured 54 animals from Management Area 6 near the town of Carlin north of I-80 for the translocation and at least eleven have died during the process or immediately upon release. Game Division staff is working with biologists from the Yakama tribe to identify potential causes for the mortalities that resulted from capture.

A mountain lion that was radiomarked following release from a foothold trap, has moved from the Pyramid Lake vicinity to south of Portland Oregon. This is an unusually large movement for a female mountain lion. In addition, of the eight satellite radio collars currently deployed in the Delamar mountain range on mountain lions, one of these female mountain lions have dispersed to Utah. This is two relatively long-range movements by female mountain lions in separate investigations that we have documented this fiscal year.

Snowcock Hunter Survey information has been tabulated. Sixty-four hunters reported that they hunted 177 days and harvested thirteen snowcock and observed 441 birds. No birds were reported being harvested in Hunt Unit 101.

- B.* Litigation Report – Senior Deputy Attorney General Bryan Stockton - Informational
Discussion and consideration of possible settlement in Smith v. Board of Wildlife Commissioners.

Senior DAG Bryan Stockton reported that the settlement conference did not happen; and that the supreme court settlement judge determined that it was not appropriate for mediation and issued the findings. He stated that the briefing schedule has been reinstated and that the plaintiffs have 90 days to file their opening brief; and then we will file our response. He further reported that, as far as updates on the materials, the first is the Truckee Carson Irrigation District (TCID) case which is the recoupment case. He stated that the Department has participated in this case to make sure that there is no attempt to use the Department's water rights to satisfy the recoupment on behalf of TCID. He further stated that the courts have been consistent at holding that our water ca not be used to satisfy these claims. He stated that recently, the Fallon Paiute Shoshone tribe filed a motion to participate in the proceedings and that he will monitor that and see if we need to get involved to make sure we protect the Departments water rights, which primarily are for the Carson Lake and pasture area. He reported that the other update is on the Walker River. He has received a scheduling order for discovery and that on May 1, the United States and the tribe are going to file a more definite statement of their claims. About mid-summer, the Department will file an answer to the complaint which was originally filed in 1992.

- C.* Possible Language and Department Procedure Regarding Confidentiality of Personal Information and Big Game Draw Results – Data and Technology Services Division Administrator Chet Van Dellen – Informational
The Commission will be provided a demonstration of a possible Department procedure regarding how customers may request to make their personal information confidential and how the Department may proceed with the public posting of draw results.

Data and Technology Services Division Administrator Chet Van Dellen presented a PowerPoint regarding the handling of private personal data of the Department's customers. Administrator Van Dellen also gave a live action demonstration through the test environment on what the two proposed questions would look like as a customer logs into their licensing account to apply for the tag draw.

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Chairman Johnston asked if there could be an explanation added to the first question box of how the customer can change their preferences.

Administrator Van Dellen answered that the language can be changed but the functionality of the program would be hard to change by the live date on Monday; changes would need to be made quickly. He also said that he would not want to see the question be too long.

Secretary Wasley stated that adding the explanation to the prompt box should not be a problem.

Deputy Director Robb clarified that the option could be changed at any time but once results are posted to the public, the Department cannot pull back the customer's information.

Chairman Johnston said he understood but thought that the explanation of how to change your preferences and settings would be helpful. He also stated that the public should be informed that the option for the draw results would apply for all tag draw results.

Administrator Van Dellen stated that if the language can be agreed upon, then he could implement these changes immediately after the meeting and be ready to go on Monday, March 18, 2019.

Chairman Johnston requested to see the demonstration again of the prompted boxes that the actual users will see.

Administrator Van Dellen complied and clarified that the boxes would be displayed on any device being used and that it would be preferred to keep the language as precise as possible.

Commissioner McNinch stated that the changes made during the demonstration made sense to him.

Chairman Johnston suggested a briefer explanation of this setting so that it can be changed under the account settings.

Vice Chairman Valentine suggested that the wording for the big game draw results be changed to "if successful, would you share your information with guides and outfitters."

Administrator Van Dellen replied that the Department's approach would be to post one list of all results that included successful and unsuccessful results.

Chairman Johnston asked if Administrator Van Dellen had already made the discussed changes.

Administrator Van Dellen confirmed that he had.

Chairman Johnston stated that it was a fast change and that he thought it was a good way to address the issue that has risen to give the public a better understanding of their options.

- D.* Wildlife Trust Fund Semi-Annual Report – Deputy Director Liz O'Brien
A report will be provided on the investment and expenditure of the money in the Wildlife Trust Fund for the period of July 1, 2018 to December 31, 2018, pursuant to N.R.S. 501.3585.

Deputy Director Liz O'Brien reported on the Wildlife Trust Fund Semi-Annual Report and stated that the status of the report is in the support material. She stated that the Department is required

to report semi-annually to the Commission on the money in the Wildlife Trust fund pursuant to Commission Policy Number 1. She reported that at the last session, they removed the requirement in statute that is listed in our agenda so that will be changed. The report is for the period of July 1, 2018 to December 31, 2018. She reported that the Department received \$583,155.16 in donations, the bulk of which are for the game and habit divisions. She further reported that the Department expended \$327,861.12. She has two corrections to the report; the first of which is a refund that will be added to the law enforcement category; and secondly, there is a donation that was made by the Wild Sheep Foundation of \$25,000 for the helicopter that will be included in the next report. She stated that a report is included in the support material that shows every gift we have received during this time-period. The received donations come from a variety of conservation organizations, industry, and private citizens in support of the Department. These donations save state funds, which is mostly sportsman's revenue, and in many instances can be used as match for federal dollars at a rate of up to three dollars for every one dollar donated.

Chairman Johnston called for a recess to allow for the Clark County Board of Commissioners meeting; he requested that we return by 2:15 p.m. and to be mindful that the meeting may still be in session when we return.

Recessed at 12:40 p.m.

Chairman Johnston called the meeting back to order at 2:25 p.m.

8. 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.

Secretary Wasley provided updates to the Commission on three items. He stated that the first update is on the Urban Wildlife program relative to southern Nevada. This idea came from Clark County Advisory Board Member, Paul Dixon who had expressed concern over how the Department is paying for activities as well as what the Department is doing in the southern region of the state. Secretary Wasley stated that with the recent presentations that were given to the Commission in northern Nevada, he saw this as a good opportunity to share similar efforts and specifics of the program while the Commission was in Las Vegas. Conservation Education Division Administrator Chris Vasey will provide an update to this program. He stated that another update will be provided by Habitat Division Administrator Alan Jenne and will be on the Boulder City Bypass project, which is geographically relevant to this meeting. Secretary Wasley stated that lastly, he will have a broad discussion with the Commission on the season and quota discussions that have recently been before the Commission and the Tag Allocation and Application Hunt Committee (TAAHC).

Conservation Education Division Administrator Chris Vasey introduced Josh Cerda, the Urban Wildlife Education Coordinator. He stated that Josh will present a project update for the Urban Wildlife Education Outreach Program which will be specific to the southern region. Josh has been in the position since 2015; but the Department recently made this a full-time position to meet the demands of the education that was needed outside of the call center. Josh not only answers the urban wildlife calls in the southern region, but also attends meetings with home owners'

associations. He has developed numerous urban wildlife programs for the southern region and started the original Geographical Information Systems (GIS) mapping for the call center. The Department now uses Josh's mapping information to pin point areas of the most concern for urban wildlife interaction. He stated that the Department uses this information to target high call areas to promote education outreach, and we target these areas with digital education campaigns.

Urban Wildlife Education Coordinator Josh Cerda presented a PowerPoint regarding the Urban Wildlife Education Program in the southern region of Nevada and presented a video, specific to the southern region, on how to live with coyotes.

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Secretary Wasley thanked Administrator Vasey and Education Coordinator Josh Cerda for the presentation; and added that this is a growing issue. The legislature has taken particular interest in and has asked pointed questions to the Department as to coyote management. That conversation opened the door for the Department to seek funds for the growing urban wildlife issues. He stated that the Department is now in the third legislative session where we have a governor's recommended budget with a specific line item for urban wildlife. He stated that we have Mr. Cerda's position in the southern region and a similar position in the western region, and that both are dedicated to the Urban Wildlife Program. A small portion of their salaries that was subsidized by sportsman's revenue and in the Governor's recommended budget that is being reviewed at the legislature right now. The Department has proposed to replace the sportsman's revenue with general fund dollars. He provided that when we get the number of calls in the Las Vegas and Reno areas with citizens looking for assistance with animals, it is important we provide resources dedicated to handle these issues. He finished by saying the number of sportsman's dollars going to the program are a very small portion of the total program at this time.

Commissioner East requested that Mr. Cerda show the slide of the southern region total calls and to explain the reason for the peaks and valleys in the slide.

Education Coordinator Cerda provided an explanation of why there is more coyote activity during certain parts of the year; and that this has to do with coyote breeding and feeding habits as well as the breeding and feeding habits of other animals.

Commissioner East commented that in a perfect world he would have the time to educate the public ahead of these cycles to try to prevent some of the calls.

Education Coordinator Cerda explained that he has prepared newsletters, articles, and brochures so that he can provide them to the public and home owners' associations to stay ahead of the calls. He stated that he also offers his phone number to share with others to make himself available and to educate all the public that he can.

Commissioner East asked Mr. Cerda if he educates through the Next Door application. She stated that she has used it and finds it helpful to get updates from the Truckee Meadows Fire Department and suggested that he look into to posting information in the application to get ahead of the calls.

Chairman Johnston commented that it is surprising of how many calls there are.

Habitat Division Administrator Alan Jenne presented a PowerPoint presentation regarding the Boulder City Bypass Project.

http://www.ndow.org/Public_Meetings/Com/Archive/2019_Archive/

Secretary Wasley presented a PowerPoint regarding the Big Game Seasons and Quota's.

http://www.ndow.org/Public_Meetings/Com/Archive/2019_Archive/

Commissioner McNinch stated that he appreciates Secretary Wasley explaining things like this as it helps to remind him what is going on. He has a better understanding of the things that are working in the background and he got a lot out of the presentation.

Secretary Wasley stated that he appreciates hearing from Commissioner McNinch and that this is not comfortable for him. He stated that, as a Commission, they have the challenge of disappointing people regardless of the decisions they make, but it is about having all the information they can when making decisions. He further stated that it is the Department's job to provide adequate information to the Commission. He provided that a more abundant wildlife makes everyone's job easier; that we will always have a demand that outpaces our supply; and that the Department is always seeking to fund the conservation of wildlife without a cost to the wildlife resource.

Commissioner East stated that they previously talked about trying to marry the quota settings, the season settings and the tag allocations. She asked Secretary Wasley to explain why that is not in our best interest.

Secretary Wasley stated there are challenges with the timing of surveys. He stated that through collar data, the Department knows that there can be significant mortality through May. If there is uncertainty in the mind of the biologist, then it would result in conservatism and the more uncertainty there is, the more conservatism there is in the recommendation of the biologist. Recommendations happen at local and state levels, and that the Department has those opportunities to introduce conservatism.

Vice Chairman Valentine stated that most of the recommendations come from the CABMW's and inquired if this information would be given to them.

Secretary Wasley stated that he has acknowledged the Department needs to have informed staff at the CABMW meetings, and to provide better outreach and education. He wants to make sure that the CABMW's do not feel like the Department is undermining their input, and that the Department wants to do a better job at presenting the recommendations and not circumventing the process. He further stated that the challenge is how to do that proactively before for the CABMW meetings which are held before the Commission meeting. We want to do better at the end of the day to inform and educate the CABMW's; and to have no excuse for not reaching out to them.

Commissioner AlMBERG stated that in the past we have put a lot of effort into our discussions, but we never really get back finding a conclusion.

Secretary Wasley stated that was a good point.

Chairman Johnston agreed with Commissioner Alberg and stated that perhaps we could get back to finding a conclusion moving forward. He stated that it is important to have the opportunity to hunt, but it is also important to have low hunter congestion and to see “trophy bucks.” He further stated that we need to be cognizant of creating opportunity for the public to have a good experience.

9. 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.

Public Comment in Reno:

Gerald Lent, representing Nevada Hunter’s Association, stated that he has some questions regarding the two proposed questions in the boxes and suggested that the boxes should be reversed. He also suggested that we should not list the entities because it could be discriminatory. He stated that we need to ask the question to get the answer that we want. We need one box that says, “remove my name from any list sold by the Department or contractor;” as this solves the privacy issue. He also suggested that if no box is checked, then it should indicate that privacy is not an issue.

Darrell Capurro, private citizen, stated that he opposes the two proposed box suggestions as he believes that they are not in concert with the current regulation. He stated that he cannot find anything in Nevada law that exempts the applicants from being successful or unsuccessful. Mr. Capurro stated that he supports the opinion of Mr. Lent. He also suggested that five members of the Commission are supposed to represent sportsmen, and if any member supports the staff suggestion, then it destroys transparency and they are not properly representing sportsmen on this issue.

Jim Puryear, representing Nevada Outfitters and Guides Association, stated that when he was the vice president of the association, they decided to raise their fees by 300 percent, and it was agreed that the Department was going to provide a full-time law enforcement individual to do sting work and management. He stated that they have not had that for three years, so they requested a refund which was not received. This is the reason why we wanted to have our own board like Wyoming does, with input from the director on the board, a person from the Commission and a law enforcement person from the Department. He stated that it has been over 20 years and he would like to see, for the \$1.5 million they have given, how many outfitting guides they have busted.

Jim Puryear, private citizen, provided his opinion on the two proposed boxes that appear in the customer’s account. He asked if there could be a separate box for taxidermists and outfitters, and a box for mass marketing. He stated that he has spent money in ads and was down forty percent with no way of contacting clients.

Public comment in Las Vegas:

Billie Williams, representing Mineral CABMW, stated that their CABMW wanted to take this opportunity to address the issue of elk in Mineral County. They initiated this in May 2016, and

that they are looking for the status of it to be brought to the June meeting in Hawthorne since nothing has been done.

Chairman Johnston asked if Mineral County has reached out to other neighboring counties with respect to this request.

Billie Williams stated that he does not know for sure. The only individual who had anything against elk was Mr. Hilton and he is no longer in the game.

Chairman Johnston stated that he knows where the Hilton ranch is located, and on the other side of the mountain from his back yard, there may be other farmers that have input about this plan. He stated that if elk were relocated, then it needs to be discussed more broadly than just in Mineral County.

Chairman Johnston adjourned the meeting at 3:42 p.m.

Saturday, March 16, 2019 – 9:00 a.m.

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

Chairman Johnston called the meeting to order at 9:00 a.m. Roll call was conducted, and the Commissioners present were: Chairman Johnston, Vice Chairman Valentine, Commissioners Barnes, Caviglia, East, Hubbs, Kiel, and McNinch. Commissioner AlMBERG was initially not present at roll call.

Roll call was conducted of CABMW members present: Billie Williams, Mineral; Tom Cassinelli, Humboldt; Chad Foster, Douglas; Mitch McVicars, White Pine; Dale Talaga, Carson; Steve Robinson, Washoe; and Doug Martin, Carson.

11. 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.

No public comment in Reno.

No public comment in Las Vegas.

COMMISSIONER MCNINCH MOVED TO APPROVE THE AGENDA. COMMISSIONER EAST SECONDED THE MOTION. THE MOTION CARRIED 8-0. COMMISSIONER ALMBERG WAS ABSENT.

12. 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.

Secretary Wasley stated that the recently published application guide contained an error. He stated that on the cover, the publisher transposed the customer support phone number; the last four digits read “6969” and it should read “6369.” He stated that we are working to correct the number by having labels printed to cover it up; and, we are also sending out post cards and other correspondence to the public to try to rectify this error.

Commissioner Hubbs stated that the issue of coyotes was brought up at the last Commission meeting. S.B. 226 was discussed the presence of more coyotes in our area and the impact it was having on the community.

13. Reports – Informational

- A. Conservation Partner Profile – Division Administrator Newmark – Informational
An overview of a key conservation partner program will be shared with the Commission.

Commissioner Almberg arrived for the meeting.

Wildlife Diversity Administrator Jen Newmark thanked the Commission for the opportunity to highlight a partner that we have worked with through the years and stated that it is wonderful to highlight some work that they have been doing. We rely on our partnerships on the federal and state level along with the non-government organizations. Administrator Newmark introduced Kobbe Shaw, Executive Director of the Tortoise group. She stated that the Department has been working with them on tortoise issues which are unique, as tortoises can be found in the wild and can be kept as pets. She stated that they work with the public to keep the pet tortoises from those that are found in the wild.

Kobbe Shaw presented a PowerPoint regarding the Tortoise Group and their mission, which is to educate and advocate for the protection and wellbeing of the desert tortoise.

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The Commissioners made several inquiries to Mr. Shaw about the habitat of the tortoise, why people do not want to keep them, the adoption process, their captivity and their lifespan. Mr. Shaw responded as follows:

Mr. Shaw stated that the number of pets is equivalent to the number of tortoises in the wild; but that this is just an estimate. The number is calculated by taking the number of habitable areas of a desert tortoise and then taking the existing population sizes for each one of those areas. He further stated that the calculated number of pet tortoises is a better number because of a survey that was done in Clark County. The data was compiled by the University of Nevada Las Vegas. They receive about 1,500 calls a year for unwanted tortoises.

Mr. Shaw stated that there are many reasons that people do not want to keep the tortoises. He provided that people move and do not know what to do with them; or once the tortoises are of mating age, they tend to breed quickly; and sometimes the tortoises escape from yards or people let them loose or put them in a park because they do not know what to do with them.

Mr. Shaw provided that the tortoises can be kept in northern Nevada. They should be kept in the backyard, except in the winter months they need to be placed in a box in the garage where they will sleep all winter; however, the temperature must be kept above 35-40 degrees. You can have a tortoise with pet dogs, it just depends on the dog and the situation. He provided that the Tortoise Group has plenty of tortoises; they can bring a tortoise for a meet and greet with your current pets and if your pet does not like the tortoise, then they can try a different tortoise.

Mr. Shaw provided the following website: www.tortoisegroup.org, for anyone to learn more about the adoption program and what their group does for the community.

Chairman Johnston offered that the Tortoise Group recently received the Kirch Award and he is thankful for what they do.

Commissioner McNinch also stated he appreciates the work of the Tortoise Group. He stated that he is shocked at the number of tortoises being kept as pets; and asked if they get many tortoises from the wild to be put into captivity.

Mr. Shaw said that if they get a call about a tortoise, it is usually from the Nevada Department of Wildlife (NDOW) or the Nevada Department of Transportation (NDOT). The tortoise is usually hurt and typically needs veterinarian help. Once the tortoise has been treated they put it back exactly where it was found. The Tortoise Group is not an enforcement agency, so they normally do not take wild tortoises. If they are brought a tortoise from the public, they will ask where it was found, and the Tortoise Group will return it back to where it was found.

Mr. Shaw stated that each year there are about 30 to 80 tortoises that are disrupted due to land development and Clark County manages the tortoises if they do come into captivity through the desert conservation program. The last thing they want is for a wild tortoise to come into captivity. The main goal is to keep the wild tortoises wild.

Mr. Shaw stated that, in the wild, the life span of a tortoise is about 50 to 70 years and in captivity it is 80 to 100 years.

Mr. Shaw stated that some people say they are tired of their pets dying so they want an animal that will out-live them. He stated they also see tortoise owners passing away and there are no heirs to give them to, so the Tortoise Group will rehome those tortoises as well.

Commissioner Hubbs asked if they are the same group that helps new tortoise owners build the burrows for them so that the specifications are met for the animal.

Mr. Shaw stated that the Tortoise Group will come to your home for a yard consultation and will provide the homeowner with the specified details. He stated that the homeowner will be responsible for either hiring a contractor for the labor and supplies; or they can do it themselves

or if the homeowner pays for the supplies, the Tortoise Group can build the burrows. He stated that they can hold the homeowner's hand through the entire process.

Mr. Shaw stated that the tortoise will eat anything that is native to the desert. Most people want to plant native plants in their yard for the tortoise to eat or there is tortoise chow available for purchase. He stated that you do not want to feed them citrus.

Mr. Shaw stated that tortoises are solitary creatures in the wild; that the males will fight if put together and if you have a male and female, they will mate. He suggested that the tortoises be sterilized because of their breeding capacity. Due to these reasons, they do not adopt more than a single tortoise to a home.

Secretary Wasley thanked Mr. Shaw for the presentation and also acknowledged that the Tortoise Group was the recipient of the Kirch award last year. Based on a suggestion at a past Commission meeting, this was a way to highlight some of our conservation partners. He stated that as we move around the state and there is a specific partner you would like to hear from, let Secretary Wasley know so that the Department can reach out and get them on the agenda.

14. 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.

Steve Robinson, representing Washoe CABMW, stated that he would like to address the comments made by the Department about the recommendation of eliminating the combined seasons in Washoe County. He stated that for the last three years, Washoe County has made recommendations to the Commission; they looked at the surrounding seasons and no other county has a split season except for Washoe. He also stated that hunter density was a factor that was mentioned in the survey by the Department. He stated that they want to see the population survey and the harvest report to see from where the information was derived.

Mitch McVicars, representing White Pine CABMW, stated that based on the number of turkey applicants, they believe the turkey are moving around. He suggested that it could be good to catch and relocate some of the turkeys. He thanked the Department for the hard work that has been done on the youth tag transfer, the work with Comins Lake and the new shooting complex.

15. Commission General Regulation for Possible Adoption – Public Comment Allowed: Persons Wishing to Provide Comment on Regulations are Requested to Complete a Speaker’s Card and Present it to the Recording Secretary
 - A.* Commission General Regulation 482, Public and Sellable Lists, LCB File No. R192-18 – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action
The Commission will consider adopting a regulation amending Chapters 488 and 502 of the Nevada Administrative Code (N.A.C.) that clarifies the authority of the Department to make specific personal customer information confidential and remove such information from any list sold or distributed by the Department or the Department’s licensing vendor. 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 workshops on November 2, 2018 and January 25, 2019 and directed the Department to bring the regulation forward to an adoption hearing.

Data and Technology Services Division Administrator Van Dellen stated that the current hearing is the third time this item has been brought to the Commission for discussion and that he was there to answer questions.

Public Comment in Reno:

Daryl Capurro, private citizen, provided the following written testimony:

TESTIMONY REGARDING PROPOSED REGULATION : LCB FILE NO. R 192-18 FROM NDOW

THE NDOW'S 2018 BIG GAME TAG DRAW WAS HELD IN TEXAS, FOR THE FIRST TIME OUT OF STATE SINCE THE NEVADA LEGISLATURE PRIVATIZED IT IN 1990.

FOR 18 YEARS THE DRAWING WAS OPEN, BY CONTRACT, TO THE PUBLIC TO ATTEND, AND MANY SPORTSMEN, AND OTHERS, HAVE ATTENDED. AT THE COMMISSION MEETING ON NOVEMBER 4, 2017, MR. VAN DELLEN, REPRESENTING THE NDOW STAFF, TESTIFIED: (QUOTE) WE ASSURE EVERYBODY THAT THE DRAW PROCESS HAS NOT CHANGED. IT WILL STILL BE A PUBLIC EVENT. IT WILL BE HOSTED AT AN OFFICIAL BUILDING THAT IS NOT RELATED TO THE DEPARTMENT SO THAT THE PUBLIC CAN ATTEND AND VIEW THE PROCESS AND PROVIDE THAT TRANSPARENCY THAT THEY HAVE BEEN ACCUSTOMED TO (END QUOTE). THAT TESTIMONY WAS FALSE!

NAC 502.211, SAYS THE DEPARTMENT SHALL REMOVE, ON WRITTEN REQUEST, THE NAME AND OTHER PERSONAL INFORMATION OF THE PERSON FROM ANY LIST SOLD BY THE DEPARTMENT. SALEABLE LISTS HAVE BEEN PURCHASED IN THE PAST BY, AMONG OTHERS, NEVADA HUNTING GUIDES. NEVADA'S PUBLIC RECORDS LAW, NRS CHAPTER 239, DOES NOT EXEMPT THE NDOW FROM PUBLISHING THE NAME OF SUCCESSFUL AND UNSUCCESSFUL DRAW RECIPIENTS. IF MORE CLARITY IS REQUIRED, A SIMPLE PARAGRAPH ON THE HUNT APPLICATION FORM COULD QUOTE THE CURRENT LANGUAGE IN NAC 502.211, WITH A BOX TO CHECK FOR EXCLUSION FROM SALEABLE LISTS. THROUGHOUT THE HISTORY OF THE PRIVATIZED DRAW THE NAME, CITY, HUNT AND AREA DRAWN OF THE SUCCESSFUL AND UNSUCCESSFUL HUNTERS HAVE BEEN POSTED AS CURRENTLY REQUIRED BY NAC 502.4208. THAT REQUIREMENT WAS CONTAINED IN THE NDOW REQUEST FOR PROPOSAL #3432 FOR ALL DRAW BIDDERS, AND WAS SUBSEQUENTLY AGREED TO, BY CONTRACT, WITH KALKOMEY ENTERPRISES, LLC, IN THEIR SUCCESSFUL BID FOR THE BIG GAME TAG DRAW. THOSE RFP REFERENCES ARE CHAPTERS 3.4.27.32 AND.33.

KALKOMEY VIOLATED THE RFP CHAPTERS AND CONTRACTUAL REQUIREMENTS BY NOT PUBLISHING A LIST OF THE SUCCESSFUL AND UNSUCCESSFUL HUNTERS AT A MINIMUM. THEY ALSO DID NOT POST THOSE LISTS ON THE REQUIRED INTERNET SITE WITHIN 48 HOURS AFTER THE DRAW. THESE VIOLATIONS SHOULD FORM THE BASIS FOR DECLARING THE KALKOMEY CONTRACT NULL AND VOID.

THE NDOW HAD THE RESPONSIBILITY TO MANAGE AND ADMINISTER THE SUCCESSFUL DRAW BIDDER, AND FAILED TO DO SO WITH REGARD TO ITS OWN RFP AND THE KALKOMEY CONTRACT. THAT REPRESENTS A CLEAR DISREGARD FOR THEIR RESPONSIBILITIES AS AN AGENCY OF THE STATE OF NEVADA, AND THEIR OBLIGATION TO THE SPORTSMEN OF THIS STATE!

DARYL E. CAPURRO, PAST MEMBER OF THE NEVADA STATE BOARD OF WILDLIFE COMMISSIONERS

Chairman Johnston requested that any public comments made need to stay on topic to the purposed regulation and to hold other public comments until the public comment period at the end of the meeting.

Rex Flowers, private citizen, asked if the procedure demonstrated the previous day could be added to the current N.A.C. or have it made into policy. He stated that it would be nice to have it written so that it could be maintained.

Gerald Lent, representing Nevada Hunter's Association, stated that the following entities post private or sensitive information online: voter registration; bullying records from the Washoe County School District; the Lyon County School District has public records available by request; sex offenders have sensitive information posted on websites; and that hospitals are required to post prices of services or procedures. He presented argument in support of the need to have more than one question box; and said that if the dual boxes were adopted as the Department purposed the language, then it should include his draw results with the addition of having all tag results to be posted online. He stated that this was important because of a 2008 report describing the Department employees releasing draw results early to their friends before the public knew about it. He also stated that if no box was checked, it should indicate that privacy is not an issue to the customer and should be added to the regulation.

Public Comment in Las Vegas:

Henry Krenka, representing Nevada Outfitters and Guides Association, inquired as why it was so important to remove transparency. He stated that Department employees continue to state that guides are not complaining about the opt out option of applications. He stated that this is an incorrect statement due to the financial impact on the guide businesses. He claimed that this was supposed to be a workshop and asked when and where the workshops were held. In his opinion three minutes at the podium is not enough time to be considered a workshop. He inquired as to why it is a double standard for the Department to be able to reach out to customers, but it is considered harassment if a guide does the same thing.

Walt Gardner, private citizen, stated that this regulation is not public driven, and that the public is not here asking for their names to be taken off the list. He stated that during the last Commission meeting, the Commissioners attacked subguides and that he was insulted by the remarks that were made. He stated that he does not understand the importance to remove transparency or take away a guide's livelihood when there is no public outcry.

Chairman Johnston stated that he was the one who gave comments at the previous meeting on the distinction between licensed guides and subguides. His comments were not intended to offend or attack, but to explain the distinction on the difference between the two and how subguides work under master guides. He apologized if his comments offended the subguides. It is important to be equally transparent in informing people what they can and cannot do in existing law regarding the ability to keep their information private. What he has heard from many sportsmen is that they never knew prior to last year that they had the option to keep their information private.

Commissioner Hubbs stated that she has heard the remark that the draw used to be public and now it is not public because it is not held in state. She inquired about how are the draw is fair because she hears an implied undertone that they are not. She said she feels confident that they are fair and wondered if there was an option to make the draws public but keep the requested information confidential.

Chairman Johnston said that when the previous licensing vendor handled the draw, a presentation was given on how the draw process worked. He stated that he was unsure how to address the public's concerns about the draw being unfair if they do not trust the computer-generated draw system. There are certain individuals that will never be satisfied with the process. He stated that he trusted the way the computer system handles the draw along with the third-party audit system. He provided that the current regulation on the books allows a person to request their personal information to be kept private, and what the Department and the Commission is attempting to do with that regulation is to update the implementation that would include the advancement in technology.

Senior DAG Stockton stated that the main change is the addition of the word "confidential" to the regulation; and that this would update the regulation to be in conformity with the public record law.

Commissioner Almberg stated that eighty percent of the sportsmen made their own choice to keep their information private and that speaks for itself.

Commissioner East inquired about when and where the regulation change originated.

Administrator Van Dellen provided that the process started when the Department initiated a contract with the new licensing vendor giving the Department an opportunity to reevaluate the laws and statutes on the books. He stated that they found the regulation that provided that the private information option needed to be offered to the sportsmen, and at that time the Department had no mechanism of doing so. He stated that for a sportsman to know of this option, they would have to had to read the laws themselves. In recognizing the language in the regulation, the Department wanted to come up with a way of integrating this option into the new system. He explained that the two ways the Department shares listed information is through information that is requested through a public request or through lists posted on the Department's website. He explained the Department evaluated the public records request process and realized they were not charging for the information given due to time and efficiency reasonings which made the law not applicable to most data given out by the Department regarding personal information. They also found that the term "confidential," as Senior DAG Stockton had pointed out earlier, was not in the existing regulation and not in compliance with the public records statute.

Commissioner East asked Secretary Wasley if there was anything in the N.A.C. that says the Department needs to provide a list to the guides because they pay a licensing fee.

Secretary Wasley answered no, not to his knowledge.

Commissioner East explained that as a consultant, she is not given a list of clients to call from her association. She also said that only one CABMW in Elko asked to speak with the guides association. That all other CABMW's had no comment. She feels that the boxes included from yesterday's presentation is a good start to the solution and we will see how this year's results pan out.

Commissioner Barnes said that it seemed like the Commission was discussing multiple subjects and the focus needed to be on the regulation change. The guides and draw are separate issues that can be addressed at later dates as they are separate issues. He suggested giving the guides an option to advertise on the Department's website or in the hunt book, but as far as he was concerned, the regulation is what is being discussed and what the Commission will be voting on today.

Commissioner Hubbs added that she was the one who asked the difference between the master guide and subguides and wanted to clarify that in no way was she trying to imply that one has more value than the other; she was trying to get a better understanding of how the industry and the guide system worked and how this is impacting their business.

Vice Chairman Valentine said that other states tag draw systems offer the same option that we are proposing. He provided that he investigates the guides that he hires for the out of state hunts.

Commissioner Caviglia stated that eighty percent of people who chose to keep their information private is huge. He said that he is a subguide, and that he has spoken to other guides and subguides who do not have an issue with the regulation. He stated that the bulk of the complaints have come out of Elko County and he is unsure as to why.

Chairman Johnston said he felt better about the proposed regulation after viewing the demonstration given yesterday by Administrator Van Dellen. He suggested that the opposition to the regulation came about, not because large groups of people are opposed to the change, but because the implementation of the change affected the marketing efforts of the guides. He stated, like Commissioner East, he does not get a list of clients to contact for his business. He said that the guides would still be able to market their services through other means. It speaks loudly when so many people choose to keep their information private. The Commission saw yesterday how the tag results would be posted and the unique way to show if a person wanted their information kept private. The Commission has not heard any opposition with respect to boat or watercraft owners and felt comfortable moving forward with the adoption of the regulation.

CHAIRMAN JOHNSTON MOVED TO APPROVE COMMISSION GENERAL REGULATION 482, PUBLIC AND SELLABLE LISTS, LCB FILE NO. R192-18 AS PRESENTED BY THE DEPARTMENT. VICE CHAIRMAN VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 9-0.

Chairman Johnston recessed at 10:15 a.m. and asked that we resume at 10:30 a.m.

Chairman Johnston called the meeting back to order at 10:30 a.m.

- 16.* Commission Regulation 19-13, Migratory Game Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Migratory Game Birds; Public Hunting Limited on Wildlife Management Areas and Designated State Lands – 2019–2020 Season – Wildlife Staff Specialist Russell Woolstenhulme – For Possible Action
The Commission will consider recommendations for seasons, bag limits, and special regulations for migratory game birds for the 2019–2020 season and adopt regulations consistent with proposed regulations framework for the 2019–2020 hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission Regulation will become final pending adoption of federal frameworks. The Commission will also consider rules regulating public hunting on Wildlife Management Areas and designated state lands.

Wildlife Staff Specialist Russell Woolstenhulme explained the seasons and quotas for duck and mergansers.

Commissioner East inquired as to why the Northeast Zone had a January date that ends earlier than the other zones.

Wildlife Staff Specialist Russell Woolstenhulme answered that it has an earlier start date and under the federal framework, each Zone is allowed a total of 107 hunt days and the Northeast Zone begins earlier than the others. The earlier dates are trying to avoid the typical freeze that occurs later in the year.

Commissioner East inquired as to why the estimated duck populations changed.

Wildlife Staff Specialist Russell Woolstenhulme answered that it was due to water and habitat availability. The surveys are conducted during the migratory times of the year.

Commissioner Almberg stated that some CABMW's are interested in swapping zones and asked if this was a good time for discussion of this request.

Wildlife Staff Specialist Russell Woolstenhulme responded that the Department opens the season every five years for zone changes and the Department needs to have a recommendation before May of 2020 for changes to be implemented in the 2021 – 2022 season. The request will be brought back to the Commission before that time.

Commissioner Caviglia inquired as to what the reason was for the two-day closure in between a split season.

Wildlife Staff Specialist Russell Woolstenhulme answered that the federal frame work allows a maximum hunting season of 107 days. There is a two-day season for the youth which need to come out of the hunt days which brings it down to 105 days. The two-day closure also allows the season to end on a Sunday. Other zones that do not have a closure are starting two days later which takes the season to January 31, the last legal day for duck hunting.

Commissioner Johnston thanked Wildlife Staff Specialist Russell Woolstenhulme for working with the CABMW's and various groups regarding the later start date. He asked if this proposal is the later start date in which they were asking.

Wildlife Staff Specialist Russell Woolstenhulme said that the start date was a week later than they originally asked.

Commissioner Johnston asked if they were happy with that start date.

Wildlife Staff Specialist Russell Woolstenhulme answered yes.

Public Comment in Reno:

Doug Martin, representing Carson CABMW and self, said that they supported the seasons as recommended. The CABMW also expressed appreciation towards Wildlife Staff Specialist Russell Woolstenhulme. He also represents the Board of Directors for Stillwater Farms and Canvas Back who also support the dates.

Steve Robinson, Washoe CABMW, also said that they supported the seasons and dates.

Walt Mandeville, Lyon CABMW, said they supported the seasons and dates as recommended.

No Public Comment in Las Vegas.

COMMISSIONER MCNINCH MOVED TO APPROVE THE DUCK AND MERGANSER PORTION OF REGULATION 19-13, MIGRATORY GAME BIRD SEASONS, BAG LIMITS, AND SPECIAL REGULATIONS FOR WATERFOWL AND WEBLESS MIGRATORY GAME BIRDS AS PRESENTED BY THE DEPARTMENT. COMMISSIONER HUBBS SECONDED THE MOTION. THE MOTION CARRIED 9-0.

Wildlife Staff Specialist Russell Woolstenhulme suggested that he can read them off one by one or read them collectively. He said that with the approval of the duck and merganser portion, the Department has no recommended changes.

Chairman Johnston suggested grouping all the species together and moving forward from there.

Discussion ensued regarding whether Mr. Woolstenhulme needed to read off the dates.

Wildlife Staff Specialist Russell Woolstenhulme said there would be a few changes from the years prior that he could highlight. They include one under the special youth waterfowl hunt. In the limit section there is a section greyed out in the support material reading that youths possessing a valid license may hunt trumpeter swans in open areas if the trumpeter swan quota has not been reached. Swans were not allowed in the youth hunts in the past. Under the swan portion of the regulation where it describes N.A.C. 502.380, there is another greyed out portion reading that successful swan hunters are required to validate their permit and present at least the head and neck to the Department at check points for species verification, within three days which was changed from five days. The federal regulation only allowed three days opposed to the state regulation of five days, which explained the change. The quota of ten trumpeters reached in a season will close the season, which in past years we have only had five swans in the trumpeter quota. The season will also run concurrent to the duck season, making it a longer season. Finally, regarding public hunting in wildlife management areas, reservations made for the Overton Wildlife Management Area can now be done over the phone at: 1-855-542-6369 Monday through Friday from 8:00am to 4:30pm. In the past, it had to be done in person.

Commissioner McNinch asked why and how the increased quota came to be.

Wildlife Staff Specialist Russell Woolstenhulme answered that there have been no changes to the quota since 1995 and in review of the at-risk populations, the numbers had doubled since the 1995 regulations were set. He explained how this was a great success story which relaxed the federal frameworks of the environmental assessment and it allowed for the longer season, youth season and increased quota. He stated that changes are also being made in Utah, which also had a restricted swan hunt.

Public comment in Reno:

Doug Martin, representing Carson CABMW, stated that they supported what the Department had presented and gave thanks to Wildlife Staff Specialist Russell Woolstenhulme and the Department for working on getting the swan changes concurrent to the duck seasons. He shared a story about taking his grandsons hunting.

Steve Robinson, representing Washoe CABMW, suggested having a dove season date change from September 1 through October 31 instead of October 30, stating it would be a cleaner date instead of ending one day short. They supported everything else presented by the Department.

No public comment in Las Vegas.

Chairman Johnston asked if the dove season could be extended through October 31.

Wildlife Staff Specialist Russell Woolstenhulme responded that the federal framework allows for a maximum number of 60 hunt days in a liberal season, which the mentioned season would be.

COMMISSIONER EAST MOVED TO APPROVE THE REMAINING PORTION OF REGULATION 19-13, MIGRATORY GAME BIRD SEASONS, BAG LIMITS, AND SPECIAL REGULATIONS FOR WATERFOWL AND WEBLESS MIGRATORY GAME BIRDS AS PRESENTED BY THE DEPARTMENT. COMMISSIONER ALMBERG SECONDED THE MOTION. THE MOTION CARRIED 9-0.

17. License Appeal – Mark T. Svancara – For Possible Action
Mr. Svancara is appealing the revocation of his hunting, fishing, trapping and other license and permit privileges.

Chairman Johnston asked if the appellant was present. Seeing that he was not, Chairman Johnston called the appeal hearing to order pursuant to N.A.C. 501.185, entering the request of the hearing into the record.

Senior DAG Stockton stated for the record that he was representing the Department in this proceeding and that N.A.C. 501.179 provided that the Commission can dismiss the appeal if the appellant fails to appear and he suggested that they do that since the appellant is not present. He stated that he was prepared to continue if the Commission wished.

Chairman Johnston confirmed the provision quoted by Senior DAG Stockton and said he was not sure if the dismissal required a vote.

Senior DAG Stockton confirmed that it did require a vote.

Chairman Johnston stated that since he had called the hearing to order pursuant to N.A.C. 501.185, he would like to get the notice of the hearing and the request for the hearing into the record.

Senior DAG Stockton said the request could be found in tab 4 of the Exhibit File, the reference to the appeal is Exhibit 6 and email correspondence is Exhibit 5 in the support materials.

Chairman Johnston requested that the appeal letter and notice of hearing, dated February 15, 2019 to Mr. Svancara, including the return receipt and additional email correspondence be entered into the record (Exhibit File).

Senior DAG Stockton moved to dismiss the appeal under N.A.C. 501.179.

Chairman Johnston asked if the Commission members understood the motion to dismiss as a result of the appellants failure to appear and clarified that it would be with prejudice. He stated that the appellant could not make another appeal to the Commission to hear the same case. He clarified that the basis of the appeal included a request for the Commission to exercise its discretion to lessen the penalty; and he did not believe that even if they went forward, the request would be something that would be available under applicable law because of the nature of the misdemeanor conviction and resulting demerit points.

CHAIRMAN JOHNSTON MOVED TO DISMISS THE LICENSE APPEAL FOR MARK T. SVANCARA PURSUANT TO N.A.C. 501.179 WITH PREJUDICE FOR HIS FAILURE TO APPEAR AT THE HEARING AT THE REQUEST OF THE DEPARTMENT WHICH WAS MADE A BY MOTION PURSUANT TO N.A.C. 501.185 SUBSECTION C. COMMISSIONER HUBBS SECONDED THE MOTION. THE MOTION CARRIED 9-0.

- 18.* 2020 and 2021 Commission Meeting Schedules – Secretary Wasley – For Possible Action
The Commission may take action to approve a schedule of meetings and locations for calendar years 2020 and 2021.

Secretary Wasley stated that there is a draft schedule in our support material which covers the 2020 and 2021 schedules and provided a brief overview of the draft schedule. He stated that this is a draft proposal to the Commission and the Department is happy to modify it at the direction of the Commission.

Deputy Director Robb stated that since putting this calendar together, he has recognized that there will be a lot of money spent on improvements in White Pine County for the betterment of Nevada. He provided that people will be coming from all over to recreate in that area and it would be good for the August 2020 or 2021 meeting to be in White Pine County for everyone to see the changes made there.

Discussion ensued regarding whether the Commission is going to Ely later this year and if the Commissioner should look at going there in 2020 or 2021. Discussion further ensued regarding the location of the March and November meetings and whether to have the March 2020 meeting in Fallon.

Secretary Wasley pointed out that there have been changes in the past where we have alternated the quota setting and season setting locations.

Public comment in Reno:

Doug Martin, private citizen, made a suggestion to move the Yerington and Winnemucca meetings to June; he further suggested that we could keep Reno/Las Vegas flow, but could put the waterfowl together with upland game and fur bearer. He stated that this could be a good way to have waterfowl setting in the north and provide continuity between upland game and waterfowl.

No public comment in Las Vegas.

Chairman Johnston suggested setting the upland and waterfowl hunts together or move it back to the June meeting and inquired if it would still fit the federal framework.

Secretary Wasley would need to defer to the Game Division on this matter.

Staff Specialist Woolstenhulme indicated that the federal process requires that once the Commission has approved the waterfowl season, he must submit those seasons for final federal approval by April 30 of each year. So, waterfowl setting must be done in March.

Discussion ensued regarding having the big game season setting in Reno in the past, and whether it could be done in Las Vegas instead.

Chairman Johnston suggested that in the 2020 meeting schedule that we flip the January and March meeting locations so that we have the big game seasons and regulations in the north, the waterfowl season setting in the south and in 2021, we keep the schedule as is to have the waterfowl season setting in the north and the big game season setting in the south. This could be a frame work for the future to do one in the north one year and then swap and do the other in the south the next year.

CHAIRMAN JOHNSTON MOVED TO APPROVE THE NEVADA BOARD OF WILDLIFE COMMISSIONERS 2020 AND 2021 MEETING SCHEDULES AS PRESENTED WITH THE FOLLOWING CHANGES: THE JANUARY 31 AND FEBRUARY 1, 2020 MEETING TO BE HELD IN LAS VEGAS OR IN THE SOUTHERN REGION, AND THE MARCH 20 AND 21, 2020 MEETING TO BE HELD IN RENO OR THE NORTHERN REGION.

Secretary Wasley indicated that the February 2, 2020 Superbowl will be held in Las Vegas, which can cause travel and lodging issues. Knowing this early we should be able to work around it. He further offered that the 2021 Superbowl will be held on February 7, 2021.

Chairman Johnston withdrew the motion as he is concerned about the lodging and travel.

Deputy Director Jack Robb stated that when we drafted the calendar, we looked at all holidays, big scheduled events in the state, along with the Department's deadlines. He indicated that some of these dates have crept over the years and it creates issues within the Department with conducting draws, setting quotas, hunt application guides and mailings to the public. He indicated that we hope to not have too many changes because of the impact it can have on the Department.

Chairman Johnston stated that he was not looking to alter dates.

Commissioner East stated that March 2021 will be during a legislative session and it will be tough to go almost two months without a meeting. She asked if we can move the March 2021 meeting a little earlier so that the Legislative Committee can address the bills timely.

Vice Chairman Valentine inquired if we could move the 2020 big game setting one week earlier.

Deputy Director Robb stated that it is difficult to meeting noticing deadlines if the meetings are too close together.

Upon discussion, DAG Stockton stated that we could have up to nine meetings in a year.

CHAIRMAN JOHNSTON MOVED TO APPROVE THE NEVADA BOARD OF WILDLIFE COMMISSIONERS 2020 AND 2021 MEETING SCHEDULES AS PRESENTED WITH THE FOLLOWING CHANGES: THE JANUARY 2020 MEETING WILL OCCUR ON JANUARY 24 AND 25, 2020 IN LAS VEGAS; THE MARCH 20 AND 21, 2020 MEETING WILL OCCUR IN RENO OR IN A NORTHERN LOCATION, POSSIBLY IN CARSON CITY; AND THE MARCH 2021 MEETING TO OCCUR ONE WEEK EARLIER ON MARCH 19 AND 20, 2021 IN LIGHT OF THE LEGISLATIVE SESSION. VICE CHAIRMAN VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 9-0.

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

The next Commission meeting is scheduled for May 3 and 4, 2019, in Reno with video streaming to Las Vegas and Elko. 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 committee meetings that may occur prior to the next Commission meeting may be discussed.

Secretary Wasley stated that the main items at the May Commission meeting will cover the big game status report and big game quota setting. We will also have the presentation of the Predator Management Plan, the Wildlife Heritage Committee Report assuming they have their committee meeting, and the Legislative Committee Report.

Chairman Johnston stated that he anticipates having the Landowner Compensation Tag Committee meeting.

Secretary Wasley stated that we can also provide a preliminary status report on the big game application process and provide updates with big game quotas for landowner deer and antelope compensation quotas. We will give the public service employee recognition efforts in the May meeting as well.

Chairman Johnston stated that Saturday of the next Commission meeting will be consumed by the quota setting. He thought in legislative years we had a Commission meeting in April if needed via teleconference which would be limited to legislative items. If needed, he asked if he can contact the Department to schedule the meeting.

Secretary Wasley stated yes, and that our history shows a single date for the telephonic legislative Commission meeting, and that we will know more about the need to meet soon.

Commissioner East stated that their next Legislative Committee Meetings are scheduled for March 26 and April 15, and that it would be after those dates to know if there is a need for an April Commission meeting.

Chairman Johnston asked that she send him those dates.

20. 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.

Public comment in Reno:

Rex Flowers, private citizen, suggested that the TAAHC change their policy on the application process and to create a policy to change the procedure and language regarding confidentiality. He stated that the big game application period starts on Monday and the hunt statistics and tag demand for 2018 are not available for hunters to have an opportunity to review what happened last year.

Walt Mandeville, representing Lyon CABMW, stated that their CABMW has problems with A.B. 74, the legislative bill to sell antlers, as the language is difficult to understand and their CABMW voted against it.

No public comment in Las Vegas.

Chairman Johnston adjourned the meeting at 11:30 a.m.

Note: The meeting has been videotaped and is available for viewing at 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.