

Draft Minutes

Nevada Board of Wildlife Commissioners' Meeting

Winnemucca Convention Center

50 West Winnemucca Blvd.

Winnemucca, Nevada 89455

Agenda Amended (3/11/08)

Friday, March 21, 2008 – 1 p.m.

Call to Order and Pledge of Allegiance – Chairman Bentley

Approval of Minutes – Action

Commission meeting minutes from Feb. 8 and 9, 2007.

Approval of Agenda – Action

The Commission will review the agenda and may remove items from consideration or adjust their order of presentation on either day of the meeting.

Member Items

Public Comment Period

1. Correspondence – Chairman Bentley – Informational - The Commission will review and may discuss written items sent or received by the Commission since the last regular meeting.
2. County Advisory Boards to Manage Wildlife (CABMW) Budget Augmentations – Fiscal Staff Dave Hansen – Action
The Humboldt and Washoe CABMW's are asking the Commission to approve budget augmentations to their boards for fiscal year 2008.
3. Appeal – Todd Eckhardt – Action

Mr. Todd Eckhardt appealed for reinstatement of his elk and desert bighorn sheep bonus points at the November Commission meeting and action was postponed to the February meeting pending research from the Commission's legal counsel, and Mr. Eckhardt requested further that this item be postponed until March.

Added New Item:

4. Wildlife Heritage Project Request – Chairman Bentley – Action

The Commission's Heritage Committee will present a recommendation to the Commission for approval of a project under NAC 501.300 subsection 3, whereby the Commission determines that additional monies are available to fund an additional project with leftover fiscal year 08 dollars.

5 Wells Resource Plan Revision Request – Game Division Chief Russ Mason – Action

The Elko County Advisory Board to Manage Wildlife has requested that the Commission initiate a sub-plan revision for the Wells Resource Area Elk Plan. The Commission will consider and may take action on this proposal.

6 Elk Damage and Incentive Committee – Game Division Chief Russ Mason – Action

The Commission will hear a report and recommendation from the Elk Damage and Elk Incentive Committee and will consider and may take action to initiate changes to elk damage and elk incentive language.

7 Reports – Informational

A Clark County Shooting Park – Commissioner Lurie

B Gray Wolf Regulatory Changes – Wildlife Staff Specialist Kevin Lansford

C Evaluation of Wild Land Bear Commission Authority – Deputy Attorney General Nhu Nguyen

D Wildlife Damage Management Committee – Kevin Lansford

E Nevada Department of Wildlife Guide Program – Chief Game Warden Rob Buonamici and Staff Game Warden Cameron Waithman

F Collaborating with Partners to Implement Nevada’s Wildlife Action Plan in Northern Nevada – Wildlife Diversity Biologist Brad Bauman

G Nevada Department of Wildlife Land Report – Deputy Director Doug Hunt

H Department Budget – Deputy Director Doug Hunt

I Audit Compliance Update – Deputy Director Doug Hunt

J Department Activities Report – Director Ken Mayer

K Litigation Report – Deputy Attorney General Nhu Nguyen

8 Future Commission Meeting – Director Ken Mayer - Action

The next Commission meeting is scheduled for May 9 and 10, 2008, in Reno, and the Commission will review potential agenda items for that meeting. The Commission will review potential agenda items for Reno. The chairman may adjust committee assignments or create new ones.

County Advisory Boards to Manage Wildlife Workshop
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Saturday, March 22, 2008 – 8:30 a.m.

Welcome and Opening Comments – Chairman Bentley and Secretary Mayer

- County Advisory Boards to Manage Wildlife Members’ Roles and Responsibilities Overview
- Preparing a County Advisory Board to Manage Wildlife Budget
 - Inviting Public Involvement
- Sage Grouse Listing Potential; Update
- Review of the 2008 Junior Hunt Deer Quota Development Process
- Mule Deer Bulletin; Factors that Influence Mule Deer Abundance in Nevada
- Mule Deer Management Prescriptions
- Future Funding for Wildlife
- Question and Answers with Director Mayer

Nevada Board of Wildlife Commissioners present for two day meeting:

Chairman Clint Bentley	Vice Chairman Jack Robb	Pete Mori
Commissioner Jeffress	Ron Lurie	Scott Raine
Bevan Lister		Dan Swanson
Director Kenneth E. Mayer		Deputy Director Doug Hunt
David Newton, Deputy Attorney General		Suzanne Scourby, Recording Secretary
Excused Absence – Commissioner David McNinch		

Nevada Department of Wildlife personnel present:

Russ Mason, Game Bureau Chief	Maryanna Enochson, Admin. Assistant II
Larry Gilbertson, Game Biologist	Brad Bauman, Biologist III
Julie Meadows, Program Officer I	Tyler Turnipseed, Game Warden
Rob Buonamici, Chief Game Warden	Chris Healy, Conservation Education
Kim Jolly, Management Analyst III	Laura Richards, Chief of Wildlife Diversity
Shirley Atkinson, Wildlife Diversity	

Others Present:

Glenn Bunch, Mineral CABMW	Boyd Spatling, self
Chris Torres, Eureka CABMW	Jim Jenne, Lyon CABMW
Tracy Hammond, Clark CABMW	Bill Meyer, Lyon CABMW
Don Sefton, Systems Consultants	Gil Yanuck, Carson CABMW
Judi Caron, Washoe CABMW	Craig Stevens, Elko CABMW
Dearl Sneed, Clark CABMW	Candido P. Mendive, Elko CABMW
Ken Wellington, Elko CABMW	William Miller, White Pine CABMW
Mike Riordan, Self	Doug Busselman, NV Farm Bureau
Pat Laughlin, Sportsmen	Mike Laughlin, Rancher
Daryl Harwell, Washoe CABMW	Quintin Kelly, Rancher
Jim Rackley, Nevada Chukar Foundation/NV Muley's	Tom Cassinelli, Humboldt CABMW
Charlie Cecchini, Nye CABMW	David Fecht, Pershing CABMW
Steve Boies, self	Kevin Strozzi, Nye CABMW

Friday, March 21, 2008 – 1 p.m.

Chairman Bentley called the meeting to order at 1 p.m. and welcomed everyone to Winnemucca, and said that there is good attendance today.

Approval of the Minutes – Feb. 7 and 8, 2008 - Action

He asked for approval of the minutes from the Feb. 8 and 9, 2008, and he noted that Judi Caron of Washoe CABMW had asked for inclusion of clarification of remarks that she made during the February meeting on page 18 second paragraph of the minutes (*new language is in italics, old in parenthesis*): Ms. Judi Caron, Washoe CABMW, said the board supported the archery change,*****but wants to state that *she personally* (they) did not feel the rationale sheet explained that the rifle would open on the same day and (their) *her* biggest concern *was that she felt that we* (is they feel they) did not get this in time to get this to sportsmen to get buy in and *feels these changes are major not minor.*”

Commissioner Raine said there is a transposition of words on page 13 in the last paragraph that needs to be corrected from Mr. Atkinson’s statement “disease transmission from a wild sheep to a domestic sheep in a wild setting,” and it should be corrected to “disease transmission from a domestic sheep to a wild sheep.”

COMMISSIONER LURIE MOVED TO APPROVE THE MINUTES WITH CHANGES TO THE SECTIONS NOTED. MOTION SECONDED AND VOTE WAS UNANIMOUS.

Approval of the Agenda – Action

COMMISSIONER LURIE MOVED FOR APPROVAL OF THE AGENDA. COMMISSIONER SWANSON SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Special Employee Appreciation - Deputy Director Hunt presented Game Biologist Larry Teske with a tenure award for service to the Nevada Department of Wildlife and thanked Mr. Teske for all of his service to the Department and noted that today is Mr. Teske’s last day as he is retiring from his Battle Mountain biologist position.

Member Items -

Commissioner Raine said he had asked before about transplant of sheep in Cortez Mountains, and asked the Department if grazers had been contacted and was told they had. He said he ran into permittee who had never been contacted by NDOW and he has felt misled and contacted some of them, and found that none of them had been contacted. He said we approved sheep going in there before anyone was talked to and that should have happened before transplant was approved.

Mr. Larry Gilbertson said the sheep release is denoted as “proposed” on the list and currently Bureau of Land Management (BLM) is determining the Environmental Assessment process and transplant of sheep is not eminent at this point. He said NDOW Biologist Mike Podborny is working with BLM Biologist Ken Wilkinson and they have the list of permittees and if it goes to NEPA process there will be lots of chances for interaction between the parties before sheep are transplanted.

Commissioner Raine said, nevertheless it was approved, and he was told by the Department that permittees were contacted, and that did not happen.

Commissioner Lurie said he would like a report on quagga mussels on the May agenda, and he said he attended the Clark CABMW, and they would like the goose transplant at Overton WMA on the May agenda as well for discussion.

Commissioner Robb said trout stocking on the Truckee River received widespread coverage in the Reno media and commended staff for getting the publicity blitz underway to sell fishing licenses.

Commissioner Lister said the BLM is initiating wilderness management plans for mountain ranges in Lincoln County and they post these and tell us they have the scoping and always get a plan done in a vacuum and it is very fitting that the first meeting is April 1, 2008, in Caliente; April 9, 2008, in Las Vegas; with the scoping period ending April 20, 2008. He said there is a new wilderness planner in the Ely Office and hopefully things will be a little bit different. He will try and provide a copy to the Commission.

Commissioner Jeffress said he would like an update from BLM and USFS on fire suppression and this is particularly important while facing the current sage grouse issues, and looking at Mr. Espinosa's report from the last meeting, the number one threat to sage grouse is loss of habitat due to fires. He said he would like fire suppression efforts stepped up, and asked that Secretary Mayer fill the Commission in on this and he heard that the Nevada National Guard is trying to get water bladders from California to use in our C 130s and would like to pursue that further, perhaps at the next meeting a letter of support could be sent to the governor to do everything possible.

Commissioner Raine said one other item he would like to be updated on is the Izzenhood property purchase.

Deputy Director Hunt said escrow closed yesterday on the Izzenhood and NDOW now owns that property and a detailed report can be provided at the May meeting.

Chairman Bentley said the Legislative Committee has met several times over the past few months to approve a committee charter, and discuss legislative issues, including ideas for bill draft requests (BDRs) that the agency will bring forward. There are approximately 11 BDR ideas to be sponsored by the agency, and three to be sponsored by legislators, all of which must be submitted to the Governor for preliminary approval on April 3. The Legislative Committee will finalize those ideas at the next meeting April 1.

Public Comment –

Mr. Glenn Bunch, Mineral CABMW, said he would like to update the group on the major push that the BLM and Forest Service have underway for wilderness and roadless areas in Mineral County, and that they are now picking up areas in Lyon and Esmeralda Counties, he said local groups have been

in touch with NDOW and are meeting with Congressional staff, and at the last Commission meeting he reported they had moved Chukar Ridge out, and now it is back in. When he questioned them they said there were bighorn sheep in there and we need to protect them, Mr. Bunch told them sportsmen dollars put the bighorn sheep there and paid for it, and was still told that they have to protect them. In June the bill will be drafted and he is just keeping the group advised of what is afoot.

Mr. Daryl Harwell, Washoe CABMW, said during the spring turkey tag online application period, that several people had contacted him with a problem with the license year, and the letter on the 2008 licenses is for field offices to know the current license, and with the online process there are error codes coming up, and it is very vague and if we go with online applications we need to look into that.

- 1 Correspondence – Chairman Bentley said in regard to correspondence that he had received a letter back from Assemblyman Claborn and he is in the process of replying to Assemblyman Claborn, and he reported at the previous meeting that we had correspondence between Mr. Carson and Mr. Manzione and that himself, Chief Game Warden Buonamici, and Commissioner Lister, met with the two parties at the site and had a very informative walk through discussion with both parties and it was worth the time and effort expended. The end result was the outfitter sent a letter out to all outfitters, guides, and subguides, stating that they need to pay better attention to private land, and hopefully, that particular problem was solved and will alleviate future problems. Other correspondence is letters sent to Director Mayer from Brian Sullivan on Onion Reservoir, a response back to Assemblyman Claborn from Director Mayer on prior meeting on mountain lions and changes and letter to Colonel Bartley regarding our position on access and age limitation on the bombing range.

Commissioner Lurie said he had one email from Trish Tallerico on number of horses out on the ranges and doing some population control.

Commissioner Raine said Mr. Claborn's letter was sent to everyone on the Commission and he asked what is the manner that this is handled in drafting the response.

Chairman Bentley said he will respond to Assemblyman Claborn on behalf of the Commission as there is a prior letter as well.

- 1 County Advisory Boards to Manage Wildlife Budget Augmentations – Administrative Services Officer Daralyn Dobson said she is requesting an augmentation to the Humboldt and Washoe CABMW budgets totaling \$3,356.42. Humboldt is requesting \$2,571.70 and Washoe is asking for an additional \$784.72 and justification for Humboldt is that they have a board member on the TAAHC committee and the increases of per diem rates and Washoe's justification is that they had per diem increases and recording costs.

COMMISSIONER SWANSON MOVED TO APPROVE THE AUGMENTATIONS. COMMISSIONER JEFFRESS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY – AUGMENTATIONS APPROVED.

2 Appeal – Todd Eckhardt – Action

Deputy Attorney General Nguyen said for the record Mr. Eckhardt is not present.

Commissioner Lister said letter in packet is record of his appearance and the Commission will still need to take action.

Commissioner Lurie asked if the Attorney General’s memo on statute of limitations would be grounds to deny the appeal.

COMMISSIONER LURIE MOVED TO DENY THE APPEAL ON THE BASIS OF THE STATUTE OF LIMITATIONS RUNNING OUT. COMMISSIONER SWANSON SECONDED THE MOTION.

Commissioner Lister asked for clarification as to whether the Commission’s action generates a Findings of Fact, Conclusion of Law for the appellant.

DAG Nguyen said it does and that she would draft the Findings of Fact, Conclusion of Law for the Commission.

VOTE ON MOTION - UNANIMOUS.

5 Wells Resource Plan Revision Request – Game Division Chief Mason said at the last meeting the Elko CABMW brought forth a letter to increase the number of elk to be permitted in the Wells Resource Area and Game Biologist Gilbertson is present to provide specifics.

Public Comment -

Mr. Mike Riordan, former Wildlife Commissioner, said he does not have a dog in this fight personally, and that he represents industry, and would address those concerns. He said he can’t remember the details that well but he was part of group that put together the process the Commission would use if the Commission reopened an elk management plan, and what the Commission would be required to do is reopen the plan, establish a committee and the whole plan is open and that is a large and difficult task. He said Governor Gibbons has told lots of people in the state to cut their budgets and he does not recommend opening the plan for that reason, and secondly, as the elk fund had \$900,000 in it when he started on the Commission and when he got off the Commission it was around \$150,000, and the annual income will easily be used up. His point would be that when you have issues with people having damage or needing fences, he does not see the possibility of increasing the herd, which is what Elko County is requesting and would add to the burden on that fund.

Commissioner Raine asked Mr. Riordan what the effect of increasing elk in that area would have on ranchers and on mule deer.

Mr. Riordan answered Commissioner Raine that anytime we talk about public lands we have permittees involved and you would have other ungulates using permittee allotments, and the state elk plan requires that there be no loss of grazing, but you still have incidentals such as fence damage when you increase numbers.

Mr. Craig Stevenson, Elko CABMW, said they wrote the letter at a prior meeting and after submittal heard from people who were going to lose their jobs and other things, and he brought up those issues with Mike Riordan and almost all of the issues were alleviated from his concern and other board members through the discussion, and it was decided to not debate everything involved because that should be saved for the process, and that is why they are asking the Wildlife Commissioners to initiate a review of the subplan through their new process, this is more surgical than the old way, and you won't have to go through five years of meetings with the new process. Mr. Stevens asked the Commission to initiate review of the subplan and the issues brought forth should be debated within the process not at this venue today.

Game Division Chief Russ Mason said Elko CABMW is correct that the new process opens up one part of the plan and is a cap revision of one area and could be an expedited process, and the role of the Commission is to determine whether it is feasible or not. The decision for today is whether the discussion should be initiated or not.

Mr. Boyd Spratling, former Wildlife Commissioner and rancher in the area, said he was on the Commission when the plans were instituted and this is of concern to him as this is a BLM plan management area amendment and he is not sure if total authority rests with this body. He said it should be a short process and the most important ecological factor in that entire part of the state in the last five to 10 years was fire, and the range analyst hardly even used that word, and consequently allotments have been closed because of that and the concern is for recovery of the resource. NDOW biologists continually comment on the closures of BLM grazing allotments and the important thing is that elk are large ungulates and to talk of closing and then doubling the population, seems narrow minded, and within their own analysis of the range and the closures go beyond two years for shrub recovery and those ungulates who are most likely to use the shrubs we are trying to recover – need to determine whether or not the shrubs have recovered and that fire situations precludes the discussion of doubling the elk populations. Mr. Spratling said we are trying to recover the three year woody growth to reopen the allotment for livestock grazing, and livestock for our resource aspects. Mr. Spratling said another former Commissioner Steve Boies will talk about elk in the 1980s and the release of elk after 1996 and at the time promises were made by then Director Molini to take care of problems, and those obligations still stand whether there is money in the fund or not, and without that resource to fulfill your obligations for the use of elk, it would be a crime to talk about increased use. Those obligations still stand, and if we are talking about more elk we will need to go to the Legislature and quadruple the fee for elk to put money back in the fund to take care of those obligations.

Mr. Craig Stevens, Elko CABMW, said again that we are not here for debate, rather these discussions need to be made during the process, Elko CABMW is just asking to reopen and initiate the process.

Mr. Steve Boies, rancher and former Wildlife Commissioner, said he would touch on some things that have not been mentioned yet and would speak in opposition to increasing the herd. He said elk have been there about 10 years and believes the elk are still pioneering and to increase the cap would not be a wise move. He said he agreed with Mr. Spratling on the burns and fires and the impact to the habitat. On the original Wells Resource Management Plan there was mitigation and he asked if all the elk fencing had all been put in. Our actual allotment is in the Snake Range and serious effort to control those numbers, and the displacement of elk – is that controlling the numbers? He asked that the Commission proceed with caution and that the discussion of expediting the process concerns him as well.

Chairman Bentley said to Mr. Stevens that he agreed with his earlier statement of initiating the process and not asking to debate but to open the process back up and what is the reason.

Mr. Stevens answered that the board was approached by several people to reopen the process and their concern is based on monitoring that was done, and they are aware that there is a fecal study underway and at the most a month the study will be released, and that would answer Commissioner Raine's question on the effect elk have on mule deer. He said they would like the process restarted because right now the information is fresh and is not stale dated information and based on that is why they want the process reopened.

Game Biologist Larry Gilbertson said the water developments have been done, and not sure about all of the fencing. He said another issue associated with the potential plan revision is his suggestion that a couple of things have happened recently out there and we made slight revisions: Area 9 (Pilot) is identified and the North Tonano's are now part of Area 7, and since that area is shared with Utah and we have lion hunting allowed on both sides, and the same with the elk hunt and it is a special situation and we were having lion hunters crossing the valley to the next range to the west, we made it Area 9 to identify what we share with Utah and by doing so, that compromises the Wells Resource Plan amendment, and added the North Tonanos' to the Goose Creek Elk herd and now have split the identified area in the Wells Resource plan that was the Pilot Area and so now would suggest changing the name to the "Eastern Elko County Elk Management Plan" and they would like the plan revisited to include those issues. He said when the Commission adopted the plan, they did not adopt federal processes or NEPA processes because those are federal processes not state processes and when done in 1997, the ESMP required a subplan written for each elk area and to save time and maintain previous commitments with elk planning that pre-dated the ESMP, the Commission adopt existing elk plans, and with the new elk planning process adopted by the Commission in 2006, the Wells elk plan should be changed to make that break and begin the new elk planning process. He said it is important for the Department to live within the ESMP and keep our federal commitments, but elk population management through the new elk planning process is a state

prerogative and the state plans have no Authority over the federal government and so that is why the Commission can modify the plan and don't have to ask the BLM because we are not and cannot change federal parts of the plan.

Commissioner Raine again asked what affect would the increase in elk, have on mule deer in the area.

Mr. Gilbertson said a study came out that has not identified a problem with elk over use of the vegetation in the area and the Department's many years of helicopter survey data for deer show that the unit groups in the Goose Creek Area have never been key summer range for mule deer in Area 7 – main summer ranges are in the Jarbidge and Snake Mountains. He also said elk have not negatively impacted the summer range and would not be a big impact on mule deer.

COMMISSIONER LISTER SAID THIS HAS BEEN A POINT OF CONCERN AND AS HE HAS STUDIED AND READ THROUGH THE REPORT ON GOOSE CREEK, AND AS HE THOUGHT ABOUT FIRE DAMAGE AND PROBLEMS THAT HAVE OCCURRED, WE HAVE A COUPLE OF THINGS THAT NEED TO BE ADDRESSED, BUT HE IS NOT COMFORTABLE WITH RENAMING THE PLAN, AND WHEN WE DO GO INTO THIS, WE NEED A STEP BY STEP APPROACH HOW TO BREAK THESE AREAS UP, AND HOW THESE AREAS ARE RELATED TO ELK USE AND BE ABLE TO SPECIFY, BUT AT THIS POINT, HE WOULD MOVE NOT TO OPEN THE PLAN, BUT WHEN WE REACH A POINT WHEN THE BURNED ALLOTMENTS CAN BE REOPENED AND WE HAVE SUFFICIENT DATA TO SHOW THAT THERE IS RESOURCE AVAILABLE, AT THAT POINT WE COULD MOVE FORWARD WITH A STEP BY STEP APPROACH AND PLAN FOR EACH OF THOSE UNITS. COMMISSIONER MORI SECONDED THE MOTION.

Commissioner Jeffress said he appreciates the testimony from the previous Commissioners and Mr. Stevens; however he looks at this in a different angle, there have been wildfires and probably been a reconcentration of use in those shrubs that still exist, but one thing not addressed, was how wildfire affected the perennials and during this rest period will we see more perennials and higher number of grass species and will it come back healthy or will it be a high amount of invasive weeds that are in the burned areas. This leads into or feeds to the elk and we may be removing some summer range for deer but may be more conducive to elk, but he does not know, and the fecal analysis is one of the studies that he wished we had for this meeting. Commissioner Jeffress said rather than waiting he would like to initiate opening the subplan process revision and get information from BLM on shift from shrubs to grasses. There is a lot unanswered but it would set the stage in motion to and feels uncomfortable with the suggested increase but would move slowly based on the habitat and that would be a responsible way to go forward.

Commissioner Swanson said we spent all morning discussing language for subplans and the idea is to get sportsmen and landowners together to look at the details in resource plans and is not meant for the Commission to decide issues of increasing or decreasing numbers because we need the science to direct what we do not the politics.

Commissioner Mori said with information on this issue and what we received from the Elko CABMW it was obvious that the driving force to open this plan for revision was to increase numbers and is disappointed with the Elko CABMW's blatant disregard for the habitat. We would have more information if we follow Commissioner Lister's motion.

Commissioner Lister said he appreciates Commissioner Jeffress' suggestion but you need to have the information before initiating the planning action and he said he had participated in several elk planning processes and speaks from experience. He said whereas if we take the time now over the next two or three years when the allotments reopen would make the process simpler.

Commissioner Robb said listening to all the testimony he is in favor of opening the plan, and if there is a decrease in numbers, then the sportsmen need to recognize that; however, he is in favor of opening the plan up for milestone events that have occurred.

Commissioner Raine said he concurred with Commissioner Mori on the driving force for this and is clearly the wrong direction to be taking and would therefore support the current motion to deny at this time.

Commissioner Swanson said the importance here is that the sportsmen have to trust a recovery resource plan and if the recovery shows the dire circumstances, it will show in a decrease, and he would be hesitant to make a decision without new information, and would be a disservice to sportsmen not to provide fresh comment.

Chairman Bentley said in listening to all the interested parties here, and having been a participant in a revised elk plan and process, that he has a feeling that with pertinent information needs that we are a year premature in evaluation, and if we open this now, it could increase the time that plan is looked at, and he feels strongly that you need to be careful for what you wish for, and he restated that he does not feel that all the pertinent information is there to evaluate this plan.

Commissioner Lurie agreed with Commissioners Lister and Mori and does not want the Elko Advisory Board to circumvent working with the ranchers and overall premature and will support the motion the floor.

VOTE ON MOTION TO DENY REOPENING THE WELLS RESOURCE PLAN: CHAIRMAN BENTLEY, LISTER, LURIE, MORI AND RAINE IN FAVOR. COMMISSIONERS OPPOSED: JEFFRESS, SWANSON, ROBB OPPOSED - MOTION CARRIED 5 – 3.

- 4 Wildlife Heritage Project Request – Chairman Bentley said we had a request for an emergency meeting of the committee to address a request for funding, and the meeting was March 18, 2008, and the proposed project was to fund and repair the gearbox on the NDOW FG2 helicopter. The discussion brought up that there were two other projects being funded by Question 1 funds, and there would be funds to use for this repair. There were strong feelings by

committee members on using heritage funds but was determined that the request was inline with NAC and determined that without the repairs we would miss spring surveys that are used to set quotas for the draw and without them we would be in the dark, and the bottom line is that without the surveys we are doing nothing.

Director Mayer said the air operations program is experiencing many mechanical problems, and the funding proposal to repair the Department's helicopter was submitted to the Commission's Heritage Committee and they approved the request.

Commissioner Robb asked what the proposed timeframe is to get the gearbox repaired, and his main concern is that it is flying by this summer.

Director Mayer said the long-range goal is to get FG2 refurbished and if not we won't be flying until August.

Commissioner Robb said he feels surveying wildlife is very important.

Director Mayer said safety is the number one concern and if necessary we will hire out if we have to, and we have hired a second pilot who is a mechanic.

Chairman Bentley said the committee voted unanimously to recommend to the Commission that we approve this funding.

Commissioner Raine said he understands the need for safe and sound air fleet and understands that, but does not understand why the Department does not have a contingency fund for situations such as these, and should have one, and the Department should not rely on the heritage fund to subsidize these repairs.

Director Mayer said to Commissioner Raine that safety is number one, and he would offer that Commissioner Raine come to his office for a thorough review of the budget, and he said for example, the Heritage fund has funded seed planting and air ops helps facilitate getting NDOW projects such as seed planting done The Department has to purchase and maintain equipment to get Heritage projects done, and takes exception that the Department did not budget correctly because funds were budgeted but we had unforeseen circumstances and could just ground the ships.

Commissioner Raine said the issue is whether Heritage funding should be habitually used for repairing machinery when we have shortages in other areas.

Secretary Mayer said it has been in the past, and DAG Nguyen read the statute relating to the Heritage account.

Commissioner Mori said to Commissioner Raine that in the committee's discussion, the money would be taken from two Heritage projects to fix the helicopter, and the two projects would not be eliminated, money for those projects would be taken from another source.

Chairman Bentley said he totally understands Commissioner Raine's concern as he had the same exact concerns and brought them to staff's attention during the committee meeting.

Commissioner Lister said from his standpoint as a Commissioner he would ask whether we are compliant legally with this process and that is his concern.

Chairman Bentley said that question was asked numerous times and authority to use the Heritage Account for this purpose is there.

Director Mayer said he is going to ask that the Commission modify the Heritage process and determine if there are savings, and funding of other projects, and that could be addressed under existing alternate projects.

COMMISSIONER LISTER MOVED TO APPROVE SPENDING OF \$40,000 OF HERITAGE FUNDS FOR HELICOPTER REPAIRS. COMMISSIONER LURIE SECONDED THE MOTION.

Public Comment – none

VOTE ON MOTION - UNANIMOUS.

6 Elk Damage and Incentive Committee – Game Division Chief Russ Mason – Action

Chief Mason said they had a committee meeting this morning to discuss language changes to elk damage and elk incentive codes, and the next meeting will be in June, and they will look at NAC for persons not eligible for tags, and provisions for language change.

Chairman Bentley asked how Mr. Mason wishes to proceed.

Mr. Mason said he would like to proceed with all of them at once as they are all connected and would defer to the June meeting for action.

Commissioner Lister said we are holding off until we actually have a recommendation in writing so everyone can see what the language is. Commissioner Lister said we may need to adjust the names of the committees and will bring this issue up during the future commission meetings agenda item.

Commissioner Robb said at the Washoe CABMW meeting there was some confusion and he asked that staff insure that the CABMWs have accurate language.

Mr. Mason said he could even provide the NAC language in a format that is understandable.

Public Comment –

Mr. Craig Stevens, Elko CABMW, said he is not sure of the wording and does not know where they stand on this although they took a vote on these three items at their meeting, and now is understanding that they are going to come back to the boards again.

Mr. Mason said that is correct and there were minor changes.

Mr. Daryl Harwell, Washoe CABMW, said the regulations were confusing to read and Mr. Wilson is an attorney who is on their board, and he is aware of access and private land issues and he will assist them in review, but they did not make a recommendation on this because it was too confusing.

Chairman Bentley said we can carry this on the agenda as action for the June meeting.

7 Reports - Informational

A Clark County Shooting Park – Commissioner Lurie said work progresses and the first contract is out for water delivery and homeowner concerns have arose from a new subdivision about one mile away from the shooting park. He said the group is working on a naming rights brochure; submitting an ordinance to get sponsors to be part of the shooting park; the Las Vegas Convention and Visitors’ Authority has given the park a grant for \$250,000; and the park is slated to open in 2009.

B Gray Wolf Regulatory Changes – Wildlife Staff Specialist Kevin Lansford said changes have been discussed with Director Mayer, Game Division Chief Russ Mason, and consensus was to change gray wolves to a game species with a two-pronged approach to the regulatory changes involving wolves. The regulation may pose a financial hardship for people who own wolves for facility requirements, and the wolves will have to be marked/tattooed and registered. The group discussed prohibited versus permitted, and preventing the first person who removes a wolf hybrid from the state from going to jail.

Commissioner Jeffress said he would like to see wolves go prohibited.

Commissioner Raine said he agreed on the prohibitive part being correct but need to be careful not to impose financial hardship on the owners or the Department.

Director Mayer said we would have to get a number of wolf pets in Nevada.

Commissioner Lister asked on the fee structure and what is the difference between a commercial licensee and personal licensee, in context of a wolf, and if they are a prohibited species what percentage of canis lupis makes a wolf.

Mr. Lansford said Idaho has criteria to determine whether it is a wolf or not which is a simplistic approach and will need to define clearly why it should be a prohibited species.

Chief Game Warden Rob Buonamici said the controversy will be what do we want to allow, and will have to allow time for public comment and input on regulations that are developed. The commercial license is for folks selling or breeding pups and personal is for personal use with no profit involved. He said it will need to be decided if we are grandfathering people in who are

already breeding wolves and stop them from any activity and those are the issues that will come before the Commission.

Public Comment –

Mr. Glenn Bunch, Mineral CABMW, said he was in Las Vegas last October and saw people walking five wolves and there are more people out there with wolves than you think or have seen.

Director Mayer said staff will prepare a package will be put together for the issues that are going to arise.

Commissioner Lister said for him personally he would lean toward prohibitive option and essential to have a comprehensive data based on captive wolves in the state before moving forward with regulation.

Mr. Lansford said he will move forward with drawing up information on prohibited species and have it informational again.

C Evaluation of Wild Land Bear Commission Authority – Deputy Attorney General Nhu Nguyen said the Commission has the authority to establish the fee for the bear hunt.

D Wildlife Damage Management Committee (WDMC) – Mr. Lansford said the WDMC met this morning and deferred the committee report to Chairman Bentley.

Chairman Bentley said the committee reviewed the fiscal year 08 projects and what they were, not what they have done, and the next meeting will be in June, which is not the norm, but the committee wants to review its budget and get an update on status of 08 projects and how they have progressed before the August 2008 meeting.

Mr. Lansford commented that this morning's meeting was well attended and had informative insight in the public comment section.

E Nevada Department of Wildlife Guide Program – Chief Game Warden Rob Buonamici and Staff Game Warden Cameron Waithman.

Mr. Waithman said he has developed the Wildlife Guide Program and administers the program and he presented a power point presentation (exhibit file), and that he tries to work proactively with the guides on providing them information.

Chief Game Warden Buonamici said the guides are going to the state legislature with their own package to change penalty of illegal guiding to a felony and they are in fact being proactive in pursuing that change and NDOW is assisting with technical expertise.

Commissioner Lister said he appreciates the presentation and the area where he sees the need for improvement is in education and to emphasize within our guiding community in the area of

ethics and he knows from personal experience of some of the attitudes out there in the guiding community and as a Commission, and you as sportsmen, we all need to step up our personal regard for wildlife, and demand that from guides who should be the Boy Scouts of the hunting community, and his experience has been that they are not, and sportsmen need to demand better accountability from guides that we hire or don't hire and we need to step up in our own personal hunting activities as well.

Commissioner Lurie asked if the agency has not renewed a guide licenses due to unethical behavior.

Chief Game Warden Buonamici said not specifically for unethical conduct unless it is combined with a conviction, because everyone has a different definition of unethical conduct, unless it is at the extremes. He said the guide involved in this recent case agreed to do a letter to all guides on ethics and we challenged the Guide Association to define ethical and unethical in a little more detail as a jumping point for regulation or from a standpoint that guides in their own association would say is unethical.

F Collaborating with Partners to Implement Nevada's Wildlife Action Plan (WAP) in Northern Nevada – Wildlife Diversity Biologist Brad Bauman presented a power point presentation on collaborating with partner's such as local high schools and the Chukar Foundation and federal partners to implement a seedling project (exhibit file) of sagebrush and bitterbrush seedlings in northern Nevada. The purpose is to get the sagebrush ecosystem back instead of cheatgrass.

Chairman Bentley said Mr. Bauman has a great program and commended him for getting youth involved, and the project has the potential to address range conditions and is a win win situation for everyone.

Commissioner Raine said the Wildlife Action Plan is an interesting document, and it includes one section relative to big game species and the section specifically targeting mule deer, includes preposterous unsupported pseudo unscientific anti-grazing trash and would lead to tremendous decline in mule deer populations and also Nelson and California bighorn sheep, and he does not want to support something with such myopic vision, and does not include any of the important management concerns contained within other NDOW documents.

Chief of Wildlife Diversity Laura Richards said the Wildlife Action Plan is required by the federal government to receive grant money, and many partners assisted in development of the plan and the resulting product is very good and it is considered to be the best plan in the country.

Game Division Chief Russ Mason said Nevada's Wildlife Action Plan is one of the few plans to include game species and provides a hook and will allow us to connect to climate change legislation as well. The USFWS meant this to address nongame species and will allow us to fund and help game species in a way that has never been seen.

Chairman Bentley commended Chief of Wildlife Diversity Laura Richards and Game Division Chief Russ Mason for their efforts and said the majority of Commissioners will agree with his philosophy which is to help with the budget crunch and every program along those lines enhances wildlife and increases game species and is all hand and glove.

Director Mayer said during the last legislative session it was suggested by some to strip Wildlife Diversity out of the Department and into DCNR, and what you see here with the Wildlife Action Plan is the Diversity biologist working to benefit Nevada's wildlife, and it is the melding of the two concepts in a way that most states are not doing, and we should be proud of what we are doing, and how we are moving in a positive way in the future. Climate Change monies will be coming to states but it won't be because of game species it will be because of the nongame species and because we had the foresight to include them in the plan we will receive funding.

Commissioner Jeffress said other than NRCS doing work with mines to rehab land, that it is great to see high school kids out there and create knowledge of landscape enhancement, and kudos to them because the land management agencies are not doing that.

Commissioner Raine said he agrees with some portions, and he read the section on mule deer so people can see what he is talking about, (see page 431 of the WAP).

Wildlife Diversity Chief Richards said the WAP is an umbrella document that is tiered off of other NDOW planning processes, and is not a standalone plan for mule deer.

Mr. Jim Rackley, Nevada Chukar Foundation, thanked the Department for the assistance Mr. Ed Partee and Mr. Brad Bauman have brought to the seedling projects, and that they have been great, and he is distressed at the negativity expressed at their program and the goal is to prevent sage grouse from being listed.

G Land Report – Deputy Director Doug Hunt said his report was prepared by Land Agent Dottie Hansen and was provided in support material and he reviewed the report.

Commissioner Lister said he has mentioned once or twice the ongoing costs of the facilities for each of these pieces and the associated benefit of each of these pieces and asked if the agency has specific objectives and plans for each piece of property.

Deputy Director Hunt said that information is contained in the Comprehensive Management Plans for each property and for example NDOW has 42 acres in Mogul, Washoe County, which basically provides access issue for the Truckee River, and then you have a property such as the Oxbow Nature Study Area which has totally different costs which are shared with the City of Reno.

Commissioner Lister asked for some time in the future to provide a cost summary to the Commission and noticed recently that NDOW just started bidding out grazing on the Steptoe Management Area and is curious as to who gets the funds and what is the objective of the grazing.

Deputy Director Hunt said that stems from the sellers having first right of refusal and they have since sold their operation and the grazing is out to bid for vegetation management.

- H Department Budget – Deputy Director Doug Hunt said he provided a spreadsheet to the Commission to show where shortfalls are occurring and that an Interim Finance Committee meeting coming up in April. He reviewed the spreadsheets and said he is confident that we will not need to borrow from the General Fund next year either as we have not for the past three years.

Secretary Mayer said the Fiscal Financial Services Section is fully staffed and he is confident in the team led by Deputy Director Hunt to keep the Department fiscally sound. He told Commissioner Lurie that we would be included in the email distribution for the fiscal analysis team meetings.

- I Audit Compliance Update – Director Mayer said he attended a recent legislative audit meeting to answer questions, and there was one item discussed, the reconciliation of funds from the draw contractor. He said staff used the turkey draw to begin the new process and received positive comments.

- J Department Activities Report – Director Mayer said the report is being sent out weekly, and the regional supervisor teams have started meeting monthly.

Chairman Bentley asked if Director Mayer will be traveling soon to the Southern Region as the report denotes trips to the Eastern Region.

Director Mayer said he plans to be at the Southern Region office in conjunction with a Colorado River Fish and Wildlife Council meeting, and he plans to make it to the hatcheries and wildlife management areas as well.

- K Litigation Report – DAG Nguyen said report contained in support material, and she had nothing further to add on this date.

Director Mayer said that DAG Nguyen has received a promotion and will be working with the Secretary of State along with NDOW and other agencies and DAG Colleen Hemingway will also assist with the Department’s work.

Commissioner Robb said he forgot to mention during Member Items that after the Las Vegas Commission meeting and Mr. Espinosa’s presentation on sage grouse, that some Commissioners and NDOW staff met with mining industry representatives and they agreed to financially assist with sage grouse. The other item was that at the Las Vegas meeting two men were recognized by Governor Gibbons, and since then, Mr. Vasconi has passed away and he wanted to recognize Mr. Vasconi and all that he had done for the state’s wildlife.

- 8 Future Commission Meeting – Chairman Bentley said for the June 27, 2008, meeting that he would like it to be a two-day meeting as opposed to a one day meeting, and he would like to change the name of the Elk Damage Committee to the “Wildlife Damage Compensation Committee.”

Chairman Bentley adjourned the meeting at 5 p.m. and thanked everyone for attending.

Saturday, March 22, 2008 – 8:30 a.m.

Chairman Bentley and Director Mayer welcomed the CABMW members to the workshop and Conservation Educator Chris Healy of the Western Region facilitated the workshop.

County Advisory Board to Manage Wildlife Attendance Roster - *New member, or never attended workshop.

1. Belding, Diane (Washoe County Resident)
2. Bentley, Clint (Commissioner)
3. Billingsley, Jim (Humboldt CABMW)
4. Bliss, Chad (Eureka CABMW)
5. Bunch, Glenn (Mineral CABMW)
6. Buonamici, Rob (NDOW Staff)
7. Caron, Judi (Washoe CABMW)
8. Cecchini, Charlie (Nye CABMW)
9. Copeland, Glen (Washoe CABMW)*
10. Enochson, Maryanna (NDOW Staff)
11. Fecht, David (Pershing CABMW)
12. Flowers, Rex (Washoe CABMW)
13. Gregory, Billie (Washoe County Resident)
14. Gregory, Fawna (Mule Deer Foundation)
15. Hammond, Tracey (Clark CABMW)
16. Harwell, Daryl (Washoe CABMW)*
17. Healy, Chris (NDOW Staff)
18. Hunt, Doug (NDOW Staff)
19. Jeffress, Jim (Commissioner)
20. Jenne, Jim (Lyon CABMW)
21. Jolly, Kim (NDOW Staff)
22. Jurad, Michael John (Humboldt CABMW)
23. Lawry, Gary (Churchill CABMW)
24. Lister, Bevan (Commissioner)
25. Lurie, Ron (Commissioner)
26. Mayer, Ken (NDOW Staff)
27. Mendive, Candido (Elko CABMW)
28. Meyer, W.S. (Lyon CABMW)
29. Miller, William (White Pine CABMW)
30. More, Pete (Commissioner)*
31. Nguyen, Nhu (AG Staff)
32. Raine, Scott (Commissioner)*
33. Robb, Jack (Commissioner)

34. Scourby, Suzanne (NDOW Staff)
35. Stevens, Craig (Elko CABMW)*
36. Strozzi, Kevin (Nye CABMW)*
37. Swanson, Daniel (Commissioner)
38. Torres, Chris (Eureka CABMW)
39. Turnipseed, Mike (Douglas CABMW)
40. Yanuck, Gil (Carson CABMW)

Summary of CABMW Workshop Brainstorm – Saturday, March 22, 2008

1. Create a Feedback Form for CABMW Chairs to complete to report action taken and recommendations from the CABMW meeting. It should be able to be faxed or emailed to Suzanne Scourby and automatically put on the website so that Commissioners see it BEFORE the Commission meeting.
2. Commission-related items are too spread out on the website. Create an icon at the top of the front page called “Commission/CABMW”. No one pays attention to the bottom right corner hot links, or remembers to go through the maize to get to the stuff we need.
3. Put all in one place/such as combining all the Commission material into one PDF and also in Word document called “Commission Meeting Packet.”
4. Remove the Commission Committee page (per Commissioner Swanson) – or consolidate it with the Commission/CABMW stuff, it is too spread out.
5. Create a “CABMW Corner” on the website to put relevant stuff to CABMW members (like it is now, but make it easier to find.)
6. Stop the NAC & NRS Regulation notebook update mailings – we don’t keep up with them. Send only one to the Chair, to be property of the CABMW to be handed down to the next Chair, etc. (Is there a way to get these in full size paper instead?)
7. For the one copy of the NRS & NAC book mailing to the Chair, provide some instructions on how to keep up with it. Otherwise, it is a waste of money.
8. Opt-In/Opt out for receiving other CABMW agendas and updated CABMW member directory. Don’t email the new directory every time...just leave in on the website but indicate changes in color.

9. Mail only one copy (Suzanne Scourby) of the Commission Packet to the CABMW Chairs so that it can be used for their public exhibit file at their meeting. Non-Commission stuff doesn't need to be mailed. (Can just be on CAB Corner)
10. Add to each Wildlife Commission agenda an item for "CABMW activities/reports" to be presented by the reps present at the meeting, and for those who do send a written report.
11. On the letters from NDOW to the County Staff budget contacts, cc the CAB Chairs.
12. Add to the CABMW Manual:
 - a. Sample expense report for budgeting
 - b. Meeting Notice should be three working days
 - c. Sample meeting notice
 - d. Media list per region and how to respond to media who attend CABMW meetings
 - e. How CABMWs function at a Wildlife Commission meeting (speak at public comment, or during new CABMW activities item)
 - f. Great that we have a Manual – as soon as a new member comes on, give them one!

The group heard presentations from NDOW staff on:

- Sage Grouse Listing Potential; Update provided by Director Mayer
- Review of the 2008 Junior Hunt Deer Quota Development Process Discussion – Game Biologist Mike Cox
- Mule Deer Bulletin; Factors that Influence Mule Deer Abundance in Nevada
- Mule Deer Management Prescriptions – Eastern Region Big Game Biologist Tony Wasley
- Question and Answers with Director Mayer

Meeting adjourned at 3:30 p.m.

Note: The minutes are a synopsis of the meeting. At the Department of Wildlife headquarters in Reno is a complete record of the meeting, including recordings; and all the exhibits received/referenced during the meeting. The record is available upon request for review.

