

## Draft Minutes

Nevada Board of Wildlife Commissioners' Meeting  
Nevada Department of Wildlife  
1100 Valley Road  
Reno, NV 89512

Friday, June 27, 2008 – 10:30 a.m.

Welcome, Pledge of Allegiance, Call to Order and Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Bentley

Approval of Minutes – Action - Commission meeting minutes from May 9 and 10, 2008.

Approval of Agenda – Action

Member Items

County Advisory Board to Manage Wildlife (CABMW) Member Items

Public Comment Period

- 1 Correspondence – Director Ken Mayer - The Commission will review and may discuss written items sent or received by the Commission since the last regular meeting.

Workshop on Regulations – Informational

- 2 Commission General Regulation 357 - LCB File No. R059-08 - Wildlife Staff Specialist Kevin Lansford - The Commission is being asked to amend a regulation relating to wildlife; classifying the gray wolf as a game mammal; and providing other matters properly relating thereto.
- 3 Commission General Regulation 358 – LCB File No. R066-08 – Program Officer Maureen Hullinger - The Commission is being asked to amend regulation relating to wildlife; revising the circumstances under which a resident of Nevada or a nonresident is eligible to apply for a tag to hunt an antelope, bighorn sheep or mountain goat; and providing other matters properly relating thereto.
- 4 Commission General Regulation 359 – LCB File No. R068-08 – Program Officer Maureen Hullinger - The Commission is being asked to amend language requiring the Department of Wildlife to return the fees submitted for a tag for a subspecies of bighorn sheep or mountain goat under certain circumstances; prohibiting the Department from returning the fees submitted for a tag for elk or deer under certain circumstances; and providing other matters properly relating thereto.
- 5 Commission General Regulation 360 – LCB File No. R067008 – Program Officer Maureen Hullinger - The Commission is being asked to amend language to expand the amount of hunter choice numbers allowed when applying for a tag to hunt mountain goat; and providing other matters properly relating thereto.
- 6 Elk Damage Regulations, Revisions to NAC 502.42259, 502.42261, 502.42263, 502.42266, and 504.350 - Chief of Game Russ Mason – Action - The Commission will review and may approve submission of various NACs pertinent to elk damage management to the Legislative Counsel Bureau for review.

- 7 Fiscal Year 08 Upland Game Stamp Program Update and Fiscal Year 09 Project Proposals – Wildlife Staff Biologist John Gebhardt – Action - The Commission is being asked to review and approve 14 Upland Game Stamp Program Projects as described in support material that total \$292,672.
- 8 Fiscal Year 08 Duck Stamp Program Update and Fiscal Year 09 Project Proposals – Wildlife Staff Specialist Elmer Bull – Action - The Commission is being asked to review and approve 22 Projects that total \$121, 995.
- 9 Request from the Confederated Tribes and Bands of the Yakima Nation for Pronghorn Antelope – Big Game Biologist of Yakima Nation Jim Stevenson – Action - The Commission will review and may approve a request from the Yakima Nation for surplus pronghorn from Nevada.
- 10 Explanation of New Regulatory Constraints Imposed on Bighorn Sheep Hunting on the Nevada Test and Training Range (NTTR) – Colonel Kenneth Keskel – Action The Commission will hear and may take further steps in response to new special access requirements at NTTR, including that all hunters and their parties must: be at least 14 years of age, comply with all other Nevada hunting requirements, give their consent for a criminal background check, and attend a hunter’s safety briefing.
- 11 Reports - Informational
  - A Department Budget and Audit Report – Administrative Services Officer III Dave Prather
  - B Orientation Committee – Commissioner McNinch
  - C Department Activities Report – Director Ken Mayer
  - D Litigation Report – Deputy Attorney General Nhu Nguyen
  - E Clark County Shooting Park – Commissioner Lurie
  - F East Fork of the Walker River Environmental Assessment Update – Wildlife Staff Specialist Pat Sollberger
  - G University of Nevada, Reno Economics Survey – Associate Professor Kim Rollin Department of Resource Economics
  - H Canada Geese Translocation Program – Wildlife Staff Specialist Craig Mortimore
  - I Wildlife Damage Management Committee – Chief of Game Russ Mason
  - J Bureau of Land Management Issues: Memorandum of Understanding, Clark County Off-Highway Vehicle Road Closures, Wild Horse Management Update, and Fire Suppression Efforts for 2008 Fire Season - Bureau of Land Management Representative

Saturday, June 28, 2008 – 8 a.m.

Welcome, Pledge of Allegiance, Call to Order and Roll Call of CABMW Representatives - Chairman Bentley

Commissioner Appreciation – Director Ken Mayer

Member Items

Public Comment Period

Regulations – Action

- 12 Commission General Regulation 357 – LCB File No. R059-08 – Wildlife Staff Specialist Kevin Lansford - The Commission is being asked to amend a regulation relating to wildlife; classifying the gray wolf as a game mammal; and providing other matters properly relating thereto.



Glen Copeland, Washoe CABMW  
Mark Jensen, USDA, Wildlife Services  
Ira Hansen  
Fawna Gregory, Mule Deer Foundation  
Don Molde  
Matt Goldy  
Giovanni Giordano, Humboldt CABMW  
John Valley, Carson CABMW  
Rex McKnight, Bureau of Land Management

Catherine Miller  
Joel Blakeslee, Wildlife Damage Mgt. Committee  
Mel Belding, Wildlife Damage Management Committee  
Joe Bennett, USDA, Wildlife Services  
Marshall Goldy  
Jim Ornellas  
Mikka Miller  
Joe Tague, Bureau of Land Management

Friday, June 27, 2008, - 10:30 a.m.

Chairman Bentley called the meeting to order, welcomed the audience to the meeting, conducted the Pledge of Allegiance, and asked for a Roll Call of County Advisory Board Members to Manage Wildlife (CABMW) who are present. CABMW's present at roll call: White Pine, Elko, Carson, Washoe, Clark, Mineral, and Lyon.

Approval of Minutes – Action

Commissioner McNinch noted two corrections to the minutes: Page 6, agenda item #6 is denoted as informational wherein it was actually an action item, and page 9, Chairman Glenn Bunch of Mineral CABMW is denoted as a commissioner.

COMMISSIONER LUIRE MOVED TO APPROVE WITH CHANGES TO PAGE 6 AND 9 AS NOTED BY COMMISSIONER MCNINCH. MOTION SECONDED AND CARRIED UNANIMOUSLY.

Approval of Agenda – Chairman Bentley said for the agenda, we already have deletion of agenda items #3 and #13.

COMMISSIONER LURIE MOVED TO APPROVE THE AGENDA. COMMISSIONER SWANSON SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Member Items –

Commissioner Robb said he took his sons to a NDOW fly fishing clinic and he noted that Conservation Educator Chris Vasey has tremendous volunteer group and the class was excellent, and he said thank you to the department.

Commissioner McNinch said for the future agenda he would like to hear an update on mining claim markers activities, and update on Oxbow Nature Study Area, and said the Sheldon Wildlife Refuge is undergoing its Comprehensive Conservation Process (CCP) review and it may be too late to comment.

Commissioner Jeffress said the deadline is the 30<sup>th</sup> of this month but does not think the Commission has time to comment.

Deputy Director Doug Hunt said the Department has participated in the Sheldon's CCP process and he will have staff provide a report.

Commissioner Lister said he would commend Maureen Hullinger for her work on the regulations that were pulled due to Legislative Counsel Bureau still working on it and he appreciated her advance notice and work in advising the Commission as to the status of the regulation.

#### CABMW Member Items –

Clark CABMW Chairman Tracy Hammond said that they need people from the Department to assist with explanations with agenda items such as the upland game expenditures because the two NDOW staff who attended their meeting did not know the answers.

#### Public Comment

Commissioner Raine said he had been contacted by individuals such as ranchers and hunters, reporters, and one phone call that may be of some importance, a couple days ago, was that he heard there was a dinner tonight sponsored by the Coalition of Wildlife and was told by president of organization that he was not invited when he attempted to purchase a ticket.

- 1 Correspondence – Chairman Bentley reviewed the correspondence which was included in support material (exhibit file): Letter from Department of Interior James Caswell to Director Mayer, letter to Charles Musser from Robert Buonamici, letter to Chairman Bentley from Rory Reid of Clark County Commission, and letter to Rob McMillan from Secretary Mayer.

Commissioner McNinch noted there is also a letter that Don Molde sent pertaining to the Wildlife Damage Management Committee.

Commissioner Lister said he had received a copy of the draft environmental statement and right of way project for Lincoln County ground water development, and will provide the packet to the Department.

Commissioner Jeffress said he would comment on the Musser issue as that was discussed by the Tag Allocation and Application Hunt Committee (TAAHC) and the Commission needs to be aware that this went through the TAAHC.

Commissioner Raine said after receiving draft copy of agenda which has a note to provide comment to Chairman Bentley on the 31<sup>st</sup>, and was told the 30 day notice has passed and was too late for further input, and he asked how to change the agenda.

Chairman Bentley said that once the agenda is posted within the 30 day timeframe you cannot make changes to regulations, and Chairman Bentley said the Attorney General's Office told Commissioner Raine that as well, as he knows that he checked with them, and was told that we could make changes during

workshop portion and have done so. He said the Commission did not create the Open Meeting Law and we have to abide by the law as written and that is our situation.

Commissioner Raine said that he dislikes agenda items where only one option is provided and it appears that the decision is made before it even arrives before the Commission, and limits CABMW comment as well.

Commissioner Lister said as a point of order that the Commission may be out of order even discussing this further as the agenda item is denoted as "written correspondence received."

Chairman Bentley concluded the discussion.

- 2 Commission General Regulation 357 – Game Division Staff Biologist Kevin Lansford said he is presenting the regulation for review by the Commission on designating the gray wolf from an unclassified species to a game mammal.

Mr. Gerald Lent said he would prefer wolves to be listed as nongame which would allow trapping of wolves. He had an article from Idaho on behavior of wolves when hunters have a downed animal such as an elk with wolves encroaching on the kill and will decimate archery hunters. He said at the CABMW meeting he provided the same testimony that once you classify an animal as a game animal and to change it back is very difficult and you will not be protecting them as a game animal, and nongame designation would allow trapping, and easier to go nongame and back, than the other way.

Mr. Lansford said that is a good point but the agency needs a wolf management plan for the U.S. Fish and Wildlife Service (USFWS) if wolves expand into Nevada, and no one is a wolf management expert in Nevada, and we have to rely on what other states have done, and they have unilaterally listed wolves as a game species to manage. Listing as nongame creates controversy and wolves as a game animal is more palatable designation and most latitude to manage wolf in Nevada. Wyoming has two classifications, one as trophy and the other as a predator, but have to manage breeding pairs and regulate harvest, and seasons. He can summarize what other states have done such as Idaho – classified as big game; Oregon, they want wolves to re-colonize as does Washington, and keep listed as state endangered and after establishment they will classify as game; Montana has it as species in need of management; Wyoming, has two classifications, trophy and predator; and Utah is struggling as we are, and now are leaning toward furbearer designation.

Chairman Bentley said previous presentations directed Mr. Lansford to submit back to us a regulation and that would be the best tool at this time to have a management plan and address it, and right now we have mountain lion seasons

year round, and the Department was directed by the Commission to bring back a regulation for further discussion.

Game Division Chief Russ Mason said there is urgency to this as Nevada does need to develop a wolf plan because if wolves migrate into Nevada without a plan they are afforded full protection under the Endangered Species Act. He said the wolf plan will state in the first sentence that wolves are extinct in Nevada, and that will be a get out of jail free card.

Commissioner Raine said he recalled Mr. Mason saying that it was completely arbitrary in listing it as a furbearer or game mammal.

Game Division Chief Russ Mason said part of the objective is to make it palatable to the Service as they hold all the cards. He said there are thousands of people with captive wolves, and wolf hybrid dogs, and we need to know and prevent people from bringing or breeding more in Nevada, because they are dangerous, and due to concerns with Mexican wolves in Southern Nevada. His advice to the Commission is to choose something that USFWS likes or you will have to choose again.

Commissioner Lister said discussion held previously on wolf hybrids and his question was, is this something we need to do all at once, because if we act, will this include the wolf hybrids.

Mr. Mason said this is step one, and dealing with hybrids will be step two, and we will promulgate regulations that are hopefully not too burdensome to owners or grandfather them in and that will be controversial when that is dealt with.

Chairman Bentley said we need to have a plan to be in compliance with USFWS and the second part will deal with the wolf hybrids.

Mr. Mason said he recalls the Commission directing staff to tackle this sequentially, and that is what we have done through this proposed regulation.

Commissioner Mori asked if Mr. Lansford could provide a timeframe and if we classify after wolves get here as furbearer with regulation to harvest as compared to big game animal, and what would get the ball rolling quicker, as compared to the bear issue, and is concerned we won't have something in place before wolves get here.

Mr. Mason said staff hope to have something in place, and differences in trapping is the permitting process, as you may be allowed to take one, but with how many traps and other such issues. The most important thing is to get them off the list where anyone can have one, and our big game populations are not comparable to other states and would be concerned about impact of wolves on big game populations.

Commissioner Jeffress said he is not comfortable with the furbearer designation for wolves as we don't have the big game population base that state's such as Idaho have, and as far as trapping, that the trap needed to remove wolves is quite large, and he is not comfortable with that.

Mr. Mason said the plan is that if wolves stay and become established and become a problem they will be removed. Elko could get wolves but they won't be able to stay as the prey base is not there.

Mr. Lansford agreed with Mason that we would get seasonal wolves but not establish a pack.

Commissioner Raine said one thing that strikes him is the timeline brought up and if we had them listed as furbearer we could trap them tomorrow, but as big game we need to have a plan, and for speed of reaction to a wolf coming in, how is it worse to be designated as a furbearer.

Mr. Mason said the Department will have no authority to touch wolves until we have a plan.

Chairman Bentley said we have to prepare a plan regardless of species designation.

Commissioner Robb said the game mammal designation would be the same as black bears, and the Department would be able to take care of wolves similarly with the appropriate designation.

3 Commission General Regulation 358 – Withdrawn

4 Commission General Regulation 359 – Program Officer III Maureen Hullinger said this regulation was promulgated by the Tag Allocation and Application Hunt Committee (TAAHC) to expand return of fees submitted for bighorn sheep or mountain goat; however, for elk, antelope and deer, provisions would allow for return of tags but no refund and no reissuance of those tags, and she noted that Legislative Counsel Bureau dropped out antelope and she would ask that antelope be included in subsection five as it was meant to be in there.

Public Comment –

Chairman Craig Stevens, Elko CABMW, said the board is opposed to this, especially for elk in particular, and they do not agree that if tags are not reallocated and they maintain their bonus points, and are adamantly opposed to that. Those tags are very valuable and are not supportive of returning them for any reason without reallocation.

5 Commission General Regulation 360 – Ms. Hullinger said this regulation is also the result of TAAHC, and the purpose is to expand the choice of mountain goat hunter choices from one to five, as other hunts are and will this hunt consistent with other hunts.

6 Elk Damage Regulations, Revisions to NAC 502.42259, 502.42261, 502.42263, 502.4266, and 504.350 – Action

Chief of Game Russ Mason said the committee met this morning and went through modifications to NAC and the group felt that the changes are ready to be submitted to the Legislative Counsel Bureau (LCB) for review, and then brought back.

Commissioner Lister said the Commission needs to defer action and discuss as informational due to the fact that the agenda NAC designations do not match the NAC designations in support material.

Chairman Bentley said that is correct and that is why Mr. Mason will submit to LCB and then it will be brought back as an action item at that point.

7 Fiscal Year 08 Upland Game Stamp Program Update and Fiscal year 09 Project Proposals – Wildlife Staff Biologist John Gebhardt - Action

Mr. Gebhardt said the Commission is being asked to review and approve 14 upland game projects as described in support material that total \$292,672.

Commissioner Lurie said there was no NDOW staff at the Clark CABMW to explain the upland game projects at their meeting and he asked what is happening in Southern Nevada, and they wanted status review of old projects.

Mr. Gebhardt said they are getting close to completing inventory and assessment of projects, and Interim Finance Committee approved the purchase of a backhoe, and by this fall they hope to have it as it is in state's purchasing hands, and the water development truck is currently being built to our specifications. In Southern Nevada time has been spent on rebuilding those units and expanding out there. He said in January the guzzler crew was finally fully staffed.

Commissioner Raine said regarding the sportsmen's journal, he asked why are we funding them, as they are particularly un-useful, as he has seen customers in his store who have not been impressed.

Game Biologist Craig Mortimore said we must be hearing from different people as the Department uses the journal as a data collection tool for upland game survey questionnaires which have been revised to include questions that rely on memory and that is what this is, a tool to help sportsmen remember. NDOW does not think it is a waste of money, and staff hope to get more donations to print the

book and the intent is to give something to sportsmen for free and in return hope to get better data.

Commissioner Raine commented that he is around license sales as his business is also a license agent for NDOW and the universal feedback he has heard from license buyers in his store about the sportsman journal, "is that what is this?" and there is no purpose because he does not foresee anyone writing in it or carrying it around.

Commissioner Robb said he and his son both have one in his truck to fill out and look back on, and Commissioner Jeffress agreed that he keeps one in his vehicle as well, and that he had heard positive comments from junior hunters and it would be valuable in completing the questionnaire.

Chairman Bentley said the fact is that those who use it would provide more accurate information as those who don't.

Commissioner Jeffress said he spent about one hour talking to Mr. Gebhardt, and would suggest that the lead in paragraph on the plan preface how this fits with the water program, and that this is a part of it, but not the whole program otherwise it is confusing and would provide better funding understanding. Noted that there are at least six or seven projects with other organizations assisting with leveraging the funding and he really likes seeing that. He said he is not supportive of producing pheasants and incubating them as a put and take, and although the funding is split. He said he also talked to Mr. Bull and understands the Kawaski mule will be split, and at the minimum, he would like it available for rehab projects away from the management area.

Chairman Hammond, Clark CABMW, said sportsmen in Southern Nevada are frustrated that some guzzlers are not functioning guzzlers and private individuals are hauling water to them, and they would ask that before new water developments are built, that the agency maintain what they already have. He said there are 52 water tanks sitting at Overton and he knows personally that NDOW has a backhoe at Overton WMA, and they want water developments to be fixed before new ones built and put into the ground.

Mr. Gebhardt said the guzzler repair hotline is his personal number and he is making sure that any calls to the hotline are priority repairs, and he has had two calls to date. He said the whole focus of the water development program has been maintenance.

Chairman Bentley said due to the fact that there was no backhoe and no full crew, there is no accomplishment for sportsmen to see, and with these two issues being resolved, hopefully sportsmen will start to see the results.

Commissioner Mori asked if trapping and transplanting done, is there disease transmission risks, and what precautions will be taken.

Mr. Mason said the vet handles that and there are quarantines to determine disease risk and a Department policy and procedure have just been completed relative to that.

Commissioner Lister asked Mr. Gebhardt about Haymeadow and what is the target bird and he asked about the mileage costs that are inaccurate. Regarding fertilizer purchase and maintenance of food plots at Mason Valley and his concern is that fertilizer costs are low balled by about one-half, and concerned that program contingency with stamp fund dedicated and not sure if that fits.

Commissioner McNinch shares Commissioner Lister's concern about contingency fund and may need to be discussed at future Commission meeting, and that we understand responsibilities in that arena and are on solid ground, and possibly even development of a policy.

Commissioner Swanson said that is what is needed in Southern Nevada so that the Southern Region supervisor could take action on projects that sportsmen want done first, and would suggest that he have monthly meetings to determine where the money is being spent because questions being asked at Clark CABMW meetings where no one is present from NDOW to answer the questions.

Commissioner Raine asked about salary and largest portion of the budget, and what are we paying for, and is about a 40 percent increase. He asked why there is only one spring project and would like to see more development of springs.

Mr. Gebhardt said costs are figured for two full-time technicians, biologist time, crew time, and himself, and we have also had positions vacant. Mr. Gebhardt said there is no reason, other than these are projects that were submitted, and he too would like to get in more spring protection but lengthy process through the Bureau of Land Management (BLM).

Commissioner Lister asked question if wages and salary are covered by NRS as it is specific to projects and seems to be some question that application of mantime to projects and maintenance, and makes him question Commission's responsibility to those monies. He said it would be fruitful for the Department to pursue water development with livestock operators who could benefit as well.

Deputy Director Hunt said Department codes insure that staff time is spent appropriately on projects, and that is where they get the figures for actual time spent. He said the Department is in total agreement with that philosophy.

COMMISSIONER SWANSON MOVED TO APPROVE FISCAL YEAR 09 PROJECTS FOR \$292,000. COMMISSIONER JEFFRESS SECONDED THE MOTION. MOTION PASSED WITH COMMISSIONER RAINE OPPOSED 8 - 1.

- 9 Request from the Confederated Tribes and Bands of the Yakima Nation for Pronghorn Antelope – Jim Stevenson, Big Game Biologist, Yakima Nation – Action

Big Game Biologist Jim Stevenson of the Yakima Nation made a power point presentation (copy in exhibit file). He said ideally they would like 100 antelope from Nevada; however, any number would be great and appreciated, and really need to supplement the gene pool.

Public Comment –

Chairman Craig Stevens, Elko CABMW, said his board supports trapping and transplanting between states as we have benefitted as well, and that is what was brought up, that we need to support these interstate transfers as we all benefit and they are very supportive of these efforts.

Mr. Glen Copeland, Washoe CABMW, said they took no action because without more information than the letter; however, in general they support transfers but they had no one from NDOW to advise whether or not this is biologically possible. He reiterated the board's concern about no NDOW staff present at the CABMW meeting.

Mr. Bill Meyer, Lyon CABMW, said they had a similar discussion as Washoe CABMW because nobody from NDOW attended their meeting either; however, they are supportive, and if we are in good shape in our own state they would agree with the transplant.

Game Division Chief Russ Mason said without additional water development in Nevada we are running out of places to put antelope in Nevada, and NDOW could definitely transfer antelopes, and he would ask that the Commission agree to a transfer in a year or so.

Chairman Bentley said from what he is hearing from sportsmen and the state of Nevada is concurrent, but would need timeframe to establish when it can occur.

Commissioner Lurie said he does not mind trading antelope, but what gives him heartburn is the boards not having biologists present to get biological information, and also if there are that many surplus antelope why did we not increase antelope quotas and provide opportunity to Nevada sportsmen.

COMMISSIONER JEFFRESS MOVED TO PROVIDE UP TO MAXIMUM OF 100 AS OPPORTUNITIES PRESENT THEMSELVES OVER THE NEXT THREE YEARS IF AVAILABLE AND THAT THE CAPTURE COSTS BE UNDERTAKEN BY YAKIMA NATION OR THEIR PARTNERS OR COOPERATORS THROUGH PAYING THE CONTRACTOR. COMMISSIONER LURIE SECONDED THE MOTION.

Commissioner Raine said we cut tags by 10 percent and seems like a tough year to comply with such a request, and if we have excessive antelope why did we drop tags by 10 percent. It was universal across the board that we dropped quotas.

Commissioner Jeffress said quotas based on survivability, and not talking just 100 male antelopes, and when you talk 100 you are really talking eight to 10 animals. Commissioner Jeffress said he does not like talk of trade because if we did not have generosity of other states, we would have nothing, and supports trade with potential wildfire season, and supports giving away with nothing in return.

MOTION PASSED, VOTE ON MOTION – 8 -1 WITH COMMISSIONER RAINE OPPOSED.

8 Fiscal Year 08 Duck Stamp Program Update and Fiscal Year 09 Project Proposals – Wildlife Staff Specialist Elmer Bull – Action

Wildlife Staff Specialist Elmer Bull said he oversees Wildlife Management Areas (WMAs) throughout the state and is presenting a proposal for projects statewide requesting expenditure of \$121,995.

Chairman Bentley said there are 22 projects that total \$121,995, and he asked for a status report from last year's projects.

Mr. Bull said the summary of last year's projects was included in the report, and for the projects not completed, they are recommending that they be carried forward, and some not completed such as Steptoe WMA because wetland project started in 2004 through a North American Wetland Conservation Act grant, and because of legal complications with the contractor going bankrupt in 2005, we are hoping to get back on track and restarted and are hoping to complete Steptoe's project this summer. The Overton WMA prescribed burn area that was intended to be burned, was Wilson Pond, and staff looked at resources and personnel needed to contain fire, and that area is touchy due to willow fly-catchers and the original plan was to get Nevada Division of Forestry (NDF) involved, and we had staff look at situation, and unfortunately communication broke down between the two agencies and Mr. Bull said he will take the blame and he apologized for not following through and getting the project done as ultimately it became too late to do that in this year's spring as birds are nesting

now, and director Mayer wrote letter to NDF, and are going to keep communication open and get it done this year or next spring. He said we are asking to carry \$19,000 forward on another project and he has been advised by fiscal staff that the carry forward process was recently made more complicated because we have to prepare a work program for the Interim Finance Committee (IFC) and the last IFC meeting of this fiscal year was yesterday, and will now go to IFC in September, and if we don't get it approved, the money reverts back. Commissioner Lister noted differences in mileage calculations and questioned the numbers.

Mr. Bull said he overlooked that the mileage rate has gone up, two years ago it was 38 cents, and today's calculation is 50.50 cents.

Commissioner McNinch said it has gone up again to 58 cents.

Commissioner Jeffress said for current year proposals, and the Carson Lake Water Transfer, that he would like to hear further explanation as to status of Carson Lake, and noxious weed control.

Mr. Bull said Pyramid Lake Tribe protested favorable ruling and he has not heard more since that time but would say that briefs are being prepared. He said it is being managed and costs included in the proposals which is about 10 percent of the costs.

Commissioner Raine said he read that some vegetation control is being done by livestock grazing, and he asked if that had been looked into as vegetation control at all areas.

Mr. Bull said that cattle and goat grazing has been done at many WMAs and is successful but you can't rely on cattle to do the entire job because of water depths and muddy conditions. He said in 1993 the agency spent \$15,000 on herbicides and now with grazing would estimate that herbicides cost the agency about \$3,000 and the grazing is working well in conjunction with the herbicides, and the agency also gets livestock grazing fees.

Commissioner Swanson asked if with the carry forwards if it would be easier to just add Kirch and Overton WMAs prescribed burns together and fund them this year instead of carrying the funds forward and going to Interim Finance Committee and making Nevada Division of Forestry wait if they are there and pay them for one job instead of two.

Deputy Director Hunt said that is a good suggestion and a great idea, and he checked with staff to see if we have authority and saw no reason that would impede the two projects being combined and is actually less work for fiscal staff.

COMMISSIONER SWANSON MOVED TO APPROVE THE FUNDS FOR DUCK STAMP PROJECT REQUEST WITH THE ADDITION OF KIRCH WMA TO INCREASE THAT BY \$4,000 AND TO INCLUDE OVERTON WMA BURN AND TO CHANGE WATERFOWL HARVEST MODELING FROM \$11,000 TO \$30,000, AND ADD THE STEPTOE VALLEY WMA POND VEGETATION FOR \$12,631(ELIMINATING ANY CARRY FORWARDS). COMMISSIONER RAINE SECONDED THE MOTION.

Mr. Lent said he had a question relative to the wood duck study and sees the proposal here, as well as previously under Heritage Fund, and asked if it qualifies.

Chairman Bentley said his recollection is that this was secondary funding to the Heritage project funding, and the project meets the criteria.

VOTE ON MOTION WAS UNANIMOUS, MOTION CARRIED.

- 10 Explanation of New Regulatory Constraints Imposed on Bighorn Sheep Hunting on the Nevada Test and Training Range (NTTR) – Colonel Kenneth Keskel – Action

Colonel Keskel of NTTR said he appreciates the care and concern of the Commission for wildlife and people of the state, and their mission at Nellis is to protect the nation. He showed a power point presentation detailing points and condition of hunting on the test range which were delineated in his letter which was included in support material and the exhibit file.

Commissioner Jeffress said the age 14 requirement for hunters is an exception, as the age limit just to be on the test site is 18, and he appreciates the accommodation and access for hunters, as it is quite a big deal. He said he participated in a tour recently that took one year to arrange and that it was very interesting.

Colonel Keskel said the range is in large demand and scheduling is challenging to allow hunters on the range, and you use radio checkpoints that are quite serious.

Commissioner Raine said thank you to Colonel Keskel for what he does, and that he hunted on the range when he was 14 and everything shown in the presentation is accurate and he thanked the Colonel for letting 14 year olds on the range.

Commissioner McNinch said it is important that NDOW publicize this information that the background check is required and the 14 year age requirement to hunt on the range.

Commissioner Jeffress said 93 percent of our tag applicants are online applicants and we should have a note page or legend on the site to alert applicants to the requirements for those units.

Mr. Sefton said Arizona had similar situation with a military area and they were able to accomplish that on the website. He said he can put an age edit in and alert them to the background check.

Program Officer III Hullinger said the system will need to be modified to screen out applicants who are not meeting the minimum age requirement, and this year the agency was fortunate that there were no successful tag holders who did not meet the age requirement.

Colonel Keskel affirmed that they need to be 14 when they walk through the gates and have cleared the background check.

COMMISSIONER JEFFRESS MOVED TO ADOPT INTO THE REGULATIONS THE 14 YEAR OLD AGE CRITERIA AND THE BACKGROUND CHECK FOR ALL PARTIES AS PRESENTED IN THE LETTER. COMMISSIONER RAINE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

11 Reports – Informational

A Department Budget and Audit Report – Administrative Services Officer III Dave Prather

Deputy Director Doug Hunt said spreadsheets were provided as part of support material and he updated the Commission on the agency's financial status. He said that reserves appear to be healthy, and the agency's vehicle order has been placed, but the vendor will be unable to complete the order until October and will have to go through new carry forward process. Refund checks are being processed and the proposed budget cuts have been inputted as 8 percent in reductions which is about \$180,000 less to the Department and that is compounded with loss of other funding to the amount of \$500,000 - \$600,000 and the FY 10 and 11 budgets are being cut 10 percent.

Commissioner Lurie said he is getting the Fiscal Analysis Team (FAT) agendas and minutes and they appear to be doing a concise job as compared to the previous regime.

Commissioner McNinch said it is worthy to note federal legislation out there for states that have matching funds available, and we may be left out of that money because of no match. No dime to get the dollar and this is very critical, and this will cause us to lose money now and in the future.

- B Orientation Committee – Commissioner McNinch said the committee tried to get the CABMW manual out for this meeting but were not able to, and revisions from the CABMW March workshop will be highlighted in the draft and presented to the Commission for another opportunity to comment and incorporate any other comments. The manual will be presented at the Eureka meeting, and the challenge will be keeping the manual up to date.
- C Department Activities Report – Deputy Director Doug Hunt said that every day over the past 10 days has seen new development, and Director Mayer is at the special session today and will update the Commission at the next meeting. The Green Team has been formed to challenge employees to come up with ideas to generate revenue and save money, and have sent out a one page sheet with money saving ideas such as reducing speeds while traveling, and turning off lights.
- D Litigation Report – Moved to Saturday prior to agenda item #12.
- E Clark County Shooting Park – Commissioner Lurie reported that Las Vegas Convention and Visitor’s Authority is giving them a \$250,000 grant to design visitor’s center, and bid awarded to begin construction. Commissioner Lurie said he would like the Commission to tour the site in November.
- F East Fork of the Walker River Environmental Assessment Update – Wildlife Staff Specialist Pat Sollberger  
Fisheries Staff Biologist Sollberger reviewed the history of the spill in 2000 which impacted nine miles of the river in Nevada (15 total). He said NDOW has worked with other agencies such as California Fish and Game and the federal Environmental Protection Agency on mitigating the spill. He said the restoration plan consisted of projects with the Environmental Assessment late last year, and made changes, and on Aug. 1 through Sept. 15 will be another 45 days for public review, and hopefully at that point we can decide which projects to fund and get the projects started. It has been a long time and had many changes in personnel and that is why it has moved slowly.
- G University of Nevada Reno Economic Survey – Associate Professor Kim Rollin Department of Resource Economics – Associate Professor Kim Rollin said the survey was prompted by livestock and agricultural industries and she used a power point presentation to review the results of the survey to date (copy in exhibit file). She said the survey and results are posted to her University of Nevada, Reno website for perusal by interested persons.

Commissioner McNinch said he hopes the Department is able to spend more time on this area as it helps separate the sociology from the biology.

H Canada Geese Translocation Program – Wildlife Staff Specialist Craig Mortimore provided the Commission with a report (report contained in exhibit file) and said this is the draft manuscript with three authors with the intent to publish, and Chris Nikolai will be employed by NDOW and assigned to do statistical analysis of the band recovery. He said the questions biologists ask is the program augmenting Canadian geese populations, and whether or not actions have created any nuisance problems within the state. Since 1996 have captured Canadian geese in Truckee Meadows and have marked geese to track their whereabouts, and safety issue is a strikes with airplanes. Motivation has been to augment breeding pairs of geese in Southern Nevada. Bands are studied to determine status of geese from transplant. He said we can't determine if successful in increasing breeding pairs because of incomplete data, and two generalities to report for Eastern Nevada: Kirch WMA is increasing slightly, and breeding pairs on Key-Pittman more slow slope. Band recovery is 19 percent, and that is how we get information to the Banding Laboratory. Key-Pittman highest rate of return and is best bang for the buck for the Department. Data for Overton WMA shows that it is not a good value statistically and data shows that when relocating goslings there is a high mortality rate while moving them in big groups, and new item for this year is that we moved lots of goslings to Overton WMA and called WMA supervisor and he fed the goslings a special grain to keep calorie intake up to adjust to new diet and see if it makes difference in return rate.

Commissioner Swanson said as to correlations, he said data shows a different correlation, and noted that he did not have the data in advance of the meeting to review.

Mr. Mortimore said page being referenced was prepared by retired NDOW Biologist Norm Saake and there were fears that transplants would cause problems.

Director Mayer said a lot of it is a policy call, and you need accurate data to make policy call and look at the finances.

I Wildlife Damage Management Committee – Game Division Chief Russ Mason said the committee will meet tomorrow at 11 a.m.

J Bureau of Land Management (BLM) Issues: Memorandum of Understanding, Clark County Off-Highway Vehicle Road Closures, Wild Horse Management Update, and Fire Suppression Efforts for 2008 Fire Season – Bureau of Land Management Representatives

Deputy Director Doug Hunt introduced Joe Tague, branch chief of natural resources of state office, who is accompanied by Steve Smith to present the BLM issues as requested by the Commission.

### Wild Horse Update

Mr. Joe Tague said there have been winter gathers and three emergency gathers underway to remove 1,750 animals in the next 45 days or so. The first one is on the Nevada Wild Horse Range on Nellis and will be a gather of a little over 1,000 horses due to water limitations on the range, and that will bring that population toward low end of AML, also have a gather on the second in the north Stillwaters, that is 330 – 340 herd to be removed, and will bring that population toward the low end of AML. Emergency removal planned for Fox and Lake Range Herd Management Area will have a gather around Aug. 1 and remove approximately 275 head getting it toward low end of AML. He said they are monitoring 25 herd management areas of concern and will have enough forage and water for the summer but not sure of the winter, and try to get remaining areas back under AML, keeping national office apprised and trying to get remaining areas to AML. Mr. Tague said they have had problems with census of horses and are trying to institute a census of horse population in all the herd management areas within a three year cycle.

### Memorandum of Understanding

Mr. Steve Smith, state wilderness coordinator for BLM's Nevada state office in Reno, said that last month he discussed Wilderness Area planning with the Commission and is here today to discuss the Memorandum of Understanding (MOU). The MOU between federal agencies and NDOW was included in support material, and Mr. Smith was told by NDOW Chief of Habitat Dave Pulliam that the Commission has specific questions and issues regarding the MOU. Mr. Smith said that the Clark County Act mandated that the Secretaries of Agriculture and Interior enter into a cooperative agreement with NDOW which went through year long process, and the MOU received the state director's signatures at that time, and the MOU is foundation for guidelines approved by House Committee on Interior and adopted as policy by BLM and U.S. Forest Service and that is basis of the agreement. Guidelines found in section 5 of MOU and italicized paragraphs contain language exclusive to Lincoln, Clark, and White Pine Counties.

Chairman Bentley had a list of questions for Mr. Smith such as maintenance flights in February or March have been submitted to BLM in the prior year, yet prior to wilderness designations all of those flights were made, and we were told that once the area was designated Wilderness that the maintenance flights would continue as they had, and now it has been determined that is not the "minimum tool" to be used – landing and checking. Then the wilderness proponents were to hike in and check the water developments which lasted approximately one month. He said since then there are three major items: The wilderness proponents despite training sessions have no knowledge of maintenance and equipment was wrong, and enthusiasm and willingness was not there, and the program is not working and that is too the detriment of wildlife in those areas.

Chairman Bentley said sportsmen are frustrated because they were led to believe by our congressional delegation that we would be able to maintain these water developments and it has been more of a determination from BLM that we can't and he would like to know why and what is the degradation to the habitat for a five minute check by landing a helicopter.

Mr. Smith said he does not know what was promised by Nevada's senators for maintenance of water developments, and all of Clark County where there were Wilderness Study Areas had different interim management policies, and you could set a helicopter down at that time, but when designated as Wilderness by Congress, you cannot use aircraft/motorized transportation and have been successful since designating Wilderness Areas in 2000 and living up to mandates of Wilderness Act. He said each and every situation is different but could not say because the field manager makes the final decision. He said BLM has never denied NDOW maintenance, repair, or replacement of a bighorn sheep game guzzler; however, they have made conditions and would allow helicopter inspections of guzzlers and if they needed minor fixing they would ask that it be done by foot but tank replacement could be done by helicopter. Mr. Smith said he called representatives of Friends of Wilderness before this meeting and they told him that they had not heard from NDOW and told him they would be willing to do guzzler inspections on foot and assist but knows that they have not been contacted by NDOW for several years, and he would suggest to the Commission on reigniting interest in inspections and one way may be to have another volunteer training session and show the volunteers how to fix and repair the water developments. Mr. Smith said there is another aspect to volunteerism and suggested a social event to show appreciation for their efforts and service to NDOW.

Commissioner Robb told Mr. Smith that almost all of the water developments were put in by volunteers from Nevada Bighorns Unlimited and Fraternity of the Desert Bighorn, and paid for by volunteers, and BLM does not appreciate those volunteers for helping wildlife in those areas.

Mr. Smith said sometimes you can buy small tokens for volunteers and that goes a long way as well.

Chairman Bentley said the Friends of Wilderness have made three trips and the volunteers are not worthy of anything, and the frustration is from the parameters not being followed, and gave an example of when there was a fire and it took nine months for BLM to provide approval for repairs to two water projects and it was too late for that year's moisture accumulation so we lost two years. Chairman Bentley said from listening to Mr. Smith it is clear that we are not going to be able to perform maintenance on water developments. He asked Mr. Smith who from BLM makes the determination.

Mr. Smith said that he could not find out anything on those two projects, and answered that the contact would be John Ruse.

Game Division Chief Russ Mason said to Mr. Smith in absence of personal experience you should take into account the Department's first hand management.

Commissioner Lister said the MOU is up for review this year, and would suggest that Mr. Mason's suggestion that the Department be allowed to determine minimum tool necessary to be acceptable.

Mr. Smith said that could be considered but not sure if MOU is place to include it and he cited the example of Black Rock High Desert Wilderness Area in Washoe County.

Commissioner McNinch said it would be a great opportunity to resolve this issue and re-engage the Friends of Nevada Wilderness and determine which water developments they could walk to or fly and settle it.

Mr. Smith said you could write a programmatic environmental assessment to get it in writing.

Deputy Director Hunt said programmatic is a good idea but under section VII there is a vehicle to allow us to do something.

Commissioner Lister asked what NDOW's liability is as a cooperator to go in on Wilderness, and perform maintenance without permission from BLM.

Mr. Smith said usually it is private individuals who are fined, but is not aware of a government agency doing that.

DAG Nguyen said NDOW could be covered under an immunity defense.

Commissioner Raine said the changes to the MOU seem to be dictated by BLM and no negotiable points therein.

Mr. Smith said the decisions are made ultimately by Congress as appropriate policy.

Public Comment –

Chairman Glenn Bunch of Mineral CABMW said he has brought to the Commission's attention numerous times the BLM Wilderness plans for Lincoln and Mineral Counties and they have been assured that the problems discussed earlier with BLM won't happen in these new Wilderness Areas. He said they are being told that we will be granted access to guzzlers, and in response he tells

them that this is happening now. Mr. Bunch said do not be surprised if in the future you get a request from Senator Reid's staff for this MOU and he has told Mary Conelly's office and she asked for names of BLM folks to straighten this out. He said he honestly thinks that if NDOW put a thank you dinner on for Friends of Wilderness it would be the death of them as the central Nevada sportsmen are not backing wilderness folks and there is a lot of animosity in Central Nevada from the public, and they do not want wilderness in Mineral County, because the wilderness folks want to take Chukar Ridge to protect bighorn sheep that were put in there by sportsmen. Mr. Bunch said they are telling him exactly what Chairman Bentley said and that is what he has been telling Senator Reid's staff.

Chairman Bentley told Mr. Bunch to keep up the fight and his efforts as he agreed with him that he was told the same thing in Clark County for maintenance of guzzlers.

#### Wild Horse Management Update

Mr. Joe Tague of BLM said they are increasing census of horses and using fixed wing aircraft because BLM has found that the horse numbers were underestimated, and he said the wild horse program is a challenge nationally as it is an emotional issue.

Commissioner Lister said there was supposed to be zero AML in Caliente, and has a record of decision, and is gather on Test Range to zero that herd out. He said last year BLM said they were at AML statewide, and would guess there are a lot more out there than originally thought.

Mr. Tague answered no and get it to AML from 1,400 to 300.

Commissioner McNinch said we should consider a letter because even when horses are removed it leaves us with things on our end.

Commissioner Jeffress said see wide range of horse numbers, and thinks people have misperception that Commission is anti horse but we are not, the board is pro management of horses.

Mr. Bill Meyer, Lyon CABMW, said there have been two releases in the Tracy Industrial area and asked Mr. Tague if the horses were neutered as they were formerly captured horses.

### Off-Highway Vehicle Closures in Clark County

Mr. Robert Wrondele from the Las Vegas office spoke on off-highway vehicles in Clark County. He said he met with Air Quality representatives in Clark County, and continue to work on issues as they come up as related to state implementation plan for air standards.

Chairman Bentley asked if any input other than air quality folks in Clark County, and that someone was to get back to us on road closures.

Mr. Wrondele said and he answered some, and first got engaged with air quality to find out status of air in a closed area. He said that is the main issue with Clark County and there are closures within closures.

### Fire Suppression Efforts for 2008 Fire Season

Mr. Rex McKinght, Nevada State fire management officer, provided the Commission with a map denoting key sage-grouse habitat and he said BLM staff will prioritize efforts to coordinate higher response from BLM with engines and dispatch to get to the critical sage-grouse areas. He said for this summer the state is still in drought stage, and have same amount of funding and resources as last year, in addition can call severity resources in and just called in six more seats to the state, 10 more engines, dozers, and water tenders for July and will ask again in August if necessary. Nevada Division of Forestry also can provide equipment and have that capability in Eureka and Elko, rural fire assistance money has been provided by Congress this year, and they received \$500,000 which has been spread to 93 departments, and are using Ready Reserve to train volunteers in rural areas and that is grant funded, and would suggest NDOW getting involved with local fire departments to keep them focused on what is important. Mr. McKnight said the BLM is better prepared than last year and our season appears to be a little later, and hope to do a better job of keeping small fires from getting large.

Meeting adjourned at 5:50 p.m.

### Saturday, June 28, 2008

Chairman Bentley called the meeting to order at 8 a.m. and asked for roll call of counties present: White Pine, Elko, Carson, Eureka, Washoe, Clark, Lyon and Mineral Counties.

Commissioner Appreciation – Director Mayer said as this is Chairman Bentley's last meeting he would like to present Chairman Bentley with a plaque and framed artwork as tokens of the state's appreciation for his outstanding years of service to Nevada and the state's wildlife. He noted Chairman Bentley's

accomplishments on working on Wilderness designations and elk plans, and his vast knowledge of the state and the state's wildlife.

Chairman Bentley said he appreciated working with everyone present for the past 12 years, and thanked everyone, and hopes to stay involved with the issues.

Vice Chairman Robb thanked Chairman Bentley for his outstanding service on the Board of Wildlife Commissioners.

#### Member Items –

Commissioner Lurie asked for an update on the Department's budget cuts due to the state's shortfall at the August meeting to see how it affects the Department.

#### Public Comment –

Mr. Bill Miller representing himself said he hopes the governor makes the right decision in reappointing the three Commissioners who have served the state and he really appreciates Chairman Bentley's coming to Ely and the phone calls from Commissioners Robb and Lister, and they have attended their meetings in Ely as well.

- 11 D Litigation Report – Deputy Attorney General (DAG) Nguyen said regarding the Hage case, the federal court came out with decision on Hage and the award for \$4.2 million which was split, with \$2 million for water rights, and interest.

Chairman Bentley asked the decision's impact on NDOW

DAG Nguyen said NDOW is amicus and hard to say at this point, but for U.S. Forest Service and BLM they are the defendants.

Commissioner Lister said in his mind we need to be concerned with areas where livestock permitting is zeroed out and elk exist or are established, and understanding that the Department is not liable in that claim circle but still if we allow elk to pioneer in an area subsequently closed to grazing and the right to a takings claim.

DAG Nguyen said that could be tested if it came up but is tenuous.

Commissioner Mori said in his opinion where private landowner has permit for public lands, and permit will affect his operation on private land, and another point is it proves there are a lot of issues being on the Commission and representing ranching and proves importance of cooperation as one party or the other instigated locking of horns and judge's decision and ultimately one party one bout if cooler minds had prevailed this could have been prevented from going this far. He sees his participation on the Commission as a chance to

cooperate with wildlife interests and hopes wildlife interests would be the same and would prevent something like the Hage case from happening again.

Chairman Bentley agreed with Commissioner Mori and said communication is the key and would commend Director Mayer for keeping everyone informed and communications.

12 Commission General Regulation 357 – Wildlife Staff Specialist Kevin Lansford

Mr. Lansford reiterated the purpose of the regulation as discussed yesterday to classify the gray wolf as a game mammal.

COMMISSIONER JEFFRESS MOVED TO CLASSIFY THE GRAY WOLF AS A MAMMAL. MOTION SECONDED.

Commissioner Raine said he still does not believe that game mammal classification is the best classification but to allow the public quicker response would be accomplished with a furbearer designation.

Commissioner Lister said if we classify as game and write the management plan, that would be accepted by USFWS, and he asked Mr. Mason the risk if we classify as nongame and wrote management plan, and the chance of that plan not being accepted by USFWS.

Mr. Lansford he can't say what USFWS would do because of the example of Wyoming with their dual classification as predator in southeastern and then as a trophy animal in suitable habitat.

Mr. Mason said we would go back and forth more than necessary and may need to think of provoking people when we don't need to, as wolves will never be a harvestable species in Nevada.

VOTE ON MOTION: COMMISSIONERS IN FAVOR CHAIRMAN BENTLEY, ROBB, JEFFRESS, LISTER, LURIE, MCNINCH, AND SWANSON. OPPOSED: COMMISSIONERS MORI AND RAINE. MOTION CARRIED 7 – 2.

14 Commission General Regulation 359 – Program Officer III Maureen Hullinger – Action

Ms. Hullinger said antelope had to be added back to subsection five as the only change to the regulation as discussed in yesterday's workshop.

Chairman Craig Stevens, Elko CABMW, said his board is opposed because of the non-reallocation of tags and a waste of the resource. He said we won't be managing quotas or numbers if we don't reallocate.

Commissioner Jeffress said this would have to go in effect temporarily primarily for some species as we don't know the turn in rate of tags, and will be reversed or turned around that all tags reallocated.

Mr. Stevens said they don't want those three species done until the mechanism is completed, and they have been involved from the beginning.

Chairman Bentley said if we are not satisfied we can always rescind.

Commissioner Raine said he is sympathetic to Elko CABMW; however, this is a hunter friendly proposal for people who have situations that come up, and that does have some consequences and we could overcome that with reallocation by adding to quota with statistical probability that will become known.

Commissioner Jeffress said that is exactly what Oregon has done and have developed those numbers and that is an option that could be handled.

Commissioner McNinch said antelope not specifically mentioned and was told by DAG Nguyen that would work.

Mr. Lent said he testified at the TAAHC Committee meeting and was in opposition and glad that Commissioner Jeffress admitted that he is going down a blind alley, and the process is complicated for SCI to go through the alternate list, and regulations are a lot harder to repeal law once on the books than the other way around. He said why not err on the safe side because the one tag that might be turned in might have his name on it because of max points, and why would you not want to reallocate and derive the sportsmen of the opportunity.

Commissioner Robb said those tags are wasted today, and he asked Mr. Sefton to explain further and the system could be refined with technology.

Mr. Sefton explained reallocation process currently used by his company which was inherited when they took over the contract in 1993 and they have a list and protocol to telephone people that a tag may be available. Mr. Sefton said Commissioner Swanson suggested offering this to see if there is an appetite for this and Commissioner McNinch said if it is five to six tags it will work but if more we may need a better solution and that would be dependent on the volume. His feeling is that if we do this we should do it right.

Commissioner Robb said we need to make it work for everybody and would suggest utilizing technology to do so and to get away from the four phone calls.

Mr. Cory Dalton, representing himself, said the onus could be put on the people to check as opposed to having the contact responsibility on staff.

Mr. Sefton said that was suggested but the sheer volume would destroy the phone systems, and cited the example of the special draw for doe tags due to fire, and another allocation system would be preferable and why built that if it is potentially less than 10 tags and is less opportunity now and is reflected in the demand/success formula now.

Commissioner Lister said he appreciated Mr. Sefton's input as the TAAHC has been beating this around for the past year, and this is the sure way to determine what we are facing, and gather information to make changes down the road and has taken quite a bit of work to get to this point.

COMMISSIONER SWANSON MOVED TO APPROVE 359 AND TO INCLUDE ANTELOPE. COMMISSIONER LURIE SECONDED THE MOTION. VOTE ON MOTION WAS UNANIMOUS.

15 Commission General Regulation 360 – Maureen Hullinger – Action

Ms. Hullinger said the regulation was discussed in yesterday's workshop and the purpose is to expand the amount of hunter choice numbers to five allowed when applying for a tag to hunt mountain goat.

COMMISSIONER MCNINCH MOVED TO APPROVE. COMMISSIONER LISTER SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

16 Commission Regulation 07 – 07 Amendment #2 – Shawn Espinosa, Craig Mortimore, Kevin Lansford – Action

Mr. Espinosa presented Commission Regulation 07-07 Amendment #2, and began with the junior wild turkey 2008 – 2012 General Spring Hunt 0138.

COMMISSIONER JEFFRESS MOVED TO APPROVE THE DEPARTMENT'S RECOMMENDATION FOR HUNT 0138. COMMISSIONER LURIE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Sage-Grouse

Mr. Espinosa said the Desatoya hunt will be shortened to two days and biologists are concerned with number of birds harvested out of Unit 184. On the Sheldon possession limits are being recommended to be changed to two and four from three and six.

Commissioner Lister said Lander County is not open.

Mr. Espinosa said the second strike out in the second box on page R-2 actually needs to be moved up to the first box.

COMMISSIONER MCNINCH MOVED TO APPROVE SAGE GROUSE SEASONS AS RECOMMENDED BY THE DEPARTMENT WITH THE EXCEPTION OF ADDING LANDER COUNTY INTO THE FIRST BOX FOR SAT. AND SUN. EXCEPT UNITS 068, 151, 152, 154, 155, 161, 172 AND 173 INTO ON PAGE R-2 FIRST SATURDAY AND SUN IN OCTOBER. MOTION SECONDED BY COMMISSIONER LURIE. MOTION CARRIED UNANIMOUSLY.

#### BLUE AND RUFFED GROUSE

COMMISSIONER RAINE MOVED TO APPROVE AS PROPOSED. COMMISSIONER LURIE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

#### Wild Turkey Limited Entry Hunts 2008 - 2012

Mr. Espinosa reviewed the changes as contained in support material on page R-4 and R-5.

Commissioner Raine said we added a season in Lincoln but have shortened three seasons.

Mr. Espinosa said the goal was to distribute hunters.

COMMISSIONER JEFFRESS MOVED TO APPROVE AS THE DEPARTMENT RECOMMENDED. COMMISSIONER SWANSON SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

#### Public Hunting Limited on Wildlife Management Areas and Designated State Lands - Key-Pittman Wildlife Management Area

Mr. Espinosa said this change is related to waterfowl and is the addition of language, "No motorized boats are allowed on the area during the waterfowl season."

Commissioner Raine asked why this is being put in and why no further stipulations such as no motorized as compared to some lesser degree.

Deputy Director Hunt said it has gone full circle, and motorized boats are allowed.

COMMISSIONER LURIE MOVED TO APPROVE AS DEPARTMENT RECOMMENDED FOR KEY PITTMAN THAT NO MOTORIZED BOATS BE ALLOWED DURING WATERFOWL SEASON. COMMISSIONER JEFFRESS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Mr. Espinosa said there were some issues raised by falconers, and asked for comment.

Mr. Corey Dalton said he is a falconer and they are looking for possession limits to be equalized for them as other hunters, from the two per day as it is too restrictive and they want to be treated the same and they don't have that high of a success rate.

Chairman Bentley said nothing could be changed today, and asked if there is a reason for the quotas to be what they are.

Mr. Espinosa said it has just been that way.

Director Mayer said Mr. Dalton should work with Mr. Espinosa on a proposal.

#### Bobcats and Sealing Dates

Mr. Lansford said it was last year when these seasons were set and we need to make some adjustments to the schedule today.

Mr. Joel Blakeslee of Nevada Trapper's Association said the Nevada Trapper's Association concurred with the changes.

COMMISSIONER LURIE MOVED TO FOLLOW RECOMMENDATIONS OF STAFF FOR 2008 AND 2009. COMMISSIONER SWANSON SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

- 17 Commission Regulation 07 – 05 Amendment #1 – Chairman Bentley said the Heritage Committee met before the May meeting and had vendor requests for Heritage tags, and they had two requests one from Rocky Mountain Elk Foundation (RMEF) after the deadline and one amended request sent from the Mule Deer Foundation (MDF) after the deadline as well for Rocky Mountain elk tags. Chairman Bentley said he verified with DAG Nguyen what action could be taken today and said we have the authority to choose a vendor from the list with the late proposals included. The committee recommended the following vendors with the exception of the one Rocky Mountain elk tag to recommend either or RMEF or MDF: Two mule deer tags – one to MDF in Salt Lake, and Safari Club International (SCI); two antelope – Safari Club International and Pershing County Chukars; two elk – one to Nevada Bighorns Unlimited Reno, and the other one either or RMEF or MDF; two Nelson bighorn sheep – Wild Sheep Foundation (WSF) and Nevada Bighorns Unlimited-Reno; one California bighorn – WSF; five turkey tags – two for National Wildlife Turkey Federation Las Vegas Strutters, one to Silver Sage Chapter, one to MDF, and one to SCI.

Ms. Fawna Gregory of Mule Deer foundation, and would be thankful to receive the elk tag and sell it. She said in 2008 \$1.64 was raised through the sale of Governor's tag, and sold the Heritage deer tag for \$65,000 and would greatly appreciate the opportunity to sell the elk tag.

Mr. Bill Miller said MDF has done tremendous job marketing the tags, and he has talked to RMEF representatives and they are moving the convention next year to Fort Worth, Texas, and hope to get more money by taking it down there. He said he feels we would see a high price if tag awarded to RMEF.

Mr. Chad Bliss, Eureka CABMW, said his board felt the elk tag should go to RMEF.

Mr. Tracy Hammond, Clark CABMW, said they felt also that tag should go to RMEF.

COMMISSIONER ROBB MOVED TO ACCEPT ALL THE RECOMMENDATIONS AND GIVE RMEF THE ONE ELK TAG IN QUESTION FOR THE MARCH 5 BANQUET. COMMISSIONER LURIE SECONDED THE MOTION. VOTE ON MOTION WAS 8 – 1 WITH COMMISSIONER JEFFRESS IN OPPOSITION.

18 Future Commission Meetings – Director Ken Mayer – Action

Director Mayer said the August meeting is in Eureka, and Sept. 5 and 6, 2008, which will be a joint meeting with the California Fish and Game Commission.

Commissioner Jeffress said items he would like reported on include black bears, mule deer and sage grouse.

Director Mayer told the Commission that NDOW's Green Team will also include the Commission in cost savings ideas and reducing costs.

Commissioner Raine asked to have a report on Green Team ideas as an agenda item.

Commissioner Mori requested at the Eureka meeting that the agency's Cortez sheep transplant be on the agenda.

Chairman Chad Bliss, Eureka CAMBW, announced that the recreational board is sponsoring a barbecue and shooting event at Perdiz Hunt Club on Friday night in conjunction with the Commission meeting, and told the group to bring your shotguns.

Chairman Bentley thanked Mel Belding for the event last night.

Commissioner Raine said we were not all were invited to the Coalition's event, and he suggested starting the Eurkea Commission meeting earlier to allow time for the social event.

Commissioner Lurie thanked Chairman Bentley for his years of service to state and getting him involved.

Meeting adjourned at 10:25 a.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.