

DRAFT MEETING MINUTES
LEGISLATIVE COMMITTEE OF THE NEVADA BOARD OF
WILDLIFE COMMISSIONERS

TUESDAY, MARCH 26, 2019 AT 8:00 AM
NEVADA DEPARTMENT OF WILDLIFE: 6980 SIERRA CENTER PARKWAY, SUITE
120 DIRECTOR'S CONFERENCE ROOM, RENO, NV 89511
TELECONFERENCED TO
NEVADA DEPARTMENT OF WILDLIFE: 4747 W. VEGAS DR., LAS VEGAS, NV, 89108
CONFERENCE ROOM

Committee Members present: Committee Chairman Tiffany East, Commissioner Brad Johnston, Commissioner Paul Valentine, and Member Greg Smith

NDOW staff present: Deputy Director Jack Robb, Management Analyst III Kailey Taylor, Chief Game Warden Tyler Turnipseed

Members of the public present: Rex Flowers, Karen Boeger, Joel Blakeslee, Mel Belding, and Jonathan Lesperance

Call to Order, Pledge of Allegiance, Introduction of Committee Members and Roll Call:

Committee Chairman East called the meeting to order at 8:05am. Management Analyst Kailey Taylor called role.

Approval of Agenda:

There were no comments from the Committee.

Approval of Minutes:

Committee Chairman East and Commissioner Valentine mentioned their changes to the minutes from March 15, 2019.

COMMISSIONER JOHNSTON MOVED TO APPROVE THE MINUTES WITH THE CHANGES. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 4-0.

Review of Bill/Bill Draft Request (BDR) Tracking List:

Management Analyst Kailey Taylor said the tracking list was updated to incorporate the Commission's positions on bills from the past Commission Meeting. Other changes to the list include: AB83 was passed out of Committee, SB55 will be heard in the Senate Natural Resources Committee, and bills added to the list include SB454, AB474, AB479, AB473, SB439, AJR8, and SB433.

Committee Chairman East noted that there are several bills to review. Assembly Bill 404 requires the Commission to establish certain programs which enable a person to transfer a tag under certain circumstances. This is similar to AB474, but AB474 adds the Heritage Account component.

Management Analyst Taylor noted that AB404 would be more difficult to implement regarding age limitations, family income and consanguinity. The language in AB474

is more clear and easier to implement.

Public Comment -

Karen Boeger, Backcountry Hunters and Anglers, suggested combining both of those bills.

Rex Flowers, Private Citizen, said he has an issue with transferring tags to youth within families. He believes youth are already given many opportunities. He also mentioned the issue of bonus points. He is in support of AB474 but would like to see some restrictions on how the Department can use those Heritage funds.

Jonathon Lesperance, Private Citizen, agreed with Mr. Flowers on AB474 but would like to see an amendment which includes the restrictions. He said he was initially happy to see the language of AB404 but agrees with many of the points Mr. Flowers brought forth.

Joel Blakeslee, Nevada Trappers Association, said he agreed.

Steve Marquez, White Pine County Advisory Board to Manage Wildlife (CABMW), said these bills are close to what the Board was asking for. No one is losing tags, they are giving an opportunity to youth. They would be in agreement with these bills either way they go.

Management Analyst Taylor explained that the Commission would need to address the bonus point issue through regulation.

Commissioner Johnston noted that AB474 does not alter the fact that the Commission must review and approve expenditures and that it does not broaden the expenditures the money can be used for. He is comfortable with language proposed because the Heritage Committee approves the projects.

Committee Chairman East read the language regarding the Heritage Account: "Except as otherwise provided in this subsection, the Department may annually expend from the Wildlife Heritage Account an amount of money not greater than 75 percent of the money deposited in the Account pursuant to subsection 2 during the previous year and the total amount of interest earned on the money in the Account during the previous year. In addition, the Department may, at any time, expend from the Account any portion of the amount of money in the Account which exceeds \$5,000,000. The Commission shall review and approve expenditures from the Account. No money may be expended from the Account without the prior approval of the Commission." It goes on to say that the Commission shall administer the provisions of this section. She remembered reviewing all projects while on the Heritage Committee before taking them to the Commission.

Member Smith said that if he had to choose between the bills he would pick AB474 but would recommend they combine both bills.

Committee Chairman East proposed that the two bills be combined and look to the Department to work in an amendment for what is in the best interest of the Commission.

ACR4:

Committee Chairman East said this directs the Legislative Commission to conduct an interim study regarding wildfires and that there is nothing of concern in this

resolution.

Management Analyst Taylor said this has already passed through the Assembly and is now in the Senate.

SB316:

Committee Chairman East explains that this is relating to state lands.

Public Comment –

Steve Marquez, White Pine CABMW, said they are in support of this bill, especially of section 3 because in White Pine County there are problems with people blocking roads.

Commissioner Valentine said that this is short and concise and believes that the Committee can support it.

COMMISSIONER VALENTINE MOVED TO SUPPORT SB316. MEMBER SMITH SECONDED THE MOTION. THE MOTION CARRIED 4-0.

SB342:

Committee Chairman East read the description of the bill.

Commissioner Valentine and Commissioner Johnston would like to remove this bill.

Public Comment – None.

COMMITTEE CHAIRMAN EAST MOVED TO REMOVE SB342 FROM THE TRACKING LIST. COMMISSIONER JOHNSTON SECONDED THE MOTION. THE MOTION CARRIED 4-0.

SJR4:

Committee Chairman East read the description of the resolution and explained that she asked Commissioner McNinch his opinion as well. He would like us to support this.

Commissioner Valentine noted that it has been the Commission's standing position to support this Act.

Public Comment –

Karen Boeger, Backcountry Hunters and Anglers, urged the Commission to support this bill.

COMMISSIONER VALENTINE MOVED TO SUPPORT SJR4 IN FULL CAPACITY. MEMBER SMITH SECONDED THE MOTION. THE MOTION CARRIED 4-0.

SB280:

Committee Chairman East read the description of the bill and said that she has received emails concerned about the Carson and Truckee Rivers.

Chief Game Warden Tyler Turnipseed said he does not fully understand some of the implications. It would take away Legislature's ability to designate a water as navigable and a body of water would only be able to be declared navigable if adjudicated by court. There could be some implications as far as hunter/angler

access. We might watch this and see what develops.

Commissioner Valentine said he would like to keep an eye on this.

Public Comment -

Jonathon Lesperance, Private Citizen, mentioned that dealing with navigable waters can be an issue because you have to secure a lease through a permit from State Lands Division and that it is concerning as a sportsman.

Karen Boeger, Backcountry Hunters and Anglers, said she put out a plea to several lawyers because it seems as though it is muddy waters. This may be as simple as replacing "and" with "or". There are some red flags related to access. The purpose from the sponsors may be a worthy purpose as to what private landowners can do in certain situations but it needs some careful examination.

Commissioner Johnston said his preference would be to keep this on the list and watch it.

COMMISSIONER JOHNSTON MOVED TO MONITOR THIS SB280. MEMBER SMITH SECONDED THE MOTION. THE MOTION CARRIED 4-0.

AB473:

Committee Chairman East read the description and mentioned that she has had a tremendous amount of correspondence regarding this trapping bill.

Member Smith noted that section 2 makes it unlawful for a person to set any type of leghold trap and that this bill attacks something that the Commission and Department use as a tool.

Public Comment –

Joel Blakeslee, Nevada Trappers Association, said that this bill took them by surprise. He said he has communicated with the Assembly Natural Resources, Agriculture and Mining Committee Chairman. At first, she said the trap check time would start at 24 hours and then she told him it would be changed to 48 hours. He believes this is basically a trapping ban. This is the same road that was traveled down in California. He said this topic has been up 14 times in the last 21 years. The main thing about the trap check time is the distribution of trappers. If it is set at every 24 hours, it will be detrimental to the resource. The one exception is that there is already a mandatory trap check time of every other calendar day in urban areas. Other states have more private property and different animals. In this environment, there could be 20 miles between sets. The language of this bill makes it easy to totally oppose.

Mel Belding, Private Citizen, said he agrees with everything Mr. Blakeslee said. He said he has lived here his entire life and has been involved in trapping since he was seven years old. He sees a problem because this was done in Clark County and it resulted in school closures because of coyotes. When foothold traps are outlawed, coyotes are given a free ride. Foothold traps are the most effective trap for coyotes and are the only options in some instances. He urged the Committee to oppose this in its entirety.

Rex Flowers, Private Citizen, said he is against this bill. He is against the leghold trap being identified singularly. Legislators are trying to micromanage wildlife issues. It is up to the Commission to set regulations on trapping. There should be more faith

that the Commission and Department will regulate this effectively. He asked if Law Enforcement could regulate this effectively.

Jonathon Lesperance, Private Citizen, agreed with all comments made, especially Mr. Blakeslee. If the intent is to reduce conflict or nontarget catches, why would they put legislation into place where users are congregated into one place.

Steve Marquez, White Pine CABMW, said everyone has voiced a strong opposition to this bill. There are some traps that are checked every 24 hours due to proximity of what could be caught. He said they agree with everything Mr. Blakeslee said.

Karen Boeger, Private Citizen, said she wished Backcountry Hunters and Anglers (BHA) had heard about this bill before the meeting. She also said she wished there was some way to connect with the broader population. It is important to get up in front of that Legislative Committee and state the importance of why this bill needs to go down. It is micromanaging and taking a tool away from the Department. She said BHA is getting many new members but that she would like them to understand the threat to traditions.

Commissioner Valentine said he opposes this bill because it seems like an attempt to stop all trapping in Nevada.

Commissioner Johnston agreed with the public comment and stated that he opposes this bill in its entirety.

Member Smith said that his previous comments stand and align with all comments so far.

Committee Chairman East said she is in agreement.

COMMITTEE CHAIRMAN EAST MOVED TO OPPOSE AB473. MEMBER SMITH SECONDED THE MOTION. THE MOTION CARRIED 4-0.

SB487:

Committee Chairman East read the description of the bill.

Public Comment –

Joel Blakeslee, Private Citizen, said this bill has even more of a profound effect. Section 1 uses the word “entertainment”. This comes down to the crux of what we do as sportsman. This bill discusses whether or not it is okay to have fun while hunting, fishing, or trapping. This is about the sport and about our culture.

Rex Flowers, Private Citizen, said he is in opposition. He said he has never participated in these contests, but he is a recreationist and does not believe there should be any parameters put on someone as far as recreation.

Jonathan Lesperance, Private Citizen, said there is no need to limit these activities. There is a long-standing tradition in Nevada regarding the use of these resources. This does not seem appropriate when the resource is not being impacted.

Mel Belding, Private Citizen, said he opposes this bill for all reasons already stated. He strongly believes they are taking sportsmen down one step at a time.

Steve Marquez, Private Citizen, said his phone has been blowing up regarding this

issue even though they have not met as a Board regarding this issue. He said he agrees with everyone's comments and views. This is a big cultural event. Even aside from the competitions, there are people who go out as groups.

Karen Boeger, Private Citizen, wishes BHA had known about this last night as well. She said Mr. Lesperance's comments were perfect and that this should be a decision made by individual communities.

Joel Blakeslee, Private Citizen, wanted to add that there are other things this bill will affect. There are bass tournaments in Lake Mead, and fishing derbies in Cave Lake and any other number of areas.

Commissioner Valentine said he is not surprised to see this and that the Commission should continue to fight. Participation would be a felony, which is scary.

Commissioner Johnston opposes the bill. He explained that a Category E felony is the lowest category of felony which requires mandatory probation. Category D is a bit much for this bill because the punishment could be worse than probation. He said he also has a very big problem with the inclusion of the word "entertainment." They are trying to turn a lawful activity into an unlawful activity if there is some element of organization. If three men go coyote hunting together and it is deemed as entertainment, they are now felons. This seems unnecessary given that there a very limited number of contests in this state. This seems to be the second bill that overrides a lot of work, thought, and consideration that the Commission has put into. Also, it is unrealistic for a person to somehow get a coyote to a veterinarian.

Member Smith said he reflects everything from Commissioner Johnston. These contests are also a tool the Department uses to limit the number of coyotes.

Committee Chairman East agreed with everything said. She said she would not participate, but she knows people who do. She also knows many ranchers who prefer that other people do this. She opposes this as well.

COMMITTEE CHAIRMAN EAST MOVED TO OPPOSE SB487. COMMISSIONER JOHNSTON SECONDED THE MOTION. THE MOTION CARRIED 4-0.

AJR7:

Management Analyst Taylor mentioned that this resolution expresses the opposition of the Nevada Legislature to the expansion of the Fallon Range Training Complex.

Committee Chairman East mentioned that the Committee voted to support the resolution which discussed the Desert National Wildlife Refuge, so she would support this as well.

Public Comment –

Karen Boeger, Backcountry Hunters and Anglers, would like to support this. She said she is disappointed that there is no resolution to combine both. Together it would show a tremendous cumulative impact on access and wildlife issues. There needs to be a higher public perception on these impacts.

Jonathan Lesperance, Private Citizen, in support of this resolution. It needs to be stated again how much our state has already given in the name of national defense. To continue to ask for more is unacceptable.

Joel Blakeslee, Coalition for Nevada's Wildlife, said the Coalition is in support of this.

Mel Belding, Private Citizen, said units 184 and 183 are near and dear to his heart. The southern end of the units he spends the most time in would be shut down if this expansion takes place. It is not right to take this away

Rex Flowers, Private Citizen, agreed with all the comments.

Steve Marquez, White Pine CABMW, said the CABMW is in full support.

COMMISSIONER JOHNSTON MOVED TO SUPPORT AJR7. MEMBER SMITH SECONDED THE MOTION. THE MOTION CARRIED 4-0.

SB454:

Management Analyst Taylor explained the bill and noted that the language in this bill is already addressed in AB83.

Committee Chairman East noted that the Commission already supported AB83.

Public Comment – None.

COMMITTEE CHAIRMAN EAST MOVED TO SUPPORT SB454. MEMBER SMITH SECONDED THE MOTION. THE MOTION CARRIED 4-0.

AB479:

Chief Game Warden Turnipseed said that this bill basically prohibits people who want to have lions, tigers, and bears in yards. The Department's Wildlife Veterinarian leans on facilities that are licensed by zoological organizations. There is a line drawn between backyard individuals who want these animals as pets and licensed organizations. This is still too new to have a strong opinion.

Public Comment – none.

COMMISSIONER VALENTINE MOVED TO TRACK AB479. COMMISSIONER JOHNSTON SECONDED THE MOTION. THE MOTION CARRIED 4-0.

SB439:

Management Analyst Taylor explained that SB439 is concerning firearms and concealed carry permits.

Committee Chairman East would like to keep this on the list to track.

AJR8:

Management Analyst Taylor opposes the elimination of the state Bureau of Land Management (BLM) office. The Secretary of Interior submitted a reorganization plan that would eliminate the Department of Interior's 49 administrative regions.

Public Comment –

Karen Boeger, Backcountry Hunters and Anglers, said the organization would heartily support this resolution. In the proposed reorganization, Nevada would be coupled with California. We need a state BLM office.

Jonathan Lesperance, Private Citizen, said he has not read resolution or detailed proposed language. However, he supports any opposition to taking away an

accessible opportunity to for people in rural Nevada to voice concerns and input.

Steve Marquez, White Pine CABMW, agreed.

Member Smith said he has been in that office several times. He noticed many people from rural Nevada there to express their issues and concerns. It would be difficult for some people to get to California.

MEMBER SMITH MOVED TO SUPPORT AJR8. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 4-0.

SB433:

Chief Game Warden Turnipseed said he is not sure where this bill came from. It could have been brought by Douglas County or Washoe County. We are primary boating safety agency on all of Nevada's waters. This gives us jurisdiction to go ten miles into California when enforcing boating laws. There is a similar agreement on the Colorado river but that is not so broad. There is also civil liability if we are outside of Nevada and take law enforcement action. He said he would need to discuss this with the Attorney General's Office.

Member Smith asked how the Department currently handles Lake Tahoe.

Chief Game Warden Turnipseed said the line is blurry because it is difficult to tell where you are on the lake, but enforcement officers primarily stay on the Nevada side. In Topaz and Lake Mead, the Department works shore to shore.

Member Smith asked if the Department ever bumps into California Wardens.

Chief Game Warden Turnipseed explained that boating issues in California are typically handled by California Department of Water Ways and local sheriff offices.

Public Comment – None.

Committee Chairman East would like to track this. Should the Committee feel at some point that we need to make a position we can do so.

COMMITTEE CHAIRMAN EAST MOVED TO TRACK SB433. MEMBER SMITH SECONDED THE MOTION. THE MOTION CARRIED 4-0.

Public Comment – None.

Committee Review of Legislation, Recommendations on Commission Positions on Legislation and Legislative Platforms:

Committee Chairman East asked if there were any other questions or concerns from the Committee and there were none.

Public Comment – None.

Future Committee Meetings:

Committee Chairman East reminded the Committee that April 15 is the next Committee Meeting. She asked if the Commission should meet before then.

Commissioner Johnston said his preference would be for the Commission to meet on

April 8th. We can present the position of the Committee on any hearings before the next Commission Meeting.

Public Comment –

Karen Boeger, Backcountry Hunters and Anglers, said she was pleased to hear the Commission can meet so quickly. Also, the White Pine County Silver State Trail draft environmental assessment will come out. It should be high on our radar.

Public Comment Period:

Joel Blakeslee, Nevada Trappers Association, said he looked at the comment page on legislative website and there are pages and pages of comment against the trapping bill and only one in support.

Adjourned 9:47am.