IAW Nevada Open Meeting Law I request all my comments be put in all the distributed minutes of this meeting.

Henry Sent to Nevada Hunters Assoc.

Item 2 Public Comments

I want to bring to the attention of this Committee I file introduced this legislation relating to this committee.

First: AB 112 introduced by Assemblyman Elenes of Elko County which requires an audit of the toDate fees collected and spent by Dept of Wildlife.

As you know the FY 2016 plan included lethal management activities at a lower level than prescribed by law. In other words the law was violated as NDOW only spent 54% of the predator funds for lethal control of predators - not the 80% required by law in AB 78 and for which NDOW claims there are no consequences.

Where and how these predator funds are being spent are of utmost importance to Sportmen.
Second: AB 101 introduced by Assemblyman Sprinkle of Washoe County which essentially eliminates using the 3rd Predator fee for lethal control of predators. It also eliminates the 80% mandate and also this State Predator Animal and Rodent Committee reviewing and recommending NDOW's Predator Plan.

It essentially eliminates Predator Control in Nevada by NDOW.

Don Halbe is involved in this bill and perhaps would like to comment on this bill.
Item 5  Public Comments: Again, I would request all my comments be included in all the distilled minutes of this meeting. I saw the OML

As Nevada Revised Statutes states, before adopting any program for the management and control of predatory wildlife developed by the Predator Plan, NDOW shall first consider the recommendations of the Commission and the State Predatory Animal and Rodent Committee.

I would hope and look forward to this PARC Committee, as a committee with public input, would review each and every draft of the Predator Plan including the final draft with this Committee’s comments.

I hope these comments would include—follow the law and expend no less than 80% of the fees each year on lethal projects. The law does not specify NDOW can annually carry over funds to be lost in some Wildlife Accident.

Also comments to review an accurate accounting of where the money is being spent.
$570,368 \times 0.2 = \$114,074 \times P.R.Matching = \$456,294

Non Lethal Dollars

NDOW in their presentation says AB 78 gives the Department many challenges.

What are these challenges?

Can they multiply $575,000 approximately by 80% and develop lethal predator projects?

I'm certain if NDOW would allow members of this Committee to develop valid and useful predator projects, they would have could, and inspire NDOW where the money could justifiably be spent to save our wildlife.

But I suspect NDOW will say they are the experts. The fact is, NDOW does not want to do predator work.

Thank you
ASSEMBLY BILL NO. 112—ASSEMBLYMAN ELLISON

PREFILED FEBRUARY 7, 2017

Referred to Committee on Natural Resources, Agriculture, and Mining

SUMMARY—Requires the Legislative Auditor to conduct an audit of certain fees paid by applicants for game tags for predatory wildlife programs and activities. (BDR S-623)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

AN ACT relating to wildlife; requiring the Legislative Auditor to conduct an audit of the use of the revenue generated by certain fees paid by applicants for game tags for programs, activities and research relating to the management and control of predatory wildlife, and the protection of nonpredatory game animals and sensitive wildlife species; and providing other matters properly relating thereto.

Legislative Counsel's Digest:
Existing law requires the Department of Wildlife to collect a processing fee of $3 from each applicant applying for a game tag for credit to the Wildlife Account in the State General Fund. Existing law also requires the revenue generated from this fee to be used for costs related to: (1) developing and implementing an annual program for the management and control of predatory wildlife; (2) protecting nonpredatory game animals and sensitive wildlife species; and (3) conducting research necessary to determine successful techniques for managing and controlling predatory wildlife. (NRS 502.253) This bill requires the Legislative Auditor to conduct an audit of the use of the revenue generated by the processing fees collected from applicants applying for game tags.
THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. The Legislative Auditor shall conduct an audit
concerning the use of the revenue generated by the fees collected
pursuant to NRS 502.253 for processing applications for a game tag.
The Department of Wildlife, the Board of Wildlife Commissioners
and the State Department of Agriculture shall provide such
information as is required by the Legislative Auditor to assist with
the completion of the audit.

2. The audit conducted pursuant to this section must include,
without limitation, an examination and analysis of:

(a) The process used by the Department of Wildlife to ensure
that the fees collected pursuant to NRS 502.253 are correctly and
accurately deposited and recorded;

(b) Whether the revenue generated by the fees collected
pursuant to NRS 502.253 for programs, activities and research is
used in accordance with applicable statutes and regulations;

(c) The amount of unexpended revenue generated by the fees
collected pursuant to NRS 502.253; and

(d) The process for evaluating the results of the programs,
activities and research funded by the revenue generated from the
fees collected pursuant to NRS 502.253 including, without
limitation, any performance and outcome indicators used to measure
the effectiveness of a program or activity and methods used to track
and report the results of the evaluation.

3. On or before January 31, 2019, the Legislative Auditor shall
present a final written report of the audit to the Audit Subcommittee
of the Legislative Commission created by NRS 218E.240.

Sec. 2. This act becomes effective upon passage and approval.
AN ACT relating to wildlife; requiring the Board of Wildlife Commissioners to establish policies for the conservation of certain wildlife; revising the authorized uses of the fees for the processing of an application for a game tag; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, the Board of Wildlife Commissioners is required, after first considering the recommendations of the Department of Wildlife, the county advisory boards to manage wildlife and other persons, to establish policies for the management of big and small game mammals, upland and migratory game birds, fur-bearing mammals, game fish, and protected and unprotected mammals, birds, fish, reptiles and amphibians. (NRS 501.181) Section 1 of this bill requires those policies to also include the conservation of those mammals, birds, fish, reptiles and amphibians.

Existing law requires a person applying for a game tag to pay an additional fee of $3 for processing the application. (NRS 502.253) The money collected from those fees is required to be deposited in the Wildlife Account in the State General Fund and used by the Department of Wildlife for costs related to: (1) developing and implementing an annual program for the management and control of predatory wildlife; (2) wildlife management activities relating to the protection of nonpredatory game animals and sensitive wildlife species; and (3) conducting research necessary to determine successful techniques for managing and controlling predatory wildlife. Section 3 of this bill changes the purposes for which the proceeds from those fees are required to be used only: (1) developing and carrying out programs for the management and enhancement of big game mammals; and (2) obtaining matching money from the Federal Government which is available for use for those programs. Section 4 of this bill specifies that the proceeds from those fees which are deposited for credit to the Wildlife Account on or after July 1, 2017, are only authorized to be used for the new purposes.
THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 501.181 is hereby amended to read as follows:
501.181  The Commission shall:
1. Establish broad policies for:
   (a) The protection, propagation, restoration, transplanting,
       introduction and management of wildlife in this State.
   (b) The promotion of the safety of persons using or property
       used in the operation of vessels on the waters of this State.
   (c) The promotion of uniformity of laws relating to policy
       matters.
2. Guide the Department in its administration and enforcement
   of the provisions of this title and of chapter 488 of NRS by the
   establishment of such policies.
3. Establish policies for areas of interest including:
   (a) The conservation and management of big and small game
       mammals, upland and migratory game birds, fur-bearing mammals,
       game fish, and protected and unprotected mammals, birds, fish,
       reptiles and amphibians.
   (b) The management and control of predatory wildlife.
   (c) The acquisition of lands, water rights and easements and
       other property for the management, propagation, protection and
       restoration of wildlife.
   (d) The entry, access to, and occupancy and use of such
       property, including leases of grazing rights, sales of agricultural
       products and requests by the Director to the State Land Registrar for
       the sale of timber if the sale does not interfere with the use of the
       property on which the timber is located for wildlife management or
       for hunting or fishing thereon.
   (e) The control of nonresident hunters.
   (f) The introduction, transplanting or exporting of wildlife.
   (g) Cooperation with federal, state and local agencies on wildlife
       and boating programs.
   (h) The revocation of licenses issued pursuant to this title to any
       person who is convicted of a violation of any provision of this title
       or any regulation adopted pursuant thereto.
4. Establish regulations necessary to carry out the provisions of
this title and of chapter 488 of NRS, including:
   (a) Seasons for hunting game mammals and game birds, for
       hunting or trapping fur-bearing mammals and for fishing, the daily
       and possession limits, the manner and means of taking wildlife,
       including, but not limited to, the sex, size or other physical
       differentiation for each species, and, when necessary for
       management purposes, the emergency closing or extending of a
season, reducing or increasing of the bag or possession limits on a
species, or the closing of any area to hunting, fishing or trapping. If,
in establishing any regulations pursuant to this subsection, the
Commission rejects the recommendations of a county advisory
board to manage wildlife with regard to the length of seasons for
fishing, hunting and trapping or the bag or possession limits
applicable within the respective county, the Commission shall
provide to the county advisory board to manage wildlife at the
meeting an explanation of the Commission’s decision to reject the
recommendations and, as soon as practicable after the meeting, a
written explanation of the Commission’s decision to reject the
recommendations. Any regulations relating to the closure of a
season must be based upon scientific data concerning the
management of wildlife. The data upon which the regulations are
based must be collected or developed by the Department.
(b) The manner of using, attaching, filling out, punching,
inspecting, validating or reporting tags.
(c) The delineation of game management units embracing
contiguous territory located in more than one county, irrespective of
county boundary lines.
(d) The number of licenses issued for big game and, if
necessary, other game species.
5. Adopt regulations requiring the Department to make public,
before official delivery, its proposed responses to any requests by
federal agencies for its comment on drafts of statements concerning
the environmental effect of proposed actions or regulations affecting
public lands.
6. Adopt regulations:
(a) Governing the provisions of the permit required by NRS
502.390 and for the issuance, renewal and revocation of such a
permit.
(b) Establishing the method for determining the amount of an
assessment, and the time and manner of payment, necessary for the
collection of the assessment required by NRS 502.390.
7. Designate those portions of wildlife management areas for
big game mammals that are of special concern for the regulation of
the importation, possession and propagation of alternative livestock
pursuant to NRS 576.129.
8. Adopt regulations governing the trapping of fur-bearing
mammals in a residential area of a county whose population is
100,000 or more.
9. Adopt regulations prescribing the circumstances under
which a person, regardless of whether the person has obtained a
valid tag issued by the Department, may assist in the killing and
retrieval of a wounded big game mammal by another person who:
(a) Is a paraplegic, has had one or both legs amputated or has suffered a paralysis of one or both legs which severely impedes the person's walking; and
(b) Has obtained a valid tag issued by the Department for hunting that animal.

10. In establishing any policy or adopting any regulations pursuant to this section, first consider the recommendations of the Department, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.

Sec. 2. NRS 501.356 is hereby amended to read as follows:
1. Money received by the Department from:
   (a) The sale of licenses;
   (b) Fees pursuant to the provisions of NRS 488.075 and 488.1795;
   (c) Remittances from the State Treasurer pursuant to the provisions of NRS 365.535;
   (d) Appropriations made by the Legislature; and
   (e) All other sources, including, without limitation, the Federal Government, except money derived from the forfeiture of any property described in NRS 501.3857 or money deposited in the Wildlife Heritage Account pursuant to NRS 501.3575, the Wildlife Trust Fund pursuant to NRS 501.3585, the Energy Planning and Conservation Account created by NRS 701.630 or the Account for the Recovery of Costs created by NRS 701.640, must be deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund.
2. The interest and income earned on the money in the Wildlife Account, after deducting any applicable charges, must be credited to the Account.
3. Except as otherwise provided in subsection 4 and NRS 503.597, the Department may use money in the Wildlife Account only to carry out the provisions of this title and chapter 488 of NRS and as provided in NRS 365.535, and the money must not be diverted to any other use.
4. Except as otherwise provided in NRS 502.250, 502.253, 502.410 and 504.155, all fees for the sale or issuance of stamps, tags, permits and licenses that are required to be deposited in the Wildlife Account pursuant to the provisions of this title and any matching money received by the Department from any source must be accounted for separately and must be used:
   (a) Only for the protection, propagation and management of wildlife; and
   (b) If the fee is for the sale or issuance of a license, permit or tag other than a tag specified in subsection 5 or 6 of NRS 502.250,
under the guidance of the Commission pursuant to subsection 2 of
NRS 501.181.

Sec. 3. NRS 502.253 is hereby amended to read as follows:
502.253 1. In addition to any fee charged and collected
pursuant to NRS 502.250, a fee of $3 must be charged for
processing each application for a game tag, the revenue from which
must be accounted for separately, deposited with the State Treasurer
for credit to the Wildlife Account in the State General Fund and
used by the Department for costs related solely to:
(a) Developing and implementing [an annual program]
programs for the management and control of predatory wildlife;
(b) [Wildlife] management activities relating to the protection of
nonpredatory game animals and sensitive wildlife species; and
(c) Conducting research necessary to determine successful
techniques for managing and controlling predatory wildlife.
2. The Department of Wildlife is hereby authorized to expend a
portion of the money collected pursuant to subsection 1 to enable
the State Department of Agriculture to develop and carry out the
programs described in subsection 1.
3. Any program developed or wildlife management activity or
research conducted pursuant to this section must be developed or
conducted under the guidance of the Commission in accordance
with the provisions of subsection 4 and the policies adopted by the
Commission pursuant to NRS 501.181.
4. Obtaining matching money from the Federal Government
which is available for use in developing and carrying out those
programs.
2. The Department [‡]
(a) In [‡], in adopting any program [for the management and
control of predatory wildlife] developed pursuant to this section,
shall first consider the recommendations of the Commission [‡ and
the State Predatory Animal and Rodent Committee created by
NRS 567.020.
(b) Shall not adopt any program for the management and control
of predatory wildlife developed pursuant to this section that
provides for the expenditure of less than 80 percent of the amount of
money collected pursuant to subsection 1 in the most recent fiscal
year for which the Department has complete information for the
purposes of lethal management and control of predatory wildlife.
5. The money in the Wildlife Account credited pursuant to
this section remains in the Account and does not revert to the State
General Fund at the end of any fiscal year.

Sec. 4. Any money deposited with the State Treasurer for
credit to the Wildlife Account in the State General Fund pursuant to
NRS 502.253 before July 1, 2017, may only be used on or after that date for a purpose specified in NRS 502.253, as amended by section 3 of this act.

Sec. 5. This act becomes effective on July 1, 2017.
MEMORANDUM

October 31, 2016

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Brian Wakeling, Administrator, Game Division

Title: Predation Management Fiscal Year 2016 Report

Description: The Game Division will present the status of the 2016 Predation Management Report. Per Commission Policy 23, the Department shall prepare an annual Predation Management Status Report (Status Report) detailing results of the previous fiscal year’s projects. This status report shall be presented at the last Commission meeting of each calendar year.

Presenter: Staff Specialist Pat Jackson and Game Division Administrator Brian F. Wakeling

Agenda No: ☑ 24

Summary:

In accordance with Commission Policy 23, the Department annually presents a written and verbal Predation Management Report based on activities undertaken as guided by the Predation Management Plan. The activities in the Predation Management Fiscal Year 2016 Report occurred between July 1, 2015 and June 30, 2016, as directed by the Predation Management Plan (FY 2016 Plan) adopted in May 2015. Subsequent to the adoption of the FY 2016 Plan, legislation known as AB78 was signed into law. The Department attempted to anticipate the regulations that would be included in the law prior to final approval, but did not recognize all possible aspects. Consequently, the FY 2016 Plan included lethal management activities at a level lower than prescribed in statute. A state legislator involved in the passage of this law recognized that a transition would be necessary and indicated that an adjustment period would be appropriate; nevertheless the Department acknowledges that the activities undertaken following
the FY 2016 Plan failed to meet the statutory regulation. The accompanying report provides updates on all projects in detail.

The Department spent $312,175 on lethal predator removal during FY2016. This accounted for 54.7% of FY2014 revenues, not the 80% required by AB 78. The total expenditures under this plan was $675,525, of which $169,400 were from the Federal Aid in Wildlife Restoration funds.
Nevada Department of Wildlife
Predation Management Status Report

FY2016

October 26, 2016

State of Nevada
Brian Sandoval, Governor
PARC Public Comments—First Comment Period—February 15, 2017 Meeting—Fred Voltz

Should a proposed program be funded that has the opposite effect from its stated objectives? This is a key question for this Committee today.

While presumably well intentioned, the proposed Fiscal Year 2018 Predator Management Plan before this Committee from NDOW and the state Wildlife Commission lacks sound biology or science and should be rejected but for projects 32, 41 and 42.

The mass killing of various predators only triggers a ‘survival response’ in them. Those who have not been slaughtered by APHIS or private companies then redouble their reproductive activities to replace the dead animals. The result: We have even more predators in the state than before the mass killing effort.

The extra predators created from the ‘survival instinct’ kicking in completely contradicts the actual control of them, which also falsely presumes that something wild and created by a force much larger than Man can somehow be ‘managed’ by Man. A newly-created glut of young species’ members lack appropriate training by their elders and, as with unsupervised, untrained human children, act out in ways that are unhealthy for the animals which have been claimed to be the target of protection efforts. No scientific research has been presented documenting the impact of past changes in the male/female ratio after mass, indiscriminate killing programs.

NDOW has not provided evidence that through its previous mass predator killing programs predator numbers do not ultimately increase, rather than decrease, after implementing these programs. Ample history demonstrates that mass predator control programs have this opposite effect, especially for the much-maligned coyote. Thus, for NDOW, the state Wildlife Commission or PARC to proceed with the proposed lethal predator programs makes no rational sense.

Despite AB 78’s many unrealistic and unworkable provisions, such as County Advisory Boards’ inability to offer up any scientific evidence supporting their gut reactions of hunter convenience, opportunity and success, AB 78 contains no requirement that money collected in a fiscal year must be spent in a given fiscal year on any type of predator control project, no matter how unsuccessful its results. The collected monies can be retained for future projects that actually contain bona fide science behind them, rather than unsupported suppositions. The imprudence of spending public money to generate results that are the complete opposite of reducing predator numbers seems obvious.

Finally, it is the worst type of public policy to approve the expenditure of public funds for initiatives that are fatally flawed from their inception. Such wasteful spending banishes any confidence in government’s work.