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AB 41
Removes the Division of Wildlife
From the Department of Conservation & Natural Resources
Gives the State Board of Wildlife Commissioners control over the Budget
Hearing
Assembly Natural Resources
January 12, 2003

Tina Nappe

Chairman Collins and members of the Natural Resources Committee, thank you for the opportunity to speak with you today.

My name is Tina Nappe. I am speaking today as an individual, as a former member of the State Board of Wildlife Commissioners who served during the years 1979-1994, and who has invested many years volunteering on behalf of wildlife and who like the sportsmen who have appeared today, as an underwriter of wildlife preservation although generally through other organizations.

As I understand AB41, the goal is pull the Division of Wildlife out of the Department of Conservation and Natural Resources make it a stand alone agency, and give the State Board of Wildlife Commissioners control over the budget..

The Department of Wildlife became a Division in 1994 during the last year that I served. There was concern at that time about who would give the Director/administrator orders, how much NDOW would be charged as part of the Department, and, whether the Director of DCNR would politicize wildlife decisions. The major concern, however, when I left, was an anticipation of outrage should NDOW's helicopter or fixed wing aircraft be shared with another Division. Attached to my testimony today is a letter I recently sent Mike Turnipseed, Director DCNR, regarding what I perceived were the benefits of the association of NDOW within the agency, some of which I assume will be lost under the new structure which basically is designed to isolate and privatize the management of wildlife.

What I hope you will consider:

- **Wildlife is a public resource.** According to NRS statute "Wildlife in this state not domesticated and in its natural habitat is part of the natural resources belonging to the people of the State of Nevada." (501.100).
Recommendation: during the hearings on this bill, I hope you will always keep in mind, that wildlife is a publicly owned resource. As I

will show there are many ways to work for wildlife other than through NDOW. Please ensure that public access to management of wildlife is included; it is minimal at this point.

- **Restricted Public Participation:** In 1979 a coalition of sportsmen approved SB333 creating a Department of Wildlife and revising the Commission to include two general public and one conservationist representative on the Commission. One of the underlying theories I believe was that there was increasing public interest in all wildlife. However obtaining new sources of funds was difficult. NDOW had a reserve account upon which to draw while waiting for receipts from the March licenses. Because the agency had always been fee funded accessing new funds was difficult. Over the years expanding the operational funding base beyond sportsmen for NDOW has not emerged for a number of reasons. One of them, I think, is that no matter how fine a person you get on the Commission, eventually their time is consumed with addressing hunter-related issues. In the intervening years changes in the composition of the commission and the county advisory boards has successfully ensured that sportsmen will be the only members making decisions This has been accomplished by expanding the number Commissioners to include two new sportsmen representatives and eliminating one general public position. The remaining general public representative except for the first few years has always been another sportsmen. The county advisory boards by law are restricted to sportsmen nominated by recognized sportsmen groups and ranchers.* We are urged to attend County Advisory Boards if we have a concern. In effect the existing structure of policy development is not designed for general public access.

My first recommendation for you to consider is that the name of the Commission and the County Advisory Boards be changed to reflect their composition and their focus. The name should be the Commission or Advisory Board on Hunting and Fishing. The term Wildlife connotes representing all wildlife and the public. This term while hopeful in 1979 fails to reflect the reality of today. This suggestion does not apply to NDOW which has tried valiantly build a biodiversity program.

Secondly that NDOW, whether as a department or division, recognize that wildlife does belong to the public and utilize separate structure to gather public information. One can always make a presentation to the Commission of course, But once the item is submitted and responded to through the county advisory board structure, the Commission is generally ready for the final vote. NDOW is attempting include the public through the sage grouse committee; and holding hearings on Q-1 and the Biodiversity program. However,

if the Commission has control over the budget, are these wasted efforts?

- **Control over the budget:** I understand the Commission wants control over the budget. I don't know how the Commission proposes to do this, whether they propose to hire their own staff to develop or review the budget or make line item vetoes when they receive it. I share their concern about NDOW's budget. When I drive by NDOW's newest Steptoe Valley Wildlife Management Area and see a large sign crediting everyone but the public who purchased the property, I also feel that due credit has not been given. In fact that sign is misleading the public. Sportsmen assume they purchased the property. They didn't; we all did. When I fill out forms for my volunteer hours for the sage grouse committee, so that NDOW can match my time with PR funds, what do my hours pay for? Is there a place where NDOW collects its nonhunting public participation? When I am asked for contributions for range restoration, is this money viewed as another hunter contribution? I volunteered many hours and made, for me, a substantial contribution to help finance the campaign on Q-1, the park and wildlife bond which was approved by the voters last fall, but, of course, neither those volunteer hours nor that contribution count.
Recommendation: a) the budget should separate the management of sportsmen from the management of wildlife, particularly in the game division where negotiating sportsmen's interests consumes and extraordinary amount of time and decision making is so politicized. b) the outside contributions, such as bonds, be included and clearly credited in the budget and c) the Commission submit a proposal as its definition of "control of the budget".
- **Co-ordination with and recognition of other agencies:** I have attached to my testimony a letter I wrote Mike Turnipseed, Director of DCNR this year as I reflected on the relationship of NDOW with DCNR. Wildlife lives in every county and on public as well as private land. Wildlife is impacted by decisions of local government, the federal government and private interests. As we know, wildlife is impacted by the increasing number of fires, the spread of weeds, by rapid urbanization, and, of course, by recreation. As a member of the DCNR, NDOW and its staff have had the opportunity to make other agencies aware of wildlife needs and possibly to receive tips valuable in either enhancing wildlife programs or avoiding a problem. NDOW also had the opportunity to make DCNR staff front line volunteers in the sense they are aware of wildlife needs as they fulfill their responsibilities.

I predict that this relationship between DCNR and NDOW will be significantly reduced with the NDOW's restructuring as an independent agency and that we will lose opportunities for minimizing damage to wildlife populations. In particular, the role of State Parks, the Division of

Water Resources, the Nevada Natural Heritage, and Environmental Health programs all contribute to maintaining wildlife in our state. As the years go by and staff change the relationships built over the last 8 years will disappear. Informal consultation and tips on upcoming issues may not be shared.

Recommendation: that you as legislators look at the pros and cons of creating a separate agency. Wildlife is not like ranching and mining where there is a base property privately owned.

- **The term "Sportsmen":** the term "sportsmen" is someone who is defined by having a license. That license can be free, low cost, or if a nonresident expensive. The 47,000 hunters in Nevada are a small but respectable number in a population of over 2,000,000 Nevada citizens today and likely a likely population of 3,000,000 by 2020. The number hunters is unlikely to grow because of our limited available habitat and increased development. We all have an interest in sustaining hunting interest; and therefore we will all need to work on the habitat issues.. Even if you approve the fee increases proposed in this session, other resources will be needed in the future.

Recommendation: the legislature as one of its interim committees look the impact of recreation on public land and wildlife and develop some ideas for protecting wildlife, managing weeds, and other recreation uses. I am suggesting this because a Legislative committee might be able to draw in a broader interest and some creative ideas. The federal government will never have sufficient resources; neither will the sportsmen.

- **Fishing:** According to NDOW there are about 172,000 anglers. Some growth in the number of fishermen can be anticipated. But NDOW does not need to become a separate agency to support fishing. In fact fishing benefits most from inclusion in local land plans, bonds, participation in land trusts and other multi-public forums. There are many fishermen who backpack; many who rely on State Parks, but fishing close to home is an option. Fishing attracts the old, the young, women and men, and, increasingly minorities. A survey conducted on Question 1, for instance, identified a very positive interest in parks from our growing Hispanic population. The investments Washoe County Parks and Recreation, the Nature Conservancy and other agencies, for instance, are making along the Truckee River will provide fishing and access to fishing far beyond the capacity of a fishing license to support such investments. Fishermen would benefit from a broad based wildlife commission similar to those structured for land trusts including realtors, planners, or a land trust representative.

Recommendation: you consider whether fishermen will benefit from making NDOW a separate agency when fishermen rely on Parks and

may benefit from a close association with the Division of Water Resources and Division of Environmental Health.

As you can see, Mr. Chairman and members of the Natural Resources Committee, wildlife management is an increasingly complex issue. I have worked on three wildlife, park and open space bonds. They all benefited from supporting multiple public interests.

Habitat is the bottom line. The sportsmen of Nevada and the Division have developed a fine system in managing sportsmen, in providing a foundation for collecting data, expanding populations of game species, and embarking early on developing the wildlife management area system. With the growing cost of managing and sustaining Nevada's wildlife, we need not only more money but a broader public involvement. I fail to see how NDOW and the sportsmen can ride off into the sunset and expect to sustain wildlife of this state while isolating the public from wildlife management.

I thank you for your time.

***County Advisory Board Appointments**

NRS 501.265 Appointment of members; vacancies.

1. The board of county commissioners shall appoint qualified persons to the board who are residents of the county and are:
 - (a) Sportsmen; or
 - (b) Engaged in ranching or farming in the county.
2. Within 60 days after a vacancy occurs, the board of county commissioners shall appoint a member to the board upon the recommendation of the organized sportsmen and residents of the county.
3. Within 90 days after a vacancy occurs, the board of county commissioners shall report to the commission the name and address of each member appointed.

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January 26, 2003

Mr. Mike Turnipseed, Director
Department of Conservation & Natural Resources
232 Nye Lane
Carson, Nevada 89701

Dear Mike:

As you know from 1979-1994 I served on the State Board of Wildlife Commissioners as the conservationist. Appointed by Governor List, I continued to serve under Governor's Bryan and Miller. In 1994 I stepped down after finding someone, David Jickling, who had patience with bureaucracy and appreciated wildlife habitat needs as well as the wildlife. I knew he would not embarrass the Governor or conservationists. During those years, I served I learned to fully appreciate the broad spectrum of sportsmen orientations ranging from those who focused solely on their next hunt to those who willingly invested extraordinary time and money to support wildlife, generally big game.

This week, at the annual luncheon of retired Division of Wildlife employees Pete Morros reflected on his years as titular head of the Division of Wildlife. The last of the NDOW office upgrades, which he initiated, is being completed in Elko this spring. Morros toured the NDOW offices when NDOW became a DCNR agency and was unpleasantly surprised to see the poor conditions in which NDOW employees worked. One office was in a basement, another in the employee's home, and another in a moldy building. Some offices were crowded. As a longtime and well-respected agency head, Pete managed to combine a number of financial resources to minimize NDOW's contribution. Pete also initiated and completed a personnel position review and built a new hangar for NDOW's plane in Gardnerville.

The State Board of Wildlife Commissioners is endorsing a proposal to pull the Division of Wildlife out of the Department of Conservation and Natural Resources and control over the NDOW's budget. Like many sportsmen and fellow commissioners in 1994 I was concerned about NDOW's ability to speak for wildlife as part of another agency. We were concerned about the relationship of Director/Administration to the Commission when the administrator reported to the Department of Conservation and Natural Resources Director. And, how much would the agency be charged to provide its share of the Department overhead.

But after hearing Pete speak I realize that as a Commissioner and outsider focused primarily on a few of NDOW's wildlife issues, I failed to see the values of cooperation and partnerships important for both staff and wildlife. I don't know whether NDOW, the Commission, or your office has done an analysis of the benefits and costs of NDOW's being a part of DCNR or operating as a separate agency. Sportsmen may see themselves riding off into a purple sunset with the agency but I see no benefit for wildlife under their proposal.

Since I left the commission, the state's population both resident and visitors have continued to expand. Recreation, weeds, fire, utility and transportation infrastructure, mining, and other uses have a major impact on wildlife resources. The almost doubling of human population places many critical water sources at risk. These new impacts are well beyond the capacity of the sportsmen effectively protect and manage game species they cherish nor will the Division of Wildlife meet its responsibilities to manage all wildlife. In fact as I understand the Commission's proposal, the goal is to raise sportsmen's fees and then pluck the public pocket for additional resources such as Q-1 wildlife money and grants.

The allegation is frequently made that sportsmen are the only group contributing to wildlife. However, as I began to compile information in support of Q-1, I realized that sportsmen and our wildlife benefit from many of the services provide from the Department of Conservation and Natural Resource agencies. Further, that if

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-----Original Message-----

From: Tina Nappe [mailto:tnappe@nvcbell.net]

Sent: Tuesday, February 11, 2003 11:46 AM

To: Tom Collins; Jason Geddes

Subject: Concerns about AB41

You have scheduled AB41 for a hearing tomorrow afternoon. As I understand the bill, the proposal is to restructure the Division of Wildlife to its former status as a Department of Wildlife and give the State Board of Wildlife Commissioners, control over the budget. I look forward to the hearing on Wednesday and provide these thoughts for your consideration.

1. According to state law, the wildlife of Nevada belongs to the people of the state of Nevada. Wildlife does not belong to a special interest. "Wildlife in this state not domesticated and in its natural habitat is part of the natural resources belonging to the people of the State of Nevada." (501.100). Does this structure represent the public interest? Does this bill sell off the public interest? How does the wildlife of Nevada benefit from being segregated from the Department of Conservation and Natural Resources when many of the other divisions provide important benefits to wildlife?
2. The statement is often made that "sportsmen pay for wildlife". The sportsmen have done an excellent job in providing a financial foundation for a state wildlife agency. However, the wildlife of Nevada doesn't depend on the Division of Wildlife for its survival. Wildlife depends on habitat specific to their needs. The habitat, as we all know, is owned 87% by the federal government. As taxpayers we all contribute to the staffing, fire control, weed abatement, and range restoration of these federal lands. Increasingly, Nevada citizens are paying for wildlife habitat through state bonds and other sources of funds. For instance, the Division of Wildlife and State parks have used two public bonds Q-5 in 1990 and Q-1 in 2002 to underwrite the purchase of property and capital improvements. Does the \$27.5 million approved by 59% of the voters in the last election belong to the sportsmen?
3. State Parks, which receives a minimal amount of boat fuel taxes, entrance fees, general funds, park bonds, land and water conservation grants and other sources, maintains many of the fishermen access and recreation