

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

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

From: SKYSHRINK@aol.com [mailto:SKYSHRINK@aol.com]

Sent: Monday, February 03, 2003 1:08 PM

To: tcollins@asm.state.nv.us

Subject: AB 41

Dear Assemblyman Collins.....As Chairman of the Assembly Natural Resources Committee, I am sending you a copy of a letter I sent to Governor Guinn about AB 41. Since I am currently medically disabled and unable to attend the hearings in person, I am hoping that my concerns can be entered into the record of the proceedings in this manner.

Thank you for your consideration.

Donald A. Molde, M.D.

Reno, Nevada

Donald A. Molde, M.D.

3290 Penfield Circle

Reno, Nevada 89502

G1 of 4

ASSEMBLY NATURAL RES., AGRICULTURE & MINING
DATE: 2/12/03 ROOM: 3161 EXHIBIT G 1-4
SUBMITTED BY: Donald Molde

February 3, 2003

Governor Kenny C. Guinn
Office of the Governor
Capitol Complex
Carson City, Nevada 89701

Regarding: AB 41

Dear Governor Guinn

I am writing to express my concern about AB 41. As I understand it, this bill, if passed, would establish the Nevada Division of Wildlife as a Department, and would allow the Board of Wildlife Commissioners to control the budget of the department subject only to your final review. As an individual Nevadan, and as a member of the Board of Directors of the Nevada Humane Society which has a long history of interaction with the agency and the Board of Wildlife Commissioners, I can see no public interest which would be served by such a change. Worse, there is great potential, in my opinion, for abuse of the general public interest, particularly in the manner in which predators might be treated, and a general disregard for wildlife other than game species. I believe that the general public interest should be paramount in any consideration of this bill since NRS defines wildlife as a resource and public heritage belonging to everyone, not just to sportsmen. Perhaps a little history might help clarify my concerns.

I first came in contact with NDOW in approximately 1975, when I appeared at a Commission meeting to protest an item that had appeared in the local Reno paper. It was a picture of a hunter who had killed a mountain lion near Mt. Rose. The lion was draped over the hood of a vehicle, and the caption was that it was one of only 39 lions left in Nevada. After making my complaint, I was quickly reassured by Commission and staff that the photo caption was in error. There were actually 750 lions in Nevada, and not to worry. When I asked about the source of that number, I was told that it was given to NDOW by a mountain lion hunter (someone who was known to be a poacher, as I found out later). The lion hunter made the determination by counting about 30 lions he knew about personally in Washoe County by running his dogs, and the remainder came from a review of topography maps of the state from which he estimated lion densities based upon map information.

Needless to say, I was not reassured by my visit to the Commission, and over the subsequent years, I have continued to maintain an interest in NDOW and the Commission on behalf of the Nevada Humane Society (of which I am a member of the Board of Directors), and as someone who does not hunt, fish, or trap. I do love wildlife, the outdoors, and am an avid bird watcher. Among some sportsmen, I am known as an "anti-"

I was very active with NDOW and the Commission during the 1980s. I was involved in two lawsuits against the agency to try to protect the bobcat. I was part of a coalition that essentially forced the Commission to adopt a regulation that made it illegal for hunters to kill female lions with cubs in the area. I also conducted the only public attitude survey of which I am aware (informal, and of my own making) about topics such as trapping and predator control through the Reno and Las Vegas newspapers.

All of which is to say that I am not unaware of history of the agency and Commission over the past three decades.

I have come to some opinions that make me very concerned about the proposed plan for independence that the Commission has put forward. In no particular order of importance, they include:

- Over the years, I have concluded that agency staff is not, generally, the problem. It is the Commission which is of concern. As you know, Commissioners are appointed, and therefore are not accountable in any manner to the general public as are elected officials. Commissioners are selected according to NRS requirements (5 sportsmen, 1 rancher, 1 farmer, 1 conservationist, and 1 member to represent the general public). Nothing in the law requires that a Commissioner have even the most rudimentary knowledge of biology, genetics, statistics, wildlife management, conservation, or other pertinent topics that would be relevant to the decisions to be made by the Commission. I have seen the Commission go beyond staff recommendations as to season length, quotas and the like, for purely political reasons, and without any biology to back up the adjustment.
- Although the NRS defines wildlife ownership as something shared by every Nevadan, the Commission, in my opinion, appears to act on behalf of sportsmen, or worse, a small subgroup of sportsmen who have, as a primary interest, the killing of big game species, game birds and migratory waterfowl. This subgroup has very low tolerance for other native species known as predators, e.g. mountain lions, coyotes, bobcats, crows, ravens, and presses for the elimination of these species in order to reduce competition for the game species that the sportsmen wish to reserve for themselves.
- In the many hours of sitting in Commission meetings, I have rarely heard any mention of or concern about what the general public might think of some action being considered or suggested. Examples are numerous, and include such things as the resistance to trapping reform or the elimination of trapping in Nevada. Even though this activity is done by a mere handful of individuals in the state, is greatly disliked by the general public, and a money-loser to NDOW in that the cost of enforcement far exceeds revenue generated, the Commission has stonewalled many efforts by my organization to achieve reform. Other examples would include the effort by the Commission over the past several years to allow for the killing of more mountain lions (year-round seasons, multiple tags, and the like) despite any showing of biological need for "balance" by NDOW staff, and no showing as to how this effort would be consistent with the public interest. (Interesting, the public holds the lion in very high regard, as evidenced by the press coverage every time there is killing of a lion for preventative purposes in the local area.) Migratory waterfowl management by the Commission represents one of the most flagrant examples. Despite drought, the Commission refuses to use its authority to shorten/terminate waterfowl hunting in areas significantly affected by our drought. Rather, it adopts the most broad federal guidelines offered up to Pacific Flyway states, claims the guidelines are "conservative", and depends upon poor hunting and loss of hunter interest to make up for its lack of affirmative management of the issue. Other irritants to me include the refusal of the Commission to terminate the trapping of beaver on public lands during drought conditions. The unlimited killing of rabbits, a prey species so important to so many other species, also makes no sense, and, in my opinion, would not be approved by the general public if it were sufficiently informed to understand this and other issues.
- The Commission and many sportsmen have an "entitlement" attitude which is that with their license and tag fees, they "pay" for wildlife, and therefore have an enhanced ownership position relative to the rest of the general public which

does not participate in the "consumptive" use of wildlife. It is as though the Commission and the sportsmen do not view their license/tag fees as public funds but as private contributions to the agency. While it is an unfortunate historical accident, in my opinion, that user fees were designated for NDOW's budget as compared to appropriations from general tax dollars, no higher level of "ownership" is implied by that historical accident.

- Much is made, as well, of the Pittman-Robertson funds, a federal excise tax on the sales of fire arms and ammunition which returns to the states, with the presumption that those monies also come from sportsmen. Although I do not have a source document handy, my recollection is that considerably less than half of those funds come from sportsmen. The bulk come from folks like me who own/purchase guns, shoot up tin cans, or go to a shooting gallery for entertainment.

- The "entitlement" issue, in my opinion, is a major contributor to the lack of vision on the part of the Commission as to what might be in the best interest of the general public when considering the many and complicated matters before them. Also, I have never seen the Commission seek a comprehensive public opinion survey as to its practices, policies, and directions for the agency.

- There is no way that the composition of the Board of Wildlife Commissioners matches the demographics of this state. According to an estimate given to me by a senior staff member at the agency, there may be 100,000 (unduplicated) individuals who buy licenses or tags from the agency. Our state now numbers nearly 2 million folks, meaning that sportsmen represent perhaps 5% of the state's population total. While many of our citizens may be sympathetic to the concerns of sportsmen, or indifferent to the matter, there are many as well who are concerned about the kinds of things I've mentioned. In fact, bird watching and bird feeding are, by far, the biggest outdoor wildlife activities in the country.

While I could go on, I hope I've said enough to support my contention that NDOW should remain within the current framework of state government, with some higher level review of its budget and expenditures. If that does not happen, the general public has even less protection from the whims and excesses of the Commission and those sportsmen who seem to be so intolerant of so many native species that many of the rest of us admire and wish to prosper. Who would want to see a mountain lion "sterilization" program in the Ruby Mountains, or in White Pine County to "help" the deer herd? What about a massive poisoning program of crows and ravens in Mason Valley to "assist" in game bird management? Where would there be a need to consider the general public interest in such decisions of the Commission if the autonomy which is being requested be granted?

Thank you for your consideration in this matter. I urge you to look after the interest of the general public with respect to this proposal.

Sincerely

Donald A. Molde, M.D.
3290 Penfield Circle
Reno, Nevada 89502