

Washoe County Advisory Board to Manage Wildlife

Minutes

Thursday ~ January 21, 2016 ~ 6:00 p.m.
Nevada Department of Wildlife
Conference Room B
1100 Valley Road, Reno, Nevada

MEMBERS

Sean Shea, Chair
Miles Humphreys, Jr., Vice-chair
Michelle Spencer, Secretary
Cathy Smith
William Tamblyn

1. PLEDGE OF ALLEGIANCE (Non-action item)

Member Humphreys, Jr. led the Pledge of Allegiance.

2. CALL TO ORDER AND ROLL CALL (Non-action item)

Chair Shea called the meeting to order at 6:00 p.m. A quorum was established.

PRESENT: Miles Humphreys, Jr., Sean Shea, Michelle Spencer and Cathy Smith.

ABSENT: William Tamblyn.

Jen Gustafson – Deputy District Attorney, was also present.

3. PUBLIC COMMENTS (Non-action item)

There were no public comments.

4. APPROVAL OF NOVEMBER 5, 2015, MINUTES (For possible action)

Hearing no public comment Chair Shea asked for board discussion or a motion.

It was moved by Member Spencer, seconded by Member Smith, to approve the November 5, 2015, minutes as submitted. The motion carried with Member Tamblyn absent.

5. BOARD MEMBER MEETING ASSIGNMENT (Non-action item) – *A discussion and selection of member(s) to attend the Nevada Board of Wildlife Commissioners meetings on: 1) November 13 and 14, 2015, in Reno, Nevada; and 2). January 29 and 30, 2016, in Las Vegas, Nevada.*

Chair Shea will attend January 29 and 30, 2016, Nevada Board of Wildlife Commissioners meetings.

A consensus was reached to alter the next Washoe County Advisory Board to Manage Wildlife meeting to Monday, March 21, 2016.

6. COMMITTEE, MEMBER AND LIAISON UPDATES (Non-action items)

6-1. Correspondence (including sportsmen's concerns) and Announcements – Chair Shea stated he had correspondence that is pertinent to two separate agenda items and would introduce the letters at that time.

Member Spencer outlined correspondence (copy on file) from the Wild Sheep Foundation on Youth Wildlife Conservation Service event this coming weekend.

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6-2). Overview of the November 13 and 14, 2015, meetings of the Nevada Board of Wildlife Commissioners – Member Smith provided an overview of the November 13 and 14, 2015, meeting noting that Randy Lusetti had been awarded the Law Enforcement of the Year award and that policy revisions would be subject to two (2) more public meetings. Member Smith noted that while Lake Basset was stocked, Lake Comins was not due to low pH and oxygen levels.

7. DRAFT FISCAL YEAR (FY) 2017 PREDATION MANAGEMENT PLAN [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the proposed Draft Fiscal Year 2017 Predation Management Plan for submission to the State Predatory Animal and Rodent Committee.*

Chair Shea opened the agenda item and public comments.

Rex Flowers commented that Project 2-16 Coyote Densities was designed to identify coyote densities. Flights have been suspended and a private contractor engaged who identified one den. Mr. Flowers questioned the value of the project and drew attention to Project 40 that indicates it is under the direction of NDOW (Nevada Department of Wildlife) and Washoe County. However, Mr. Flowers believes that it should read NDOW and Eureka County Mr. Flowers asked that a report on the findings of Project 35 be provided.

Caron Tayloe noted that proponents and opponents of AB78 had expressed concern about the lack of science to justify this particular type of killing and pointed out that justifications are required in policy 23.

Chair Shea closed public comments.

Mike Scott – NDOW, concurred with Chair Shea's observation that it should read Eureka rather than Washoe County. Mr. Scott is not sure whether Project 22-16 Smokey Valley is connected with a prolonged PhD. Thesis.

Member Smith noted that she had not received answers to questions posed on various project, number of animals killed as well as expenses incurred and duration of Project 21 and certain other sub-projects Thus far she has not seen any report on long term benefits.

Mr. Scott noted that Pat Jackson would have the answer and that he would send an email asking him to respond with the answers. Additionally, Mr. Scott is not aware of how Muledeer responded to work done in Area 14 of Eureka County. Mr. Scott emphasized that weather conditions and predators have effects on fawn ratios. However, Mr. Scott will have Mr. Jackson respond.

During a brief discussion it was pointed out that 011 through 015 are all within area 01. Other discussion suggested additional predator control in western Nevada to even out the program.

It was moved by Member Spencer, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve the Draft Fiscal 2017 Predator Management Plan with an increase in the number of predator projects in Western Nevada, specifically and more

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information on the Red Fox Project and benefits of Projects 21 and 40. The motion carried Members Humphreys, Jr., Spencer and Chair Shea assenting; Member Smith dissenting; and Member Tamblyn absent.

8. **COMMISSION GENERAL REGULATION 458, ELECTRONIC RIFLE TRIGGERS, CALIBER AND CARTRIDGE LENGTH, AND SMOKELESS POWDER RESTRICTIONS, LCB FILE NO. R144-15** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a regulation relating to amending Chapter 503 of the Nevada Administrative Code. It revises provisions relating to hunting big game mammals with a rifle; and providing other matters properly relating thereto.*

Chair Shea opened the agenda item and asked for public comment.

Joel Blakeslee spoke in opposition outlining his concerns about the potential domino effect of such restrictions as most common caliber can shoot an extended distance.

Rex Flowers concurred with Mr. Blakeslee and noted that NAC (Nevada Administrative Code) covers the minimum that can be used. It is Mr. Flowers' belief that this is another form of gun control.

Mike Cassidy agreed with both Mr. Blakeslee and Mr. Flowers' comments. It is Mr. Cassidy's belief that there are larger issues in game management than automatic triggers. Mr. Cassidy noted that if not properly written the regulation could eliminate handicap shooters.

Closed public hearing

Responding to Chair Shea's inquiry about why this was not an individual item, Kristy Knight – Game Warden, explained that typically related issues are combined into a single BDR (Bill Draft Request). Officer Knight noted that this would be sent back to the LCB (Legislative Counsel Bureau) and that staff was open to minor changes.

It was moved by Member Humphreys, Jr., seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners deny Commission General Regulation 458, Electronic Rifle Triggers, Caliber and Cartridge Length, And Smokeless Powder Restrictions, LCB File No. R144-15 until such time as more specific information on cartridge length and caliber is properly addressed. The motion carried: Members Humphreys, Jr., Spencer, Smith and Chair Shea assenting; and Member Tamblyn absent.

Chair Shea introduced Officer Knight who has assumed responsibilities formerly handled by Mike McCusker.

9. **COMMISSION GENERAL REGULATION 459, UNMANNED AERIAL VEHICLES (DRONES), LCB FILE NO. R145-15** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a regulation relating to amending Chapter 503 of the Nevada Administrative Code. It restricts the use of aerial devices to aid in hunting and adds additional types of aerial devices.*

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Chair Shea opened public comments.

Rex Flowers spoke in opposition noting that the Nevada Board of Wildlife Commissioners had tried to modify the language in Section 2 about 4.5 years ago. Mr. Flowers noted that tag holders from different areas may wish to fly an area to look at terrain and access in advance of the hunt.

Chair Shea closed the public hearing.

Chair Shea read correspondence from Back Country Hunters and Anglers into the record (copy on file).

There was some discussion about modifying the proposed language during which Member Humphreys, Jr. commented that he is opposed to any flying and harassment of animals. There was additional discussion about suggested modifications on pages 13 and 17. Other discussion noted that Mountain Lions could be hunted year round

It was moved by Chair Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 459, Unmanned Aerial Vehicles (Drones), LCB File No. R145-15 with the following modifications to Section 2-1. Add during the period beginning 48 hours before big game season open until close of the season in the management unit and replace “big game mammal” with “animal”; Section 2-2 For the purpose of subsection 1 in management units deemed not to be big game hunting season for all other species of big game as closed in that management unit 48-hours before beginning of game season in that management unit. The motion failed: Member Spencer and Chair Shea assenting; Members Humphreys, Jr., and Smith dissenting; and Member Tamblyn absent.

No other motion was made.

- 11. COMMISSION REGULATION 16–09, BIG GAME MOUNTAIN LION HARVEST LIMITS FOR 2016–2017** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the proposed 2016 – 2017 mountain lion hunting season open units, harvest limits by unit group, hunting hours, and special regulations.* [Taken out of agenda order]

Chair Shea opened public comment.

Bob Brunner suggested that the board recommend that Unit 033 be opened to Mountain Lion Hunting with a quota of zero. Mr. Brunner noted that he has worked with the Chief Litigator on the issue and that it needs to be clear that the State sets policy that must be followed in the wildlife management.

Rex Flowers concurred with Mr. Brunner on the opening of the unit with a zero quota. It is Mr. Flowers' belief that the Nevada Board of Wildlife Commissioners, which he believes will ultimately open a dialog with the Sheldon's management and NDOW (Nevada Department of Wildlife).

Joel Blakeslee commented that the Sheldon should, in his opinion, be managed in a manner consistent with the rest of the state. Mr. Blakeslee pointed out that the State has management

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authority over wildlife, while the Sheldon may determine when campgrounds on the refuge should be closed.

Mike Scott – NDOW, noted that there have been discussions with the Refuge management who have indicated that an environmental assessment must be completed before they can move forward. It is unclear whether the State can move forward legally without their consent. However, this is a good recommendation and way to start the discussion.

Chair Shea closed public comment.

Member Smith stated that she was opposed to opening the Sheldon Refuge for Mountain Lion hunting and that some areas had been overhunted.

Member Humphreys, Jr., concurred with public comments heard.

Responding to Member Spencer's inquiry about whether there were statistics on Mountain Lions in the state, Mike Scott – NDOW, stated that he was not aware of any.

Jack Spencer noted that only a few Mountain Lions have been caught during daylight hours as they tend to roam at night. It is Mr. Spencer's belief that more will be harvested this year than last year.

Member Smith noted that Nevada is the only state other than Texas that allows a year round Mountain Lion hunt. Additionally, she believes that she does not see any harm in shortening the seasons.

Member Spencer commented that she is not concerned with regulations in other states and that the proposal is fine as written.

It was moved by Member Humphreys, Jr., seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 16-09 Big Game Mountain Lion Harvest Limits for 2016-2017 as written with the following modification to open Area 033 with a zero harvest objective. The motion carried: Member Humphreys, Jr., Spencer and Chair Shea assenting; Member Smith dissenting; and Member Tamblin absent.

- 10. COMMISSION REGULATION 15-09 – AMENDMENT #2, BIG GAME SEASONS** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the 2016–2017 hunting seasons and dates for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat, including limits, hunting hours, special hunt eligibility, animal sex, physical characteristics and legal weapon requirements, hunt boundary restrictions, and emergency depredation hunt structure and statewide quotas.*

Hearing no public or board comments, Chair Shea made the following motion.

It was moved by Chair Shea, seconded by Member Humphreys, Jr., to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 15-09, Amendment

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#2, Big Game Seasons, as written. The motion carried: Members Humphreys, Jr., Smith, Spencer and Chair Shea assenting; and Member Tamblyn absent.

The meeting recessed at 6:58 p.m. and reconvened at 7:05 p.m.

12. COMMISSION REGULATION 16–10, 2016 BLACK BEAR SEASONS [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify 2016 hunting season dates, open management units, hunting hours, special regulations, animal sex, legal weapon requirements, hunt boundary restrictions, and dates and times for indoctrination courses for black bear.*

Chair Shea opened public comment.

Lloyd Peake commented that he was not aware of nor had he heard of any current science with regard to bear populations in light of four (4) years of drought. In the absence of such information Mr. Peake does not see how this body can make an appropriate recommendation.

Bob Brunner noted that the populations can, in his opinion, be judged by the age and sex composition of the previous years' harvest. During the first few years of the hunt the harvest was under the harvest objective. Mr. Brunner believes that the harvest objective can be increased.

Caron Tayloe recalled the Commissioner McBeath had stated that the bear hunt could be established "because we can". Therefore, Ms. Tayloe believes that there needs to be an independent study in Nevada and pointed out that one of the animals harvest was a lactating female.

Rex Flower explained that he believes the quota is justified based on the past season and that if there had been an issue with the population the quota would have been reduced or the season closed earlier.

Jack Spencer expressed his appreciate for the vote on the black bear season and explained that he had hunted in Alaska and is a wildlife biologist. Mr. Spencer explained that black bears can eat a wide variety of foods and have expanded their range into northern Washoe County. Mr. Spencer believes that the black bear goes into hibernation in December and believes the hunt should start a few weeks earlier.

Jonathan Lesperance commented that he had drawn a bear tag and had an amazing time. During his time in the field he seen a number of bears but decided not to harvest. However, he did get amazing photographs and an incredible experience.

Mel Belding concurred with Mr. Spencer and drew attention to a guzzler about 40 miles south of Vya (Nevada) that had a black bear living in the area. Mr. Belding believes that the bear population is expanding and would like to see the populations put back in their native ranges.

Hunter Spencer commented that he is looking forward to hunting back bear and has friends that are also looking forward to hunting black bear.

Chase Spencer stated he wanted to go black bear hunting.

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Joel Blakeslee spoke in support of the bear hunt.

Chair Shea closed public comment.

Member Smith commented that perhaps the expansion of the range was due to lack of food with the fourth consecutive year of drought. It is difficult to believe that the actual number of animals is increasing. Member Smith then noted that the opening of the hunt in December seems inappropriate as the bears are headed into hibernation and is less active. Additionally, bears chased by dogs may decrease their fitness. Member Smith recommended that the season be shortened.

Member Humphreys, Jr., concurred with Member Spencer that the season open on September 1 and close on December 15 and recommended that better data and harvest limits be based on science rather than political correctness.

Member Spencer expressed her appreciation for input from the younger generation to keep the bear hunt. Member Spencer suggested that the hunt during the drought may be beneficial to prevent animals from facing starvation. It may be necessary to increase the number of tags if the drought continues.

It was moved by Member Spencer. Seconded by Member Humphreys, Jr., to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 16-10, 2016 Black Bear Seasons as written with the following modification, change opening date to September 1 and closing date to December 31. The motion carried: Members Humphreys, Jr., Spencer and Chair Shea assenting; Member Smith dissenting; and Member Tamblyn absent.

13. COMMISSION REGULATION 16-03, 2017 HERITAGE TAG SEASONS AND QUOTAS [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the 2017 Heritage Tag hunt species, seasons and quotas.*

Chair Shea opened public comment.

Mike Cassidy suggested that in the future the Turkey Heritage Tags be issued for the following year given the short time between season opening and the banquet.

Jack Spencer noted that the school year will be changing and that it would be beneficial to have a week in the field when school is in recess.

Chair Shea closed public comments.

Chair Shea suggested that the Heritage, Dream, PIW and Silver State tags not be able to hunt Unit 195 for 2016.

It was moved by Chair Shea, seconded by Member Humphreys, Jr., to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 16-03, 2017 Heritage Tag Seasons and Quotas. With the following modifications: not allow Heritage tag in

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Unit 195 for Desert Bighorn and consider a change to the Wild Turkey to issue the tag for the following year after the sale of the Heritage tag. The motion carried: Members Humphreys, Jr., Smith, Spencer and Chair Shea assenting; and Member Tamblyn absent.

- 14. COMMISSION REGULATION 16–04, DREAM TAG 2016 SEASONS** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the 2016 Dream Tag seasons.*

Hearing no public or Board comment, Chair Shea made the following motion.

It was moved by Chair Shea, seconded by Member Smith, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 16-04, Dream Tag 2016 Seasons as written, with the following modification not allow the use of the Dream tag in Unit 195 for Desert Bighorn Sheep. The motion carried: Members Humphreys, Jr., Smith, Spencer and Chair Shea assenting; and Member Tamblyn absent.

- 15. COMMISSION REGULATION 16–05, PARTNERSHIP IN WILDLIFE (PIW) 2016 SEASON AND QUOTAS** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify the 2016 PIW hunt species, seasons and quotas.*

Hearing no public or board comment, Chair Shea made the following motion.

It was moved by Chair Shea, seconded by Member Smith, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 16-05, Partnership in Wildlife (PIW) 2016 Season and quota as written, with the following modification not allow the use of the Dream tag in Unit 195 for Desert Bighorn Sheep. The motion carried: Members Humphreys, Jr., Smith, Spencer and Chair Shea assenting; and Member Tamblyn absent.

- 16. COMMISSION REGULATION 16–06, SILVER STATE TAG 2016 SEASON AND QUOTAS** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify 2016 Silver State Tag hunt species, seasons and quotas.*

Hearing no public or Board comment, Chair Shea made the following motion.

It was moved by Chair Shea, seconded by Member Smith, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 16-06, Silver State Tag 2016 Season and quota as written, with the following modification not allow the use of the Silver State tag in Unit 195 for Desert Bighorn Sheep. The motion carried: Members Humphreys, Jr., Smith, Spencer and Chair Shea assenting; and Member Tamblyn absent.

- 17. COMMISSION REGULATION 16–07, 2016 BIG GAME APPLICATION DEADLINE INFORMATION** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify language regarding the 2016 big game tag application deadline information.*

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Chair Shea opened public comment.

Rex Flowers noted that new regulation states that remaining tags sold on a first come first serve basis will not result in the loss of bonus points.

Chair Shea closed public comment.

It was moved by Member Spencer, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 16-07 Big Game Application Deadline information, as written with a clarification that remaining tags sold on a first come first serve basis will not lose any bonus points. The motion carried: Members Humphreys, Jr., Smith, Spencer and Chair Shea assenting; and Member Tamblyn absent.

- 18. COMMISSION REGULATION 16-08, 2016 BIG GAME TAG APPLICATION ELIGIBILITY**
[For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify 2016 big game tag application eligibility.*

Hearing no public comment Chair Shea asked for Board discussion or a motion.

It was moved by Member Spencer, seconded by Chair Shea, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 16-08, 2016 Big Game Tag Eligibility as written with a clarification that remaining tags sold on a first come first serve basis will not lose bonus points. The motion carried: Members Humphreys, Jr., Smith, Spencer and Chair Shea assenting; and Member Tamblyn absent.

- 19. COMMISSION GENERAL REGULATION 456, SPECIAL INCENTIVE ELK ARBITRATION PANEL, LCB FILE NO. R031-15** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify amending NAC 502.42283 by which the Commission may facilitate decisions by appointing or serving as the arbitration panel should arbitration of elk incentive tag awards become necessary; and providing other matters properly relating thereto. A workshop on the temporary regulation was held on March 20, 2015, and the temporary regulation was adopted on May 15, 2015, at the Nevada Board of Wildlife Commission meetings. An additional workshop was held on August 7, 2015, at the Nevada Board of Wildlife Commission meeting and no further changes were made. The Nevada Board of Wildlife Commissioners adopted this regulation as a permanent regulation on September 26, 2015; however, on October 27, 2015 the Legislative Commission deferred the regulation. A workshop was held yesterday, January 29, 2015, and subsection 3 on page 3 was suggested for removal by the Department.*

Hearing no public comment Chair Shea asked for Board discussion or motion.

Chair Shea stated that, in his opinion, that meeting should be held separately.

It was moved by Chair Shea, seconded by Member Spencer, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General Regulation 456, Special Incentive Elk Arbitration Panel, LCB No. R013-15 with the recommendation that the panel meet

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outside of the scheduled Nevada Board of Wildlife Commission meeting times. The motion carried: Members Humphreys, Jr., Smith, Spencer and Chair Shea assenting; and Member Tamblyn absent.

- 20. POTENTIAL CONGRESSIONAL LAND TRANSFER TO THE MOAPA BAND OF PAIUTES IN SOUTHERN NEVADA** [For possible action] – *A review, discussion and possible action to recommend that the Nevada Board of Wildlife Commissioners approve, deny or otherwise modify a potential congressional land transfer and discuss possible issues with wildlife management and public access in and around lands being considered for transfer. The Commission may choose to develop correspondence and provide input to the Congressional delegation as part of their consideration of the Bill.*

Chair Shea opened the public comment.

Joel Blakeslee expressed his opposition to the land transfer.

Chair Shea closed public comment.

Chair Shea noted his opposition to the land transfer due to access and other issues.

It was moved by Chair Shea, seconded by Member Humphreys, Jr., to recommend that the Nevada Board of Wildlife Commissioners oppose the transfer of land to the Moapa Band of Paiutes in Southern Nevada. The motion carried: Members Humphreys, Jr., Smith, Spencer and Chair Shea assenting; Member Smith dissenting; and Member Tamblyn absent.

- 21. WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE MEMBERS AND/OR STAFF ANNOUNCEMENTS, REQUESTS FOR INFORMATION AND SELECTION OF TOPICS FOR FUTURE AGENDAS** [Non-action item] – *Selection of additional agenda item(s) for the next meeting is March 17, 2016.*

The meeting was changed to Monday, March 21, 2016. The meeting agenda may include, but is not limited to an update from Washoe County on action taken to remove wild horses from East Lake Boulevard in Washoe Valley.

- 22. PUBLIC COMMENTS** [Non-action item]

There were no public comments.

- 23. ADJOURNMENT** [Non-action item]

Chair Shea adjourned the meeting at 7:46 p.m.

AS APPROVED BY THE WASHOE COUNTY ADVISORY BOARD TO MANAGE WILDLIFE IN SESSION ON MARCH 21, 2016.