

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the May 5, 2003 Meeting

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A regular meeting of the Carson City Advisory Board to Manage Wildlife was scheduled for 6:00 p.m. on Monday, May 5, 2003 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

PRESENT: Vice Chairperson Steve Walker
Wes Clyde
Stan Zuber

STAFF: Kathleen King, Recording Secretary

NOTE: A tape recording of these proceedings is on file in the Clerk-Recorder's Office and is available for review and inspection during regular business hours.

1. CALL TO ORDER, DETERMINATION OF QUORUM (1-0007) - Vice Chairperson Walker called the meeting to order at 6:00 p.m. A quorum was present. Chairperson Pedersen and Member Yanuck were absent.

2. APPROVAL OF MINUTES - February 3, 2003 and March 10, 2003 (2-0992) - Member Zuber moved to approve the minutes. Member Clyde seconded the motion. Motion carried 3-0.

3. MODIFICATIONS TO THE AGENDA (1-0010) - None.

4. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0013) - C.K. Baily discussed a meeting which took place earlier in the day at the Legislative Counsel Bureau on SB 135. He advised that the bill was passed by the Senate but has been held up in the assembly. SB 135 is the proposed amendment to NRS 501.376 which would impose a class E felony for poaching mammals. Mr. Baily provided an overview of the discussion which took place at the meeting.

5. DISCLOSURES (1-0034) - None.

6. PRESENTATION REGARDING NEVADA DIVISION OF WILDLIFE QUESTION #1 PLANNING PROCESS; DISCUSSION TO FOLLOW - LAURA RICHARDS, NDOW STAFF HABITAT BIOLOGIST (1-0036) - Ms. Richards advised that NDOW will receive a \$27.5 million allocation from Question #1. The funding will be leveraged together with other funding sources, such as federal aid and fuel tax revenues, to maximize projects. Ms. Richards referred to Question #5 which was passed by voters in 1990; since 1991, over 30 projects have been implemented, including the Howard Ranch purchase, purchase of water rights, the Sceirine Ranch purchase with water rights adjacent to the Mason Valley Wildlife Management Area, the 3-C Ranch through the Steptoe Valley Wildlife Management Area, and numerous enhancements to wildlife management areas and fishable waters across the State.

Ms. Richards advised that AB 9 was the enabling legislation for Question #1. NDOW's portion is required to be used, as follows: "For the acquisition of real or personal property or interest in real or personal property to enhance, protect, and manage wildlife and wildlife habitat or to enhance recreational opportunities related to wildlife or wildlife habitat, or for the development and renovation of facilities or the improvement of existing habitats for fish and wildlife." Ms. Richards advised that NDOW has established project criteria, one of the most important of which is whether projects are identified in existing

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plans. Additional criteria include wildlife diversity, species values, the potential for wetland development and water rights acquisitions, riverine and riparian values, opportunities for easement acquisition, variety of recreation that may be available on a property, whether the project is adjacent to an existing NDOW property, and the availability of matching funds and partnerships. Ms. Richards discussed NDOW's public scoping meeting series held across the State last spring for the purpose of first round project identification. The public was requested to submit proposals by April 15th. NDOW received 122 specific projects, 38 of which were focus areas. The project total was \$87.5 million. Ms. Richards advised that the projects are being ranked, based on the previously stated criteria, by the NDOW Administrator. The project list will be presented at the May 9th meeting of the Wildlife Commission. The projects will be scheduled for implementation following the meeting; bonding will be done in June.

Ms. Richards advised that public scoping meetings will continue to be held across the State. Question #1 bonds must be sold within six years and all the funding must be spent within nine years. She responded to questions regarding the prioritization process. In response to a further question, she advised that NDOW staff and the Commission understand the importance of access issues. She responded to further questions regarding federal and other match funding sources, and easement acquisition opportunities. Vice Chairperson Walker thanked Ms. Richards for her presentation.

7. PRESENTATION OF BIG GAME STATUS AND QUOTA RECOMMENDATIONS FOR 2003-2004 (1-0427) - Mike Dobel, Western Region Supervising Game Biologist, introduced himself for the record and provided background information on his experience. Vice Chairperson Walker read a portion of the April 23, 2003 letter from Member Yanuck into the record. (1-0928) Copies of the 2003 Big Game Quota Recommendations were distributed to the Board members, staff, and the citizens present. Mr. Dobel provided an overview of statewide statistics by species and responded to questions regarding the quota recommendations.

(1-1854) Ken Cavin expressed a concern over decreasing deer herds and the lack of deer management programs. He expressed the opinion that the recommended quota in area 7 reflects a loss of the resource. Mr. Dobel advised that most biologists are frustrated by the situation. He explained that the problem is centered around a "landscape scale change in habitat," which is very difficult to address or resolve. In reference to one of Mr. Cavin's comments, Mr. Dobel acknowledged that other species seem to be thriving while deer herds are declining. This is due to the fact that those species thrive in a grassland situation whereas mule deer do not. Mr. Dobel advised that the shrub component is being lost statewide and there is a trend toward "more pristine habitat conditions in terms of vegetative types." Additional problems are due to introduction of exotics through cheatgrass and medusa head. Mr. Dobel agreed with Mr. Cavin's concerns, but indicated that forestalling the problem is unlikely. He advised that there are many facets to the problem, including a fire cycle which prevents re-establishment of the shrub component. He pointed out that deer can't live on cheatgrass, and explained that they are already in a negative energy balance when they come to the winter ranges. They lose fat reserves and muscle mass as they go through the winter process. The only thing to keep them alive is the structure of the shrub component. "It's really not the feed that's important, it's the structure of the cover."

Mr. Dobel responded to questions regarding the involvement of the Bureau of Land Management and the U.S. Forest Service in wildlife management. He indicated that grazing practices are only another piece of the puzzle, and discussed the effect of drought cycles and fire on winter ranges. He advised that winter ranges are the "limiting factor." (1-2072) Tom Cavin suggested that NDOW, the BLM, the USFS, the

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ranching community, etc. should develop a joint plan to address the issues. Mr. Dobel provided an example of a cooperative reseeding project in the Virginia Mountains following a fire approximately four years ago. He explained that the area had been a large mule deer habitat and that BLM reseeded the area with shrubs and grasses. There are only grasses in the area at the present time, however, and grasses will not support mule deer. Restoring the shrub component would take approximately 20-30 years which is the same situation as in the Sheldon Range. (1-2201) Mr. Dobel responded to questions regarding the status of a recent sagebrush seed collection project. Mr. Baily discussed his involvement in the project to replant area 6, and recommended involvement in NDOW's volunteer program.

Mr. Dobel reiterated that the frustrations expressed at this meeting are shared by many of the biologists. He advised that the biologists are doing the best they can but the problem is "huge." He acknowledged that mountain lions are factored into over winter loss rate statistics when developing a model. He further acknowledged that the increasing human population along the Sierra Front has an effect on the mule deer herd. He noted, however, that he and NDOW Biologist Walter Mandeville are classifying more deer along the Sierra Front than the biologists responsible for areas 6 and 7. In response to a question, Mr. Dobel advised that NDOW usually has an opportunity to provide input to such things as the BLM's Pine Nut Mountains Plan Amendment, county planning documents, etc. Vice Chairperson Walker thanked Mr. Dobel for his presentation. He recessed the meeting for approximately five minutes.

8. DISCUSSION AND ACTION ON BIG GAME STATUS AND QUOTA RECOMMENDATIONS FOR 2003-2004 (1-2566) - The Board members reviewed, discussed, and indicated their recommendations on the form provided by NDOW. **Member Zuber moved to forward the Board's quota recommendations to the Commission. Member Clyde seconded the motion. Motion carried 3-0.**

9. DISCUSSION AND ACTION ON HERITAGE PROJECT PROPOSALS FOR FISCAL YEAR 2003-2004 (1-3022) - Vice Chairperson Walker referred to the FY04 Heritage Program Project Proposals table included in the agenda materials, copies of which were provided to the citizens present. Vice Chairperson Walker advised of having collaborated with Member Yanuck on the list of projects recommended in the April 23, 2003 letter which he reviewed. (1-3189) Mr. Baily expressed support for project 04-07, Native Reseeding for Restoration at the Rosaschi Ranch in the amount of \$10,920. Discussion took place regarding ownership and management responsibility of the Rosaschi Ranch. Vice Chairperson Walker discussed funding allocated to the Overton Wildlife Management Area over the last 2-3 years. Additional discussion took place regarding the listed projects, fire reseeding projects, and the importance of cooperation between agencies. **Member Clyde moved to accept and approve the projects as proposed in Member Yanuck's letter to the Chair. Member Zuber seconded the motion. Motion carried 3-0.**

10. DISCUSSION AND ACTION TO FORMALLY SUPPORT THE PROPOSED URBAN FISHERY SITE AT THE CARSON CITY FUJI PARK/FAIRGROUNDS (1-0486) - Mr. Baily provided an overview of the proposal, including the location, source, and characteristics of the pond. He pointed out required detention/retention and water quality basins on a displayed Fuji Park Conceptual Plan, and discussed their function and purpose. In response to a question, Mr. Baily advised that there is a great deal of planning and engineering yet to be completed for the pond, including a determination of the pond's outlet. He responded to additional questions regarding issues associated with allowing the pond water to run back into Clear Creek, the species of fish to be planted in the pond, and Tribal interests. Mr. Baily

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emphasized that the urban fishery is still in the conceptual stage and many details have yet to be worked out. He advised that the proposal will next be presented to the Parks and Recreation Commission and then to the Board of Supervisors. He acknowledged that Parks and Recreation Department staff are in favor of the project. In response to a question regarding the issue of ducks and geese at the pond, Mr. Baily advised of one advantage in that the pond will have an outlet. Vice Chairperson Walker advised that the City occasionally schedules a duck round up at Ross Gold Park. Mr. Baily further advised that the urban fishery will most likely not be surrounded by lawn which will alleviate the problem of fertilizer leaching into the pond. He provided an overview of discussions regarding the material to be used to seal the pond, if any, and advised that the depth of the pond will be 15'. **Member Zuber moved to support the project, as described by Mr. Baily at this meeting. Member Clyde seconded the motion. Motion carried 3-0.** Vice Chairperson Walker advised that Member Yanuck had expressed written support for the proposal and Chairperson Pedersen had expressed verbal support. He thanked Mr. Baily for his presentation.

11. DISCUSSION OF POINTS OF INTEREST FROM THE MARCH 14 AND 15, 2003 WILDLIFE COMMISSION MEETING (1-3518) - Vice Chairperson Walker advised that he and Mr. Baily attended the March 14th meeting, at which Mr. Baily presented the urban fishery proposal. Ms. King read a pertinent portion of the draft Commission minutes into the record. Vice Chairperson Walker read Secretary Crawforth's March 20, 2003 letter into the record indicating support for the Board's petition to allow resident and nonresident party hunts. Discussion took place regarding the status of the across-the-board fee increases proposed in the Legislature. Vice Chairperson Walker requested staff to reagendaize this item for the next Board meeting in order to hear reports from Chairperson Pedersen and Member Yanuck.

12. ADVISORY BOARD TO MANAGE WILDLIFE CONSENT AGENDA. All matters listed under the Consent Agenda are agendaized for the May 8, 9 and 10, 2003 Wildlife Commission meeting and may be acted upon by the Advisory Board to Manage Wildlife with one action and without extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda and acted upon separately during this meeting (2-0007) - Vice Chairperson Walker reviewed the consent agenda. **Member Zuber moved to pull items 12-C, 12-G, and 12-I from the consent agenda. Member Clyde seconded the motion. Motion carried 3-0. (2-0705) Member Clyde moved to approve the remainder of the consent agenda. Member Zuber seconded the motion. Motion carried 3-0.**

12-A. ACTION REGARDING LICENSE SUSPENSION APPEALS. The Commission will review the actions of the Division of Wildlife in notification of license and permit suspension for accumulation of 12 demerit points for conviction of wildlife law/regulations for the following individuals:

- Sergio Delgadillo
- Chad Cooper

12-B. ACTION REGARDING PERMIT DENIAL APPEAL - GONE FISHING, INC. The Commission will hear an appeal of the Division of Wildlife denial of a commercial fishing permit application.

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12-C. ACTION REGARDING PETITION FOR REGULATION CHANGE - NEVADA OUTFITTERS AND GUIDES ASSOCIATION. The Nevada Outfitters and Guides Association has petitioned to create a nonresident bobcat season. The Commission will take action either to accept the petition and initiate regulatory action or deny the petition (2-0104) - Vice Chairperson Walker referred to the e-mails from Nevada High Country Outfitters and from Commission Chairman Moran which were distributed to the Board members prior to the start of the meeting. He commented that he has heard both sides of the issue from involved parties, and provided background information on the petition. Discussion took place regarding the petition, and **Member Zuber moved to not forward a recommendation to the Commission regarding this issue until more information is presented or until a representative of at least one side of the issue can make a presentation at a future Board meeting.** Member Clyde seconded the motion. Motion carried 3-0.

12-D. ACTION REGARDING WILDLIFE HERITAGE PROJECTS - COMMISSIONER BENTLEY. The Commission will act upon recommendations of the Heritage Committee for approval of projects submitted for funding in fiscal year 2004.

12-E. ACTION REGARDING WILDLIFE HERITAGE TAGS - GREGG TANNER. The Commission will decide the number of Heritage tags by species to be issued for hunt year 2004.

12-F. ACTION REGARDING COMMISSION REGULATION #03-01, AMENDMENT #1, WILDLIFE HERITAGE MULE DEER TAG; COMMISSION REGULATION #03-02, AMENDMENT #1, WILDLIFE HERITAGE MULE DEER TAG; COMMISSION REGULATION #03-03, AMENDMENT #1, WILDLIFE HERITAGE ANTELOPE TAG; COMMISSION REGULATION #03-04, AMENDMENT #1, WILDLIFE HERITAGE ANTELOPE TAG; AND COMMISSION REGULATION #03-08, AMENDMENT #1, WILDLIFE HERITAGE CALIFORNIA BIGHORN TAG - GREGG TANNER. The Commission will consider amending hunting season dates for these Heritage tags issued for 2003.

12-G. ACTION REGARDING LEGISLATIVE PROPOSALS - COMMISSIONER BRADLEY AND SECRETARY CRAWFORTH. The Commission will discuss the status of proposed legislation regarding wildlife and boating and may take a position on any of those proposals (2-0193) - Vice Chairperson Walker anticipates that Commissioner Bradley and/or Secretary Crawford will provide an update on the status of the legislative proposals. (2-0205) Tom Cavin expressed reservations regarding the bi-annual across-the-board fee adjustments based on the consumer price index. He suggested that language requiring oversight should have been included in the bill, and discussed the various new fees and fee increases imposed by the bill. Vice Chairperson Walker read a letter from the Nevada Board of Wildlife Commissioners into the record. (2-0379) Mr. Baily provided an overview of the presentation made by Commissioners Bradley and MacKenzie during the December 2, 2002 Board meeting. Mr. Cavin expressed the desire for more accountability by NDOW. In response to a question, Mr. Cavin advised that the bill for the Division to revert to a Department is still alive in the Legislature. He discussed the information available on the Legislature's website. Mr. Baily provided information on hearings scheduled for AB071 and, at the request of Vice Chairperson Walker, provided an overview of the testimony he provided, together with NDOW Staff Game Warden Rob Buonamici and the bill's author, Thomas Wilson, in support of SB135. He advised that the Senate passed the bill and that the Assembly is

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deliberating over a “wiggle clause.” (2-0564) Mr. Cavin requested the Board to request clarification at the Commission meeting regarding SB420. **Member Clyde moved to continue following the proposed legislation. Member Zuber seconded the motion. Motion carried 3-0.**

12-H. ACTION REGARDING IL RANCH, ELKO COUNTY - RICHARD SANDOZ AND CARMEN FIMIANI. The Commission will be asked to take a position in support of this project proposal for the Southern Nevada Public Lands Management Act.

12-I. ACTION REGARDING COUNTY ADVISORY BOARDS TO MANAGE WILDLIFE BUDGET REQUESTS - DAVE HANSEN. The 17 County Advisory Boards to Manage Wildlife have been polled regarding travel and operating funds needed from the State’s Wildlife Account for fiscal year 2004. In accordance with NRS 501.320, the Commission will be asked to approve fiscal year 2004 Advisory Board budgets (2-0668) - Vice Chairperson Walker advised that Member Yanuck previously submitted the Board’s budget to the appropriate NDOW staff person. Ms. King reviewed the action taken by the Board at the March 10th meeting; consensus of the Board was that no further action was needed.

12-J. ACTION REGARDING COMMISSION REGULATION 03-17 - GREGG TANNER AND MIKE COX. The Commission will establish tag quotas for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat for the 2003 hunting season. NOTE: Please see Division publication entitled “2003 Big Game Status and Regulation #03-17” mailed separately.

12-K. ACTION REGARDING PRONGHORN ANTELOPE POLICY - COMMISSIONER FORD. The Commission will consider final action on its policy direction to the Division concerning management of pronghorn antelope.

12-L. ACTION REGARDING BIG GAME RELEASE PLAN - MIKE COX. The Commission will consider final action on the Division’s proposed plan for fiscal years 2004-2005.

12-M. ACTION REGARDING UPLAND GAME AND MIGRATORY BIRD RELEASE PLAN - CRAIG MORTIMORE. The Commission will consider final action on the Division’s proposed plan for fiscal years 2004-2005.

12-N. ACTION REGARDING FUTURE COMMISSION MEETINGS - SECRETARY CRAWFORTH. The next Commission meeting and County Advisory Board to Manage Wildlife workshop are scheduled for June 27 and 28, 2003 in Winnemucca, and the Commission will review potential agenda items. The Chairman may adjust committee assignments and establish a new committee with membership from the guides to explore improved management of the guide business.

13. INFORMATIONAL REPORTS TO BE PRESENTED AT THE MAY 8, 9 AND 10, 2003 WILDLIFE COMMISSION MEETINGS. A report and additional detail on each of the following informational items will be provided by a Nevada Division of Wildlife representative or a Wildlife Commissioner at the upcoming Commission meetings (2-0715) Mr. Baily expressed an interest in items 13-I, 13-J, 13-K and 13-M, and requested the Board’s representative to report on these items at the next Board meeting.

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- 13-A. LITIGATION - WAYNE HOWLE.**
- 13-B. CENTRAL NEVADA ELK SUBPLAN - COMMISSIONER OLSEN.**
- 13-C. GOVERNOR'S SAGE GROUSE TEAM - COMMISSIONER McNINCH.**
- 13-D. REGULATIONS AND PROCEDURES COMMITTEE - COMMISSIONER FORD.**
- 13-E. AMPHIBIANS OF NEVADA - ANITA COOK.**
- 13-F. ESPN OUTDOOR GAMES - KELLY CLARK.**
- 13-G. AUCTION OF BIG GAME HIDES - ROB BUONAMICI.**
- 13-H. NEVADA WILDLIFE DATA SYSTEM UPDATE - PATTY WAGNER.**
- 13-I. STATUS OF HATCHERY REFURBISHMENT PROJECT - DAVE SANGER.**
- 13-J. OUTFITTERS AND GUIDES IN NEVADA - ROB BUONAMICI.**
- 13-K. QUESTION #1 BOND STATUS - LAURA RICHARDS.**
- 13-L. OVERTON WILDLIFE MANAGEMENT AREA - DOUG HUNT.**
- 13-M. TABLE MOUNTAIN WIND POWER GENERATION - DOUG HUNT.**
- 13-N. WILD HORSES IN NEVADA - ROBERT ABBEY.**
- 13-O. WILDERNESS - ROBERT ABBEY.**

14. DISCUSSION AND POSSIBLE ACTION REGARDING THE WILDLIFE COMMISSION'S RESOLUTION ON WILDERNESS DESIGNATIONS IN NEVADA (2-0735) - Vice Chairperson Walker referred to the resolution included in the agenda materials, copies of which were provided to the citizens present. Vice Chairperson Walker acknowledged that the Commission previously passed the resolution. He responded to additional questions regarding the purpose and function of the resolution, and discussion took place with regard to the same. In response to a comment, Ms. King advised that Chairperson Pedersen had requested this item be agendized. Following further discussion, Vice Chairperson Walker requested staff to reagendize this item for the June meeting. No formal action was taken.

15. DISCUSSION AND POSSIBLE ACTION TO DESIGNATE BOARD LIAISONS TO CARSON CITY ADVISORY BOARDS/COMMISSIONS/COMMITTEES (2-0852) - Ms. King provided background information on this item. Consensus of the Board was to reagendize this item for discussion in the presence of the full Board.

16. REPORT ON GOVERNOR'S SAGE GROUSE CONSERVATION PLAN - GIL YANUCK (2-0895) - Vice Chairperson Walker reviewed that portion of Member Yanuck's April 23, 2003 letter pertaining to this item. Member Yanuck's report letters to Mayor Masayko were also included in the agenda materials.

17. DISCUSSION AND POSSIBLE ACTION REGARDING THE FY2003/2004 CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE BUDGET (2-0914) - Deferred.

18. DISCUSSION AND POSSIBLE ACTION TO DESIGNATE A BOARD REPRESENTATIVE AND AN ALTERNATE TO THE MAY 8, 9 AND 10, 2003 WILDLIFE COMMISSION MEETINGS (2-0920) - Vice Chairperson Walker reviewed the meeting schedule and volunteered to attend the May 8th meeting. Member Clyde volunteered to attend the May 8th and 9th afternoon sessions. Vice Chairperson Walker advised he would talk to Chairperson Pedersen regarding the remaining portions of the Commission meeting to be covered.

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19. DISCUSSION AND POSSIBLE ACTION TO SCHEDULE NEXT CCABMW MEETING.

The next Wildlife Commission meeting and County Advisory Board to Manage Wildlife workshop is scheduled for June 27 and 28, 2003 in Winnemucca (2-0982) - Consensus of the Board was to schedule the next meeting for June 23rd.

20. DISCUSSION ONLY REGARDING FUTURE AGENDA ITEMS (2-0999) - Previously covered.

21. ACTION ON ADJOURNMENT (2-1045) - Member Zuber moved to adjourn the meeting at 9:51 p.m. Member Clyde seconded the motion. Motion carried 3-0.

The Minutes of the May 5, 2003 meeting of the Carson City Advisory Board to Manage Wildlife are so approved this 23rd day of June, 2003.

NORMAN W. PEDERSEN, Chair