

# **CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE**

## **Minutes of the January 28, 2002 Meeting**

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A regular meeting of the Carson City Advisory Board to Manage Wildlife was scheduled for 7:00 p.m. on Monday, January 28, 2002 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

**PRESENT:** Chairperson Norman Pedersen  
Vice Chairperson Greg Davis  
Bill Allyn  
Steve Walker  
Gil Yanuck

**STAFF:** Steve Kastens, Parks and Recreation Director  
Scott Fahrenbruch, Parks Superintendent  
Kathleen King, Recording Secretary

**NOTE:** Unless indicated otherwise, each item was introduced by Chairperson Pedersen. 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, WELCOME NEW MEMBER (1-0001)** - Chairperson Pedersen called the meeting to order at 7:00 p.m. He welcomed all the citizens in attendance. A quorum was present. Vice Chairperson Davis arrived at 7:30 p.m. (1-0084) Chairperson Pedersen welcomed Member Allyn as the newest Board member. At his request, Member Allyn provided information on his background and experience with the Nye County Advisory Board to Manage Wildlife.

**2. ACTION ON APPROVAL OF MINUTES - NOVEMBER 26, 2001 AND DECEMBER 13, 2001 (1-0013)** - Member Yanuck moved to approve the minutes of November 26, 2001 and December 13, 2001. Member Walker seconded the motion. Motion carried 4-0.

**3. MODIFICATIONS TO THE AGENDA (1-0030)** - Chairperson Pedersen modified the agenda to address item 8 prior to item 7.

**4. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0043)** - None.

**5. DISCLOSURES (1-0052)** - Chairperson Pedersen advised that he and Member Walker participated in a meeting with Parks and Recreation Department staff regarding the Ross Gold Pond Urban Fishery. Member Walker advised of being nominated and elected to the Carson Fly Fishing Club Board of Directors. He indicated that this position should not present any conflict with regard to Advisory Board to Manage Wildlife matters. He acknowledged that he would recuse himself from any matter which may present a conflict.

**6. DISCUSSION OF POINTS OF INTEREST FROM THE NOVEMBER 30/DECEMBER 1, 2001 WILDLIFE COMMISSION MEETING (1-0100)** - Member Yanuck advised that he attended the Friday session with Member Walker. Member Yanuck referred to the Commission minutes and provided an overview of discussion and action regarding the License Agent Appeal filed by Walter Goodman, of the Sportsman's Den & Liquor. Chairperson Pedersen displayed the minutes of the Commission meeting for the benefit of the citizens in attendance. Member Yanuck discussed the reports provided to the Wildlife Commissioners by Nevada Division of Wildlife ("NDOW") staff. He commented that he now has a better understanding of the responsibilities of NDOW staff, and commended them for their efforts.

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**7. REPORT AND POSSIBLE ACTION ON GOVERNOR'S SAGE GROUSE CONSERVATION PLAN (1-1085)** - Member Yanuck reviewed the minutes of the November 28, 2001 Bi-State Local Area Conservation Planning Group attached to a December 14, 2001 letter to Mayor Masayko, a copy of which was made a part of the record. Member Yanuck advised of a determination made at the last planning group meeting that additional, longer meetings will be required with smaller groups of people. He informed the Board members that the next meeting is scheduled for Thursday, January 31<sup>st</sup> at Topaz Lake. An additional meeting is scheduled for February 14, 2002 at the Walker Community Center. Member Yanuck advised that NDOW Administrator Terry Crawforth has requested the participation of each of the county advisory boards. He further advised that Mayor Masayko has requested continued representation by a member of the Carson City Advisory Board, and discussion took place with regard to involving the other Board members. Chairperson Pedersen offered to attend some of the meetings with Member Yanuck, and the other Board members did the same. Member Yanuck will provide the meeting schedule to the Board members. Vice Chairperson Davis discussed the benefits of the research being done for the conservation plan, including the discovery of many leks which were previously considered to be unused. Chairperson Pedersen thanked Member Yanuck for his report and his commitment to this task.

In response to a question, Member Yanuck advised that there is no specific sage grouse organization represented among the planning groups. He further advised that the Thursday, January 31<sup>st</sup> meeting will include discussion among representatives of all the western states regarding the status of their respective conservation programs. The conservation plans for Elko and Nye Counties have been completed, and representatives from Elko County will be present at the January 31<sup>st</sup> meeting to discuss the most difficult aspects of developing the conservation plan. No formal action was taken.

**8. DISCUSSION REGARDING THE STATUS OF THE ROSS GOLD PARK URBAN FISHERY (1-0232)** - Member Walker advised that many of the citizens in attendance at this evening's meeting were also in attendance at the meeting with Parks and Recreation Department staff. Mr. Fahrenbruch advised that Parks Department staff began pumping the pond on Tuesday, January 22<sup>nd</sup> as delineated in the Plan of Action included in the agenda materials. Pumping had to be suspended, however, due to the recent cold weather and the ice buildup on top of the pond. Mr. Fahrenbruch indicated that there appear to be a fair number of fish in the pond and that continuing to pump the water out will threaten their survival. Approximately three-quarters of the water has been pumped out to date.

Mr. Fahrenbruch advised that the domestic duck round up, referenced in the Plan of Action, was advertised in the local newspaper and at local feed stores. Fifty-one ducks were rounded up, with the assistance of individual citizens and sportsmen's club representatives, and adopted out to ten families. Mr. Fahrenbruch anticipates that the pond's water quality will be greatly improved, and commented that the round ups should take place more frequently. He advised of information for a pond aeration system provided by NDOW Supervising Fisheries Biologist Mike Sevon. The cost of the aeration equipment is approximately \$1,900, and it consists of an insulated air compressor and three diffusers with air hoses which will extend into the pond. Mr. Fahrenbruch responded to questions regarding the elements and operation of the aeration system, and plans to secure the air hoses to the bottom of the pond. He discussed the possibility of utilizing Aquashade, a chemical which diffuses solar rays and, hopefully, will minimize algae growth. He advised that consensus of those in attendance at the meeting was to completely drain the pond, allow it to dry out, and clean it up as much as possible. He further advised that a water test was conducted last week, the results of which were provided to NDOW Fisheries Biologist Patrick Sollberger. Once the pond is refilled with water, an additional water test will be conducted after one week. The aeration system will be in place at that time, and Mr. Fahrenbruch anticipates continued water quality improvement. He advised of additional water quality treatments being considered, including the use of bacterial and chemical agents,

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and discussed the possibility of establishing a maintenance fund for the pond with donations from individuals and organizations. He noted that the Parks and Recreation Department is funding purchase of the aeration system. Mr. Sollberger responded to questions regarding the chemical and biological balance necessary to maintain fish in the pond. He explained that the pond is very productive of nutrients, caused by other animals, fertilizers, and the lack of water exchange. The result is low oxygen production which, by itself, is not as hazardous as the combination of low oxygen and high ammonia/pH levels.

Member Yanuck noted the twenty foot "fertilizer free" zone delineated in the Plan of Action. He commented that the continued involvement of Parks Department staff will be immensely helpful in the success of the fishery. Chairperson Pedersen noted that the multi-faceted approach to improving water quality will address issues which have been presented in the past. He thanked Mr. Kastens and Mr. Fahrenbruch for their involvement and assistance in this matter, and for their attendance and participation in this meeting. Member Yanuck commented on the importance of communication and information with regard to the efforts in improving water quality at Ross Gold Pond.

Mr. Fahrenbruch and Mr. Kastens responded to questions regarding the estimated number of fish presently in the pond, the estimated annual cost for maintaining the pond, and the mechanism for establishing and earmarking a pond maintenance fund. [Vice Chairperson Davis arrived at 7:30 p.m.] Mr. Fahrenbruch noted that maintenance of the pond will be an ongoing process which will require an ongoing commitment. He discussed the importance of a continued working relationship between interested citizens, sportsmen's club representatives, and City staff. He acknowledged that any donated funding would be dedicated to maintenance of the pond.

C.K. Baily commented that the plan developed by Parks and Recreation staff is "solid". He expressed appreciation for Mr. Fahrenbruch's efforts in advertising and coordinating the duck round up. He commented that maintenance of the pond should not become burdensome to Parks and Recreation Department staff or NDOW staff, and suggested keeping the plan simple. He advised that the Carson Fly Fishing Club is in agreement with the Plan of Action.

Member Walker indicated that the Board will continue to monitor the status of the pond. He advised of Mr. Sollberger's preference for planting fish in the spring instead of in the fall. He noted that nothing is "etched in stone" and that there will always be room for input and changes regarding the urban fishery. He commended City staff, the club representatives, and the individuals involved in the progress made regarding the issues surrounding the pond. Mr. Baily commented that he "likes the idea of a fall plant" by NDOW and plants by other organizations permitted by NDOW and in cooperation with the City. He indicated that he did not envision a "two-week fishing season" for the pond. Mr. Baily advised that the fish which are currently in the pond were planted just before Labor Day 2001, and suggested transplanting them prior to completely draining the pond. Chairperson Pedersen advised of a previous commitment to save and relocate the existing fish, and discussion took place with regard to the same. Consensus of the Board was to execute the Plan of Action developed by Parks and Recreation staff. Chairperson Pedersen requested Mr. Fahrenbruch to contact him with regard to assisting in relocating the fish. He thanked Mr. Fahrenbruch and Mr. Kastens for their time and effort. [Chairperson Pedersen recessed the meeting at 8:00 p.m. and reconvened the meeting at 8:07 p.m.]

**9. DISCUSSION AND POSSIBLE ACTION ON MATTERS FOR CONSIDERATION AT THE FEBRUARY 8 AND 9, 2002 WILDLIFE COMMISSION MEETING (1-1693)** - Chairperson Pedersen provided a suggestion for organizing the Commission agenda materials. Discussion took place regarding the differences between the preliminary draft Commission agenda sent via e-mail, upon which the Board's agenda was based, and the agenda sent to the Board members via U.S. Mail. Chairperson Pedersen

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expressed a concern regarding the regulations agenda items for the February 8<sup>th</sup> Commission meeting and the same items agenda items for the February 9<sup>th</sup> Commission meeting. Discussion took place with regard to the same. (1-1950) Member Walker and Vice Chairperson Davis discussed the most efficient procedure for providing comments at the Commission meeting.

**A. FRIDAY, FEBRUARY 8, 2002:**

(1) **COMMISSION GENERAL REGULATION 299 (LCB FILE NO. 170-01)** (1-1933) - Chairperson Pedersen provided background information on this item and consensus of the Board was to support the amendment. No formal action was taken.

(2) **COMMISSION GENERAL REGULATION 300 (LCB FILE NO. 180-01)** (1-2059) - Member Walker referred to the supporting information included in the Commission agenda materials, and noted that Carson City does not have an elk problem. Member Allyn suggested that Member Walker discuss this issue with the appropriate county board representatives and express support on their behalf if the reasons for requesting the amendment are valid. Vice Chairperson Davis advised that the practice of the Board has been to support the position of those county advisory boards which are most impacted by the proposed amendments. No formal action was taken.

(3) **COMMISSION GENERAL REGULATION 301 (LCB FILE NO. \_\_\_\_\_)** (1-2158) - Chairperson Pedersen advised of having reviewed the Commission agenda materials, and discussion took place regarding the purpose for the proposed amendment and the designation of the tag as "special season." Vice Chairperson Davis acknowledged that an increase in fees has taken place every six to eight years. He displayed the chart included in the Commission agenda materials. No formal action was taken.

(4) **LICENSE REVOCATION APPEAL - (a) JUAN LAPEIRE; (b) JOSEPH WAGNER** (1-2321) - Chairperson Pedersen indicated that the practice of the Board has been to defer to the Deputy Attorney General present at the Commission meetings. No formal action was taken.

(5) **ANALYSIS OF WILDLIFE REVENUE TRENDS AND BUDGET EXPENDITURES** (1-2363) - Chairperson Pedersen provided background information on the purpose of this item. Discussion took place regarding the existing procedure and the proposed changes. Mr. Baily commented on the statistical information provided at the last Wildlife Commission meeting regarding the number of hunters hunting in the wrong areas, and discussion took place with regard to the same. Consensus of the Board was to support multiple report card dates. No formal action was taken.

(6) **LEGISLATION** (1-2570) - Chairperson Pedersen expressed concern regarding the Wildlife Commission having regulatory authority over off-highway vehicles. He suggested that sufficient federal regulations exist to prohibit abuse, and that NDOW's focus should remain on fish and wildlife management. Vice Chairperson Davis suggested the proposed regulation may provide more authority to game wardens to issue citations for violations. He further suggested that Member Walker obtain more information at the Commission meeting. Member Yanuck pointed out an economic consideration with regard to income generated by citations.

Chairperson Pedersen discussed an additional concern regarding the clarification of county advisory board to manage wildlife authorities, including meetings outside the county and making regulation recommendations for areas in other counties. He expressed favor for designating serious wildlife violations as Class E felony offenses, but suggested that the word "serious" should be clearly defined. Member Walker noted that no information was included in the Commission agenda materials to define a Class E

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felony. Chairperson Pedersen advised that the regulation handbook classifies most violations as misdemeanors. Member Walker will obtain additional information with regard to this matter at the Commission meeting. Consensus of the Board was that additional information is needed for all the potential legislative proposals. No formal action was taken.

**(7) WILDERNESS DESIGNATIONS FOR THE MOJAVE AND BLACK ROCK AREAS (1-2838)** - Chairperson Pedersen expressed a concern that wilderness designations sometimes translate to hunter restrictions. Vice Chairperson Davis referred to the discussion of this matter at the last Commission meeting, and expressed the opinion that the proposed designation will be open to additional public input. Member Walker commented that the proposed designation is still in the scoping phase. Chairperson Pedersen noted that this item was listed as informational on the Commission agenda. No formal action was taken.

**(8) OVERTON WILDLIFE MANAGEMENT AREA (1-2907)** - Chairperson Pedersen noted that this item was listed as informational on the Commission agenda. No formal action was taken.

**(9) DIVISIONAL EDUCATIONAL PROGRAMS IN NEVADA SCHOOLS (1-2913)** - Chairperson Pedersen expressed favor for this program and, in response to a question, provided an overview of the same. Mr. Baily advised that the Carson Fly Fishing Club Trout in the Classroom program begins February 4<sup>th</sup>, and that approximately ten Carson City schools will participate. Discussion took place regarding funding, volunteers, the program history, and the involvement of NDOW. No formal action was taken.

**(10) PRONGHORN ANTELOPE SPECIES MANAGEMENT PLAN (1-3027)** - Member Walker advised that the first meeting is scheduled in Las Vegas on February 7<sup>th</sup>, and that a report will be provided at the Commission meeting. No formal action was taken.

**(11) APPLICATION HUNT PROGRAM FINANCIAL STATEMENT FOR FISCAL YEAR 2001 (1-3056)** - Member Yanuck referred to the graph included in the Commission agenda materials and provided a brief overview of the same. No formal action was taken.

**(12) NEVADA WILDLIFE DATA SYSTEM UPDATE (1-3090)** - Vice Chairperson Davis advised that this was a hot topic at the December 1<sup>st</sup> meeting, and explained the purpose for the data. He further advised of his comments at the Commission meeting in opposition to personal information such as social security numbers and home addresses/telephone numbers being included in the data system. In response to a question, he explained the purpose for making successful/unsuccessful hunt information available. Chairperson Pedersen suggested following this matter closely. No formal action was taken.

**(13) LITIGATION (1-3253)** - Vice Chairperson Davis referred to the information included in the Commission agenda materials and provided a brief overview of the same. Member Walker advised that the trial date for *Pyramid Tribe, et al. vs. Truckee River Irrigation District* has been scheduled for April 2002. No formal action was taken.

**(14) SECRETARY'S REPORT (1-3290)** - Chairperson Pedersen solicited questions with regard to this item; however, none were provided. No formal action was taken.

**(15) SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT (1-3303)** - Chairperson Pedersen requested Member Walker to provide information on this item at the next Board meeting. No formal action was taken.

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(16) **AUCTION TAGS (1-3335)** - Member Walker discussed the information to be provided, benefits of this program, and affects on the Partnership in Wildlife tag. No formal action was taken.

(17) **WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES (1-3405)** - Chairperson Pedersen noted that this item was listed as informational in the Commission agenda materials. No formal action was taken.

(18) **WESTERN ELKO COUNTY ELK SUB PLAN (1-3422)** - Member Walker acknowledged that representatives have been designated to participate in development of this plan, and that meetings have been scheduled. No formal action was taken.

(19) **CENTRAL NEVADA ELK SUB PLAN (1-3433)** - Member Walker advised that Commissioner MacKenzie will be involved in development of this plan. No formal action was taken.

(20) **SAGE GROUSE CONSERVATION PLAN (1-3455)** - Previously covered. No formal action was taken.

(21) **APPLICATION HUNT SYSTEM MODIFICATIONS (1-3466)** - Previously covered. Chairperson Pedersen noted that the Board members expressed support for this item. No formal action was taken.

**B. SATURDAY, FEBRUARY 9, 2002**

**(1) PETITIONS**

**a. SPECIAL HUNTS FOR DISABLED PERSONS (1-3487)** - Member Yanuck discussed the practice of other states with regard to this issue. Member Walker referred to similar petitions which have been presented for consideration, and discussed the Board's position with regard to the same. Discussion took place regarding the issue of defining a "disabled person" and existing statutory provisions for disabled hunters. Board consensus was to support the previously stated direction of the Commission with regard to this matter and to proceed very cautiously. No formal action was taken.

**b. NON-MAGNIFYING SCOPES FOR MUZZLELOADERS (1-3706)** - Following discussion, Board consensus was to oppose this petition. No formal action was taken.

(2) **BIG GAME SURVEY, INVENTORY AND POPULATION ESTIMATION (2-0067)** - Chairperson Pedersen expressed an interest in Mr. Tanner's report on this item; no formal action was taken.

(3) **COMMISSION REGULATION 01-13 AMENDMENT #1 (2-0072)** - Chairperson Pedersen solicited input from the Board with regard to this item. Discussion took place regarding the effects of the amendment. No formal action was taken.

(4) **LINCOLN COUNTY ELK INCENTIVE TAG ARBITRATION PANEL (2-0113)** - Chairperson Pedersen noted that representatives have been selected to serve on the panel and read into the record information regarding the purpose for the panel. No formal action was taken.

(5) **COMMITTEE ASSIGNMENTS (2-0123)** - Chairperson Pedersen reviewed the assignments to be made, including to the Sage Grouse Conservation Planning Team and the Sheldon Refuge Planning Effort. No formal action was taken.

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**10. DISCUSSION AND POSSIBLE ACTION REGARDING DESIGNATION OF CCABMW REPRESENTATIVE TO ATTEND THE MARCH 28 AND 29, 2002 WILDLIFE COMMISSION MEETING IN RENO (2-0134)** - The recording secretary noted that this item should have been agendized to address the February 8 and 9, 2002 Wildlife Commission Meeting in Las Vegas. Member Walker was designated, by consensus, as the Board's representative to the Las Vegas Commission meeting during the December 13<sup>th</sup> Board meeting. Discussion took place regarding the dates for the March Commission meeting.

**11. DISCUSSION AND POSSIBLE ACTION TO SCHEDULE NEXT CCABMW MEETING (2-0205)** - Following discussion, consensus of the Board was to schedule the next meeting for Monday, March 25, 2002 at 7:00 p.m.

**12. BOARD MEMBER REPORTS AND DISCUSSION OF FUTURE AGENDA ITEMS (2-0234)** - Member Yanuck advised that as of the first of December, reimbursements have been paid in the amount of \$772.00, leaving a balance of \$1,388.00 in the Board's budget. He suggested including parking expenses, additional rental car expenses, and miscellaneous items such as postage at the time the new budget request is submitted. He reviewed the locations of the upcoming Wildlife Commission meetings and Chairperson Pedersen advised that the Board members qualify for air fare at the State rate. He referred the Board members to Suzanne Scourby of NDOW for additional information, and discussion took place with regard to the same. Member Walker requested that per diem information be provided at the next Board meeting, and that the item be agendized for discussion. Chairperson Pedersen noted that the budget request prepared by former Member Larry Blank was used as an example during a recent NDOW training session.

**13. ACTION ON ADJOURNMENT (2-0421)** - Member Walker moved to adjourn the meeting at 10:15 p.m. Member Allyn seconded the motion. Motion carried 5-0.

The Minutes of the January 28, 2002 meeting of the Carson City Advisory Board to Manage Wildlife are so approved this \_\_\_\_\_ day of March, 2002.

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NORMAN W. PEDERSEN, Chairperson