

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the September 19, 2011 Meeting

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A regular meeting of the Carson City Advisory Board to Manage Wildlife was scheduled for 5:30 p.m. on Monday, September 19, 2011, in the Business Resource Innovation Center (BRIC), 108 East Proctor Street, Room A, Carson City, Nevada.

Present: Chairman Gil Yanuck
Vice Chairman Stan Zuber
Member Jim Davis
Member Doug Martin
Member John Valley

Staff: Tamar Warren, Recording Secretary

NOTE: A recording of these proceedings, the Board's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record. These materials are on file in the Clerk's Office and are available for review during regular business hours.

1. CALL TO ORDER, DETERMINATION OF QUORUM. (5:35:09) – Chairman Yanuck called the meeting to order at 5:35 p.m. A quorum was present.

4. PUBLIC COMMENT (5:35:41) – Chairman Yanuck introduced the item. CK Baily requested the removal of item 9E from the Consent Agenda. He also announced that on October 15, 2011, the Tom Brooks Memorial Kids' Fishing Day would be held at Baily Fishing Pond in Fuji Park, from 8 a.m. until 1 p.m. Mr. Baily stated that there would be "a lot of fish there", adding that between 200 and 300 children were expected to participate in the event.

3. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – AUGUST 8, 2011. (5:39:12) – Chairman Yanuck introduced the item. **Vice Chairman Zuber moved to approve the August 8, 2011 meeting minutes as corrected. The motion was seconded by Member Valley. Motion carried 5-0.**

4. FOR POSSIBLE ACTION: ADOPTION OF THE AGENDA. (5:41:09) – There were no changes to the agenda.

5. DISCLOSURES. (5:41:30) – Chairman Yanuck introduced the item and stated that he had forwarded all the e-mails in favor of, or in opposition to the bear hunt, to the Recording Secretary for incorporation into the record.

6. FOR POSSIBLE ACTION: RECOMMENDATIONS FROM THE TRI-COUNTY DEER HERD RESTORATION WORKING GROUP. (5:42:17) – Chairman Yanuck introduced the item. Member Martin stated that he had received an e-mail from Tony Wasley, Nevada Department of Wildlife (NDOW) Mule Deer Staff Biologist, with the preliminary results of last year's tagging. He added that 60 deer were tagged in the area, and one of the local herd members was found in Carnelian Bay. Member Martin added that 200 additional collars were being procured and that funding had been secured to retain a graduate student intern. Mr. Wasley, according to Member Martin, would have an informational meeting with the Working Group prior to the December Board meeting.

7. INFORMATIONAL ITEM: REPORT AND DISCUSSION OF POINTS OF INTEREST FROM THE AUGUST 2011 WILDLIFE COMMISSION MEETING. (5:45:32) – Chairman Yanuck reported that it had been "a great meeting", adding that Mike McBeath had been elected as Chairman, Jack Robb had been elected Vice Chairman, and Jeremy Drew had been newly-appointed as Commissioner. He also noted that Commissioner Drew was in the audience at tonight's meeting. Chairman Yanuck called the meeting "very upbeat", and stated that advisory board input had been requested during the discussion of every item.

8. INFORMATIONAL ITEMS: DISCUSSION REGARDING INFORMATIONAL REPORTS TO BE PRESENTED AT THE SEPTEMBER 23 AND 24, 2011 WILDLIFE COMMISSION MEETING. (5:50:10) – Chairman Yanuck noted the duplication in agenda items 8 and 9 and suggested discussing them once.

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8-A. INFORMATIONAL ITEM: COMMISSION GENERAL REGULATION NUMBER 393 - R002-11 - BEAR HUNT - PROGRAM OFFICER III MAUREEN HULLINGER AND GAME BIOLOGIST CARL LACKEY - REGULATION WORKSHOP. – To be discussed as agenda item 9A.

8-B. INFORMATIONAL ITEM: REVIEW OF BUREAU OF LAND MANAGEMENT (BLM) RANGE WIDE SAGE GROUSE INITIATIVE - BLM NEVADA STATE DEPUTY DIRECTOR RAUL MORALES. (5:50:57) – Chairman Yanuck reported that backup information was not available for this item. He informed the Board that the Bi-State Group would meet tomorrow in Bridgeport regarding this item, adding that next Thursday the Governor’s Sage Grass Conservation Team would also meet. Chairman Yanuck noted that the discussion indicated “people are finally taking note of how serious this issue of a potential listing is”.

8-C. INFORMATIONAL ITEM: HISTORY OF BIGHORN IN THE GREAT BASIN, FACTS AND FICTION - HISTORIAN CLIFF GARDNER.

8-D. INFORMATIONAL ITEM: MUZZLELOADER BLACK POWDER LEGAL ISSUES - CHIEF GAME WARDEN ROB BUONAMICI. (5:54:59) – Chairman Yanuck noted that he had seen information regarding black powder which contained nitrocellulose, and made it smokeless. He added that muzzleloader tag holders would be notified that Blackhorn 209 is not a lawful powder to be used during the Nevada muzzleloader only hunt.

8-E. INFORMATIONAL ITEM: ATLANTA FARMS DEPREDATION HUNT - CHIEF OF GAME LARRY GILBERTSON.

8-F. INFORMATIONAL ITEM: LAKE MEAD HATCHERY UPDATE - CHIEF OF FISHERIES MARK WARREN.

8-G. INFORMATIONAL ITEM: AQUATIC INVASIVE SPECIES UPDATE - CHIEF OF FISHERIES MARK WARREN.

8-H. INFORMATIONAL ITEM: APPLICATION HUNT 2011 DRAW REPORT - DON SEFTON, SYSTEMS CONSULTANTS.

8-I. INFORMATIONAL ITEM: OUTDOOR MARIJUANA GROWS UPDATE - CHIEF GAME WARDEN ROB BUONAMICI.

8-J. INFORMATIONAL ITEM: DONATIONS REPORT - DEPUTY DIRECTOR CATES.

8-K. INFORMATIONAL ITEM: LITIGATION REPORT - DEPUTY ATTORNEY GENERAL NHU NGUYEN.

8-L. INFORMATIONAL ITEM: DEPARTMENT ACTIVITIES / LEADERSHIP TEAM NOTES - SECRETARY KEN MAYER.

8-M. INFORMATIONAL ITEM: WILD HORSE GATHER STATUS - WILDLIFE STAFF BIOLOGIST STEVE SIEGEL.

8-N. INFORMATIONAL ITEM: WALKER LAKE STATUS UPDATE - CHIEF OF FISHERIES MARK WARREN.

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9. ADVISORY BOARD TO MANAGE WILDLIFE CONSENT AGENDA. (5:57:23) – Chairman Yanuck introduced the item. **Member Martin moved to accept the Consent Agenda, with the exception of items 9A, 9B, 9C, 9E, 9F, and 9G. The motion was seconded by Vice Chairman Zuber. Motion carried 5-0.**

9-A. FOR POSSIBLE ACTION: COMMISSION GENERAL REGULATION NUMBER 393 - R002-11 - BEAR HUNT - PROGRAM OFFICER III MAUREEN HULLINGER. (5:59:49) – Chairman Yanuck introduced the item and invited Carl Lackey, NDOW Biologist, to elaborate. In response to Member Martin’s question, Mr. Lackey confirmed that this big game species still had a “hunnable population”. He wished to correct a perception by stating that all raw data which included capture history for 420 bears, a summary of the data, and how it was analyzed had been provided to the nobearhuntnevada.org attorney. Mr. Lackey cited references being made to a 1990 John Goodrich study, a 2002 John P. Beckman study, and an NDOW not yet published study, by nobearhuntnevada.org. He clarified that the Goodrich study did not reference a population estimate, but had used a density estimate for “two tiny areas”. He added that the Beckman study had used the Goodrich density estimates and had extrapolated a mean density. Mr. Lackey explained that they had used the collected data from 1997 until 2008, estimating an average of 16 percent population increase. He added that data was still being collected. In response to a question, Mr. Lackey stated that 5 male and 3 female bears had been killed, and that “none of the bears captured so far have been marked” and that some of the bears seemed to be “garbage bears”. In response to another question, Mr. Lackey explained that hunters were staying away from the Tahoe Basin due to congestion. Jake Kreamer, NDOW Game Warden, explained that no significant law enforcement issues had been noted, except for some possible illegal guide activity. He also stated that a peaceful demonstration had taken place in the Mount Rose area during the opening weekend of the season. **Member Martin moved to support the Commission General Regulation Number 393-R002-11. The motion was seconded by Member Davis.** Vice Chairperson Zuber noted that NDOW had managed the hunting seasons well, and that black bears were not the only game species for which dogs were used, and that throughout his tenure on the Board he had seen seasons shortened, lengthened, or eliminated. He explained that at times tags were lowered due to hunter success rates, and mistakes have been made by hunters, adding that the black bear is a legitimate game animal with a stable population. Member Davis reminded the Board that California allowed the hunting of bears in the Tahoe Basin. Member Valley believed that the data collected by the biologists supported the hunt. Chairman Yanuck noted that the bear is the only mammal not controlled by the State. Chairman Yanuck called for public comments. Mr. Baily indicated that he did not own a hunting license, however he believed that not having a hunt would rob the residents of the State from the opportunity to hunt “a beautiful species”. Mr. Kreamer explained that certain laws, such as illegal guiding or hunting at night, were impossible to enforce, and suggested the closure of the mountain lion hunt during the bear season. Mr. Lackey suggested standardizing the hours for the hunts. Chairman Yanuck called for a vote. **Motion carried 5-0.**

9-B. FOR POSSIBLE ACTION: SENATE BILL (SB) 226, NEVADA TRAPPING REGULATIONS FOR CLARK AND WASHOE COUNTIES - CHIEF GAME WARDEN ROB BUONAMICI AND MANAGEMENT ANALYST III KIM JOLLY. (6:24:55) – Chairman Yanuck introduced the item. Member Martin requested clarification on the NDOW proposal on trapping. Chairman Yanuck read the supporting information to the Board. Discussion ensued regarding trapping distances from residences, and the types of traps to be used. Commissioner Drew believed that they would provide NDOW with guidance and recommendations in drafting this regulation. Member Martin advised that all congested areas should be considered, regardless of population. **Member Martin moved to endorse Senate Bill (SB) 226 with the guidance that all congested areas that have the designation in their regulatory development be considered, regardless of population and size of county. The motion was seconded by Vice Chairman Zuber.** Chairman Yanuck expressed concern that it could be cumbersome for smaller communities to enforce this law. Member Valley received confirmation that the enforcement would be county wide. Member Martin clarified that he wished to address congested areas in all counties, and not only ones with populations greater than 100,000. Mr. Baily expressed concern over unleashed dogs as well. Chairman Yanuck called for further discussion and when none was forthcoming, a vote. **Motion carried 3-0-2.**

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9-C. FOR POSSIBLE ACTION: COMMISSION REGULATION FISHING SEASONS AND BAG LIMITS 11 - 12 - CHIEF OF FISHERIES MARK WARREN. (6:47:20) – Chairman Yanuck introduced the item and Kim Tisdale, Western Region Supervising Fisheries Biologist at NDOW. Ms. Tisdale explained that there were no proposed regulation changes for Carson City. Member Martin suggested going over the changes in the Western Region. Ms. Tisdale noted that they were striving to simplify and standardize regulations across counties. She Explained that all urban ponds would have the same three-game fish limit, regardless of the species, and fishing would be allowed only during open park hours. She stated that Mitch Park Pond was being constructed in Gardnerville, and would be using well water. In response to a question, Ms. Tisdale explained that the pond would be 15 feet at its deepest point. She also notified the Board that general county fishing regulations were being proposed for Humboldt and Pershing Counties, reducing the trout limit to five to create a consistency within the regions. Ms. Tisdale also noted a proposal to remove the restrictive regulations on the Lahontan Cutthroat Trout streams in Humboldt County, where the Cutthroat Trout populations have stabilized. She explained that they had been successful in addressing the carp problem in Chimney Reservoir in Humboldt County, and that they had been stocking it with “toothy fish” to fight the problem. She also noted the proposed regulation changes to Smith Creek Reservoir. Ms. Tisdale stated that they were proposing the inclusion of a limit of five trout for Fort Churchill Reservoir. Ms. Tisdale stated that they were proposing the inclusion of a limit of five trout for Fort Churchill Reservoir. In response to a question, Ms. Tisdale reported that they had not yet received feedback from the general public on the proposed changes. In response to another question, she stated that no new ponds were being proposed in Washoe County. **Vice Chairman Zuber moved to accept the proposed NDOW fishing regulations. The motion was seconded by Member Davis. Motion carried 5-0.**

9-D. FOR POSSIBLE ACTION: COMMISSION REGULATION 07-07, AMENDMENT #8 - CHIEF OF HABITAT ELMER BULL.

9-E. FOR POSSIBLE ACTION: FIRST READING, COMMISSION POLICY #51, COMMISSION LIFETIME COMMITMENT TO WILDLIFE AWARD - COMMISSIONERS ROBB AND DREW. (7:21:49) – Chairman Yanuck introduced the item and gave background on the award. He explained that due to a controversy between the Kirsch family and the Commission over the Wayne E. Kirch Award, a Lifetime Commitment to Wildlife Award was created by the Commission. Vice Chairman Zuber wished, as a former judge, to see the Wayne E. Kirch Award reinstated. Chairman Yanuck stated that he was in favor of the award as well; however, he considered the recent nomination and selection process “offensive and not a nice thing to do to the Kirch family”. Mr. Baily, a 2006 winner of the Award, stated that it was “perhaps the greatest award I have ever received in my life”. He noted that if Marlene Kirch would return to administer the Award, “it would be truly a great thing for Nevada”. **Vice Chairman Zuber moved to support the reinstatement of the Wayne E. Kirch Nevada Wildlife Conservation Award. The motion was seconded by Member Martin. Motion carried 5-0.**

9-F. FOR POSSIBLE ACTION: FIRST READING, COMMISSION POLICY #28, MULE DEER MANAGEMENT GUIDELINES - COMMISSIONERS ROBB AND DREW. (7:31:26) – Chairman Yanuck introduced the item. Member Martin stated that he had not supported this policy “from the very beginning”, noting several examples to support his disagreement. **Member Martin Moved to ask the commission to immediately suspend Commission Policy # 28 and to work with Tony Wasley, Mule Deer Staff Biologist, on a Mule Deer management plan. The motion was seconded by Member Davis.** Chairman Yanuck called for public comments, and when none were forthcoming, a vote. **Motion carried 5-0.**

9-G. FOR POSSIBLE ACTION: NDOW COMMENT ON THE FUTURE DRAFT NVIRONMENTAL IMPACT STATEMENT (DEIS) FOR THE COMPREHENSIVE CONSERVATION PLAN (CCP) FOR THE SHELDON NATIONAL WILDLIFE REFUGE - COMMISSIONER DREW. (7:34:46) – Chairman Yanuck introduced the item, stating that the support material was comprehensive. Member Martin mentioned that the Sierra Club had endorsed the removal of the wild horses from the area. NDOW Commissioner Jeremy Drew stated that “some new language came out today that amends this agenda item”. He added that his intent was not to micromanage the

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Department, but to have the Board support the technical comments provided by NDOW. Chairperson Yanuck received confirmation that Commissioner Drew was looking for the Board “to provide approval for the Commission to move forward with putting together their comments to the impact statement”. Member Martin also stated that the comments prepared by the Department were comprehensive. **Member Martin moved “to support the Commission in making comments and continuing to make comments regarding environmental impact statements and the operation” of the Sheldon National Wildlife Refuge. The motion was seconded by Vice Chairman Zuber. Motion carried 5-0.**

9-H. FOR POSSIBLE ACTION: NDOW COMMENT ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR THE SOUTHERN NEVADA WATER AUTHORITY (SNWA) GROUNDWATER DEVELOPMENT AND CONVEYANCE PROJECT - CHAIRMAN MCBEATH.

9-I. FOR POSSIBLE ACTION: REQUEST FOR OPINION FROM NEVADA ATTORNEY GENERAL - CHAIRMAN MCBEATH.

9-J. FOR POSSIBLE ACTION: REQUEST FOR OPINION FROM NEVADA ATTORNEY GENERAL - CHAIRMAN MCBEATH.

9-K. FOR POSSIBLE ACTION: NEVADA BOARD OF WILDLIFE COMMISSIONERS COMMITTEE ASSIGNMENTS - CHAIRMAN MCBEATH.

10. DISCUSSION ONLY: INTERVIEW APPLICANTS FOR CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE MEMBERSHIP. (7:41:05) – Chairman Yanuck introduced the item. Ms. Warren announced that interview candidate Howard “Ron” Panik had cancelled. The only remaining candidate, Vice Chairman Zuber, was interviewed by the Board. Mr. Zuber stated that he had enjoyed serving on this Board and believed he had made specific contributions. He added that his reasons for wanting to remain on the Board were his interest in fisheries management, and to ensure the youth were involved in the outdoors. He also noted that he supported the increased buying of fishing and hunting licenses. Mr. Baily stated that Vice Chairman Zuber was an exemplary member of this Board, and that he had brought “a lot of objectivity to it”. Chairman Yanuck then read Mr. Panik’s qualifications to the Board.

11. FOR POSSIBLE ACTION: RECOMMEND TO THE CARSON CITY BOARD OF SUPERVISORS APPLICANTS FOR APPOINTMENT TO THE CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE. (7:48:17) – Chairperson Yanuck introduced the item. **Member Martin moved to recommend to the Carson City Board of Supervisors the appointment of Vice Chairman Zuber for another term on the Carson City Advisory Board to Manage Wildlife. The motion was seconded by Member Valley. Motion carried 4-0-1, with Vice Chairman Zuber abstaining.**

12. REPORT ON NEVADA SAGE GROUSE CONSERVATION TEAM - GIL YANUCK (7:49:04) – Chairman Yanuck introduced the item and added that he sends copies of his meeting notes to the Mayor and to the Board of Supervisors. He also announced that he would be attending two meetings, one of which, the Bi-State Unit meeting, would take place tomorrow in Bridgeport, and the other, the Governor’s Conservation Team, would take place on Thursday, September 22, 2011, in Sparks. Chairman Yanuck said he would provide more information in the November 28, 2011 meeting. He noted that the lack of regulatory process was a big issue for the Bi-State Sage Grouse population, “to protect the habitat and the bird”. He added that they were bringing in more private land owners to the discussions.

13. DISCUSSION AND POSSIBLE ACTION REGARDING THE CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE BUDGET. (7:55:58) – Chairman Yanuck reported that there were no issues with the budget, and that the augmentation had been made by the Department.

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- 14. DISCUSSION AND POSSIBLE ACTION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO UPCOMING WILDLIFE COMMISSION MEETINGS.** (7:56:40) – Chairman Yanuck announced that he would be attending the upcoming meeting in Reno and invited other Board members to attend.
- 15. DISCUSSION AND ACTION TO SCHEDULE NEXT CCABMW MEETING.** (7:57:16) – Chairman Yanuck advised that the next meeting of the Wildlife Commission is scheduled for, December 2-3, 2011 in Reno. The next meeting of the Carson City Advisory Board to Manage Wildlife would take place on Monday, November 28, 2011, at 5:30 p.m., in the BRIC.
- 16. STATUS REPORTS FROM STAFF** (7:57:51) – None.
- 17. FUTURE AGENDA ITEMS** (6:56:35) – Member Martin suggested receiving a report from the Nevada Fish and Wildlife Service regarding the Lahontan Cutthroat Trout research in Lake Tahoe.
- 18. PUBLIC COMMENT** (8:00:05) – None
- 19. ACTION ON ADJOURNMENT** (8:00:12) – **Member Davis moved to adjourn. The motion was seconded by Member Martin. The meeting was adjourned at 8:00 p.m.**

The minutes of the September 19, 2011 meeting of the Carson City Advisory Board to Manage Wildlife are approved this 28th day of November, 2011.

GIL YANUCK, Chairman