

DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE
Minutes of the December 3, 2012 Meeting

The DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE was scheduled for **5:30 p.m. on MONDAY, DECEMBER 3, 2012 in the CVIC HALL 1602 ESMERALDA AVE, MINDEN, NEVADA.**

MEMBERS PRESENT:

Bob Cook, Chairman
Craig Burnside, Vice Chairman
Bob Pohlman
Wes Emery

MEMBER ABSENT:

Michael Turnipseed

NDOW STAFF PRESENT:

Carl Lackey, NDOW
Kim Tisdale, NDOW

STAFF:

Lorraine Diedrichsen, Recording Secretary

NOTE: A tape recording of these proceedings is retained by the Board Chairman and is available for review upon request.

CALL TO ORDER

Chairman Cook called the meeting to order at 5:30 p.m. and determined a quorum was present.

ROLL CALL AND INTRODUCTIONS

Chairman Cook noted the absence of Mike Turnipseed and recognized Assemblyman-elect Jim Wheeler and Carl Lackey and Kim Tisdale, NDOW. He introduced the Douglas County Advisory Board to Manage Wildlife members.

APPROVAL OF AGENDA

MOTION by Burnside/Pohlman to approve the agenda as presented; carried with Turnipseed absent.

ACTION ON APPROVAL OF MINUTES – September 11, 2012

MOTION by Pohlman/Burnside to approve the minutes as presented; carried with Turnipseed absent.

PUBLIC COMMENT

None.

ADMINISTRATIVE AGENDA

1. FOR POSSIBLE ACTION. DISCUSSION REGARDING THE TRI-COUNTY DEER RESTORATION WORKING GROUP AND THE POSSIBILITY OF EXPANDING THE SCOPE OF THE GROUP TO INCLUDE OTHER SIERRA FRONT WILDLIFE ISSUES.

Chairman Cook explained Washoe, Carson, and Douglas County representatives meet to discuss common wildlife issues. Regarding a possible law to ban the feeding of wildlife, Chairman Cook stated each county has a different perspective so it has been hard to find common ground. He suggested considering a BDR for this purpose.

At this time, Vice Chairman Burnside suggested a change to the order of the agenda.

MOTION by Burnside/Pohlman to hear items 2 & 3 after item 11K;

No public comment.

MOTION; carried with Turnipseed absent.

2. UPDATE (INFORMATIONAL ONLY) BY BOB POHLMAN ON THE BI-STATE SAGE GROUSE.

This item was heard later in the meeting.

3. UPDATE (INFORMATIONAL ONLY) ON THE REINTRODUCTION OF LAHONTAN CUTTHROAT TROUT INTO LAKE TAHOE.

This item was heard later in the meeting.

4. FOR POSSIBLE ACTION. PRESENTATION AND DISCUSSION ON THE PROPOSAL TO MAKE THE EAST FORK OF THE CARSON RIVER A “CATCH AND RELEASE AREA FROM BROKEN DAM TO HORSESHOE BEND” AND OTHER PROPERLY RELATED MATTERS.

Kim Tisdale, NDOW, stated this request has been made before but the Department believes this does not have the potential to be a catch and release water. However the Department did do some testing on water temperature and tried to do a fish survey. Due to low water flows, it was difficult to do the fish survey since it had to be done with backpack shockers. What they saw in that stretch of the river was what they expected to see but they feel they did not get a good population estimate due to the sampling technique used. Temperature loggers were put in the river and some of the data

revealed temperature peaks exceeding 80°, which is not optimal for trout. They will attempt to do another fish survey again next fall. Stated were concerns with the condition of the road accessing the river so getting a fish truck in there to stock the river is difficult. Improvements to the road are necessary.

Chairman Cook asked if it is possible to make it a catch and release fishery and Ms. Tisdale responded catch and release waters require special regulations, enforcement is an issue, and the fishery must be able to support itself and this area does not.

PUBLIC COMMENT

Ken Miller was not aware that population had anything to do with a catch and release area. Catch and release does not decrease the population; it is meant to replenish the area. The original request was for a slot limit in that area and not a complete catch and release. He stated he is requesting the same thing that is being done on the California side of the Carson River.

Public comment closed.

Chairman Cook stated this item could be revisited again once new data becomes available.

No action was taken.

5. FOR POSSIBLE ACTION. DISCUSSION AND UPDATE ON THE BEAR HUNT AND ENFORCEMENT OF THE HUNTING UNIT BOUNDARIES.

Carl Lackey, NDOW, compared last year's applicants, tags, and harvest limits to the current year. This year they have removed the separate female quota because now there is a management plan in place that protects the female portion of the population and it was done also to slow down the pace of the hunt. The beginning of the hunt was moved from mid-August to mid-September to avoid perceived recreation interface conflicts and to have cooler weather. To date this year, nine bears have been killed; five of them used dogs and four of them used spot and stalk. The nine bears have been mostly older age bears. There have been no enforcement issues in the Tahoe Basin since the sections were closed but Mr. Lackey pointed out most of the areas closed were congested areas so hunting would not have been allowed there anyway.

No public comment.

No action was taken.

6. FOR POSSIBLE ACTION. DISCUSSION ON THE EFFECTIVENESS OF THE DOUGLAS COUNTY TRASH ORDINANCE AS IT RELATES TO BEARS.

Carl Lackey, NDOW, provided a history of Douglas County and the surrounding

counties trash ordinances as they relate to bears. The current Douglas County ordinance is ineffective because it requires someone to report bears getting into the trash and oftentimes homeowners are unaware of the problem since refuse workers clean up the mess and also code enforcement has to personally see the problem in order to write a citation.

Mr. Lackey said at one point there was a multi-agency group that worked together to provide bear education but that has gone by the wayside due to a lack of funding. He feels an anti-feeding law and an effective, stiffer trash ordinance are needed to protect both the public and the bears.

Chairman Cook thought it would be beneficial to add this subject to the annual Advisory Board report to the Board of Commissioners so they would become aware of the need for an anti-feeding law and a stronger trash ordinance.

No public comment.

This was an informational discussion only and no action was taken.

7. **FOR POSSIBLE ACTION. DISCUSSION ON THE NEVADA BIG GAME RESTORATION GROUP'S "GREETINGS LETTER". The Nevada Big Game Restoration Group is requesting the Douglas County Advisory Board to Manage Wildlife take action to request the Nevada Board of Wildlife Commissioners agendize their petition at a future meeting.**

Chairman Cook referenced the letter submitted by the Nevada Big Game Restoration Group and explained the request.

The members indicated they had not seen the letter so they felt they could not act on it at this time. Chairman Cook suggested reagendizing this item to give the others time to read it and the others agreed that would be more appropriate.

8. **FOR POSSIBLE ACTION. DISCUSSION ON THE APPOINTMENT BY GOVERNOR BRIAN SANDOVAL OF MS. KAREN LAYNE TO THE BOARD OF WILDLIFE COMMISSIONERS.**

Chairman Cook stated he was asked to agendize this item by Jared Lees. He read the letter submitted by Mr. Lees into the record.

PUBLIC COMMENT

Dave Beronio agreed with the views expressed in the letter. He believes the appointment is a conflict of interest and thinks she may not be open minded to hunter's issues since she represents anti-hunting, anti-trapping, and anti-bear organizations. She should recuse herself from bear hunt issues.

Public comment closed.

No action was taken.

9. **UPDATE (INFORMATION ONLY) ON THE UPCOMING DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE VACANCIES.** The letter of request for appointment must be received by the County Manager's office before December 12, 2012.

Chairman Cook noted three member's terms are coming up for renewal and the deadline to apply for appointment/reappointment is December 12, 2012.

This was informational only and no action was taken.

10. **FOR POSSIBLE ACTION. DISCUSSION ON THE 2012 ANNUAL REPORT OF ACTIVITIES FOR THE DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE.**

Chairman Cook requested member input on the items to be included in the report. The report is due on January 18, 2013.

This was a discussion only and no action was taken.

11. **The following items, 11a through 11k, are items that will be heard before the Nevada Board of Wildlife Commissioners at the next meeting, December 7 & 8, 2012 at the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada. The Douglas County Advisory Board to Manage Wildlife may take the following action, or a variation thereof, on each item: support the item, not support the item or not take a position on the item. Public Comment will be allowed on each item.**

- 11a–11k. DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER THE DOUGLAS COUNTY ADVISORY BOARD SHOULD TAKE A POSITION ON:**

11a. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 13-01 – TAKING OF RAPTORS FOR FALCONRY FOR 2013-2014. The Commission will establish 2013 - 2014 season dates, species, quotas, limits, closed areas, application procedures and deadlines, and take for raptors for falconry.

No public comment.

There was no discussion on this item.

11b. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 13-02 – NONCOMMERCIAL COLLECTION OF REPTILES AND AMPHIBIANS FOR 2013-2014. The Commission will establish 2013 – 2014 season and limits for

noncommercial hobby collecting of live, unprotected reptiles and amphibians.

No public comment.

There was no discussion on this item.

11c. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 13-03 – BIG GAME TAG APPLICATION ELIGIBILITY AND DEADLINE INFORMATION. The Commission will adopt language regarding the 2013 big game application deadline information, to include adopting a proposal to conduct tag application processes online-only.

No public comment.

There was no discussion on this item.

11d. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 421, LCB FILE NO. R160-12 – PARTY APPLICATIONS AND TRANSFERRING BONUS POINTS. A regulation relating to hunting; allowing for party applications for tags to hunt any antlerless elk or antelope with horns shorter than its ears; clarifying the circumstances under which a person may transfer bonus points; and providing other matters properly relating thereto.

Wes Emery supports this because it opens the door for groups of hunters and is not just a one on one hunt anymore.

Clarifying the transfer of bonus points, Vice Chairman Burnside said a resident of Nevada who established bonus points and then moves out of state can transfer the bonus points from a resident to a non-resident status. That would be the only condition a transfer of bonus points could happen.

MOTION by Emery/Burnside to support;

No public comment.

MOTION; carried with Turnipseed absent.

11e. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 420, LCB FILE NO. R159-12 – SELECTION OF TAG ALTERNATES. A regulation relating to hunting; requiring an applicant for a tag who wishes to be included on an alternate list to apply electronically for the tag and indicate on the electronic application his or her desire to be included on the alternate list; requiring the Department of Wildlife to maintain certain records concerning the

alternate lists; deleting certain provisions which require the Department to attempt to notify an applicant appearing on an alternate list; and providing other matters properly relating thereto.

Wes Emery supports this because it allows an alternate to get a tag if a tag is turned in. It is an opportunity to get a tag and perhaps the notification process could take place earlier than it is currently happening.

Vice Chairman Burnside said the downside is the tag is automatically issued and the fee is charged if you are on top of the alternate list. His concern is with someone that has bonus points for elk and did not draw but then 14 days before the season starts they get a tag, the bonus points are gone, and they only have two weeks to make arrangements to scout and hunt. If the alternate turns the tag back in, they get their bonus points back but they are still charged the fee. He thinks two weeks is plenty of time to be put on an alternate list for a deer hunt but the trophy seasons should be a longer time than two weeks. He understands the management objectives and trying to streamline this process but he is uncomfortable with the way it is being proposed.

Mr. Emery suggested having this only be for deer and not the trophy tags or having the option of choosing the species they would like to be an alternate for.

Vice Chairman Burnside could support having the alternate list be per species.

MOTION by Burnside/Emery to have the alternate selection be per species and not everything being applied for;

No public comment.

MOTION; carried with Turnipseed absent.

11f. FOR POSSIBLE ACTION. DISCUSSION ON TAG APPLICATION – PROPOSAL TO ACCEPT TAG APPLICATIONS ONLINE ONLY BEGINNING IN 2013. During the September 2012 the Department presented a proposal and informational paper titled “Big Game Tag Applications Available Online-only Beginning in 2013.” The informational paper is revised to include the results of a survey sent to those applicants who have applied using only the paper application format during the last two years. The Department will make recommendations for Commission action.

Vice Chairman Burnside said 2200 people over a two year period only put in paper applications and they need to be considered. While this would help streamline things, he does not want to penalize those who do not feel comfortable doing this over the internet.

No public comment.

No action was taken.

11g. FOR POSSIBLE ACTION. DISCUSSION ON THE WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES (WAFWA) MID-WINTER AND ANNUAL CONFERENCE. The Commission may designate a Commissioner and or Commissioners to attend WAFWA's mid-winter conference in Tucson, Arizona, and annual conference in Nebraska.

No public comment.

There was no discussion on this item.

11h. FOR POSSIBLE ACTION. DISCUSSION ON PETITION. Lincoln County Advisory Board to Manage Wildlife has petitioned the Commission "to make it illegal to fly and harass big game and other wildlife any time of the year for the purpose of scouting or hunting." The Commission may accept the petition and initiate regulatory action or deny the petition.

Vice Chairman Burnside said current NAC does not allow this activity four days prior to the opening of any hunt. Lincoln County wants this year round.

Wes Emery supports this. It is a big problem, along with trail cameras, in Lincoln County and he would like to see this done statewide.

Chairman Cook indicated support for doing what we can to stop this.

MOTION by Emery/Burnside to recommend that the Commission accept the petition;

No public comment.

MOTION; carried unanimously.

11i. FOR POSSIBLE ACTION. DISCUSSION ON PETITION. Catherine M. Smith board member of No Bear Hunt NV has submitted a petition from a Corporation petitioning the Commission to change "NAC 503.147 Hunting with a dog. (NRS 501.105, 501.181, 503.150) It is unlawful to hunt, chase or pursue: Any black bear or mountain lion with a dog except during the open season, in an open management area and under the authority of a hunting license and: (a) A black bear tag if the person is hunting, chasing or pursuing a black bear; or." The

Commission may accept the petition and initiate regulatory action or deny the petition.

Chairman Cook read an opposition letter from Jared Lees into the record.

Vice Chairman Burnside believes this group's arguments are flawed if they are promoting fair chase. Why is it okay to hunt mountain lions with dogs and not bears? The logic is flawed because if they are really against hunting with dogs then they should be proposing both bears and mountain lions. He cannot support this petition.

MOTION by Pohlman/Emery to recommend the Commission deny the petition;

PUBLIC COMMENT

Dave Beronio said the bear hunt was approved based on science and factual data and not on emotion. Hunting is the most effective way to manage animals including bears. Using dogs allows us to get closer to the quotas. Dogs condition the bears to be afraid of dogs and people. Another benefit of using dogs is that they will tree a bear quicker and that will allow the hunter to see the bear and make an informed and ethical decision on killing that animal. If you want to use dogs, you should be allowed to. He disputed some of the information provided on the Humane Society's website.

Anthony Balatti, houndsman, said hounds are a critical tool for sportsmen. It gives the sportsman the opportunity to choose a quality animal.

Public comment closed.

MOTION; carried with Turnipseed absent.

11j. FOR POSSIBLE ACTION. DISCUSSION ON PETITION. Robert Brunner has petitioned the Commission "to comply with state NRS 501.100, 501.102 and the federal law 1997 Refuge Improvement Act 105 (57) Sec 5, (m) NDOW will manage all native, non-migratory wildlife on the Sheldon as it does in the rest of the state including mountain lions, coyotes and trapping." The Commission may accept the petition and initiate regulatory action or deny the petition.

Wes Emery supports NDOW taking over management of the animals in the Sheldon management area.

MOTION by Emery/Burnside to recommend the Commission accept the petition;

No public comment.

MOTION; carried with Turnipseed absent.

11k. FOR POSSIBLE ACTION. DISCUSSION ON NEVADA BOARD OF WILDLIFE COMMISSIONER'S COMMITTEE ASSIGNMENTS. The chairman will designate and adjust committee assignments, including the creation of new committees, the consolidation of existing committees, and/or the elimination of existing committees as necessary.

No public comment.

There was no discussion on this item.

2. UPDATE (INFORMATIONAL ONLY) BY BOB POHLMAN ON THE BI-STATE SAGE GROUSE.

Bob Pohlman reviewed the request by USGS for funding for GPS collars for sage grouse. The data gathered will also be used for the greater sage grouse. Based on the request, the DCABMW sent a support letter to the Advisory Board on Dream Tags but the request was ultimately denied. Mr. Pohlman sent a letter to the Governor requesting funding for the collaring project because the collars are effective in providing data on sage grouse movement. He attended all the work group meetings and they are now in the process of putting together all the data along with the pros and cons of listing this bird and will provide it to U.S. Fish & Wildlife. The next meeting will be March 18, 2013 and will be held in Smith Valley.

Mr. Pohlman also provided an update on the easements in the Desert Creek area and into California; the National Forest and BLM redoing their policy statements for sage grouse; and he had a map available outlining the area in southern Lyon County that may be made a wilderness area.

He added the Governor has formed a group to oversee the sage grouse.

This was an informational discussion only and no action was taken.

3. UPDATE (INFORMATIONAL ONLY) ON THE REINTRODUCTION OF LAHONTAN CUTTHROAT TROUT INTO LAKE TAHOE.

Chairman Cook said the U.S. Fish & Wildlife Service is working on funds that were expended by the Lake Tahoe Federal Advisory Committee. The next meeting will be in January but continued funding is uncertain at this time. He provided an update on the capture and sampling done this year.

This was an informational discussion only and no action was taken.

12. CORRESPONDENCE OR COMMUNICATIONS BOARD MEMBERS HAVE

RECEIVED. This is an opportunity for Board members to discuss any correspondence or communication they may have received regarding matters over which the Board has jurisdiction and control. No action will be taken other than to possibly have an item placed on the next agenda.

Chairman Cook stated much of the correspondence he received is reflected in tonight's agenda items. He also received information on the blue grouse here forming its own species.

Vice Chairman Burnside had a discussion regarding the desire to see the state trout stamp come back.

Wes Emery discussed concerns with trail cameras, timing of the Dream Tag draw, and the ineligibility of non-residents to put in for the PIW non-resident draw if they are unsuccessful in the mule deer guide draw. He would like these items agendaized at a future meeting.

13. DISCUSSION ON THE RESULTS OF THE SEPTEMBER 21 & 22, 2012 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS. There will be no action taken.

No one attended as there were no pressing issues for Douglas County.

14. FOR POSSIBLE ACTION. DISCUSSION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO ATTEND UPCOMING WILDLIFE COMMISSION MEETINGS AND TO REPRESENT THE FINDINGS OF THE DOUGLAS COUNTY WILDLIFE ADVISORY BOARD. ONE MEMBER WILL BE DESIGNATED AS A SPOKESMAN FOR THE DOUGLAS COUNTY ADVISORY BOARD.

Bob Pohlman will attend Friday and Saturday.

15. FOR POSSIBLE ACTION. DISCUSSION TO SCHEDULE THE NEXT WILDLIFE ADVISORY BOARD MEETING. The next meeting of the Wildlife Commission is scheduled for February 1 & 2, 2013 in Las Vegas, Nevada.

Due to scheduling conflicts, the next meeting of the Douglas County Advisory Board to Manage Wildlife is tentatively scheduled for Monday, January 28, 2013.

16. FUTURE AGENDA ITEMS. This is an opportunity for Board members to request that items be placed on future agendas. There will be no deliberation or action taken other than to request the Chair to place the item on an agenda.

- Tri County Wildlife Restoration Working Group
- Presentation on the bi-state sage grouse by Erik Blomberg, USGS
- Trail cameras
- Reintroduction of Lahontan Cutthroat Trout
- Nevada Big Game Restoration's "Greetings Letter"
- 2012 DCABMW Annual Report to the Board of Commissioners
- Board of Commissioner appointments to the DCABMW

MOTION by Burnside/Emery to adjourn the meeting at 7:43; carried with Turnipseed absent.

The minutes of the December 3, 2012 meeting of the Douglas County Advisory Board to Manage Wildlife are so approved this 28th day January, 2013.

Bob Cook, Chairman