

Nevada Board of Wildlife Commissioners
Bear Regulation Committee

Draft Minutes

Verdi Community Library and Nature Center
270 Bridge Street
Verdi, NV 89439
Thursday, December 5, 2013

Committee Members Present

Chairman - Commissioner David McNinch
Commissioner Jack Robb
Commissioner Jeremy Drew
Kathryn Bricker
Bob Cook - Absent

Department Personnel Present

Mike Dobel, Western region Game Supervisor
Carl Lackey, Western Region Game Biologist
Pete Bradley, Wildlife Staff Specialist
Larry Gilbertson, Game Division Chief
Tony Wasley, NDOW Director
Chris Healy, Conservation Education Public Information Supervisor
Jody Wilkinson, Recording Secretary

Others in Attendance

Stan Zuber, Carson City CABMW	Fred Voltz, Public
Madonna Dunbar, IVGID	Mike Miller, Self
Catherine Smith, Self	Pat Miller, Self
Don Molde, Self	Rex Flowers, Washoe CABMW
Elaine Carrick, NBHNV	Bonnie Flowers, Self
Lloyd Pearce, NBHNV	Paul Dixon, Clark County CABMW
Margaret Martini, Self	

1. Call to Order - Chairman McNinch

Chairman McNinch called the Bear Committee meeting to order at 6:01 p.m.

2. Opening Statement - Chairman McNinch

This is the first bear meeting in quite a while (September 2012), while we have talked about it a little bit here and there at Commission meetings we haven't sat down and started to talk about things. Really, there are several things that are driving this meeting, there has been a commitment to do a review of the bear hunt and associated aspects of the bear hunt, referred to as a comprehensive review. We are going to talk more in depth under item #4 member items. I was hoping to talk about some stuff under a different

agenda item but I didn't get it on the agenda. As we have done in previous meetings we are going to have a formal public comment period as we go through the action items. But, then we are going to try to open things up for more of a discussion. I think most people are familiar with how we have tried to do that in the past and it has worked pretty well. So, we can have more of a discussion without the formality of the public comment period. We will continue to operate that way. I just remind everybody to be respectful of that and we will provide everybody opportunity to say what is on their mind and we will continue to have that dialogue and discussion as best we can. Again, we haven't had any issues in the past but as a simple reminder we want to be respectful with our comments. We understand that it is an emotional issue and we ask that we remain as respectful as we can.

I will also state that Bob Cook was not able to attend tonight. We don't have a lot of activity going on in our agenda but he was not able to make it tonight.

3. Approval of Agenda - For Possible Action

The Committee will review the agenda and may take action to approve the agenda. The committee may remove items from the agenda, combine items for consideration or take items out of order.

Chairman McNinch asked the board if they had a chance to review the agenda and asked for comments.

Public Comment - None

Motion: Commissioner Robb moved to approve the agenda as submitted.

Second: Commissioner Drew seconded.

Vote: Unanimous 4-0

4. Member Items - Announcements

Committee may present emergent items. No action may be taken by the Committee. Any item requiring Committee action will be scheduled on a future Committee agenda.

Kathryn Bricker: 1) I would like the Committee to consider as soon as possible at a future meeting to have a public review of the Bear Conflict Management policy that was written in 2007. My main reason for asking that is I have seen the discussion in the public about those issues, there seems to be a wealth of conflicting information and it is influencing the public in many different ways in terms of how they regard what the Department of Wildlife's intentions were when they come and handle urban bears. I think by having a public review of that policy that we could get rid of a lot of that public strife and conflicting information being disseminated by the public by getting right from NDOW directly to the public. I know, Mr. Healy, has addressed that in certain sound bites and press releases but that is hardly adequate to what I am seeing going on where the questions are. I know that I was once concerned about a bear in Douglas and I called Carl Lackey about it and after talking to him I can't tell you how much better I felt, because I realized all of the different field decisions that he made at the time that I didn't expect based on my having read that same manual. 2) I would like to see us engage with Catherine Mazika, who is Human Dimensions Researcher. She published her dissertation this year. The data was collected from 2007-2009 in the Tahoe Basin in both California and Nevada. She is a conflict resolution expert and before doing this dissertation she spent over 10 years as a conflict resolution specialist in environmental law. She has presented her dissertation at Colorado State University. She used a statistical model developed by them that is called the Potential for Conflict Index. I would like to see our Committee consider inviting her to our next meeting to present her finding for us to get to know. I think if we don't invest ourselves in what she is doing with her research we miss

an opportunity. So that we can have some good policy recommendations that we make that are research based. 3) No Bear Hunt Nevada submitted a letter to the Commission in June about three actions that we would like to see you take regarding urban bears. The first one we are addressing and thank you for the support regarding the trash issues. The second one has to do with our feeling that we really need bear response agents that are more on the ground 24/7 who can respond a little more agilely than what we now have to do of getting people up from Reno or wherever. In conversations I have had with Director Wasley I have the impression that that is being seriously looked at. The third one had to do with providing regular and ongoing avenues for communicating with the public municipalities in order to employ proactive and adaptive versus predominately reactive strategies. Our concern there is that we saw the change come when the legislature dried up the funding. I would also like that we consider on a future agenda to talk about revenue streams that we could potentially develop that would be reliable funding for seeing more proactive management.

Commissioner Robb: Commissioner McNinch mentioned at the beginning of the meeting that Mr. Cook was unavailable. In doing so, we hadn't formally recognized that Mr. Cook was a new member of this committee. Mr. Cook is on the Douglas County CABMW. He was chairman. He does live in the Lake Tahoe Basin. He is an avid hunter. He represents a different viewpoint and that is pretty much what a committee is set up to do. I asked Bob if he would do it because of where he lives and the knowledge that he has of the area. Saying that I would also like to thank the committee member that went off and that was Judi Caron. She did a fantastic job. She had some personal struggles throughout it and you could tell it was hard on her and I appreciate the time she spent at it and the energy she put towards it. I want to recognize that she did a fantastic job and I thank her for that. Like Commissioner McNinch said at the beginning, this is the beginning of the three year review process with promises from before Jeremy and I were on the commission and Dave is back on Commission. We are taking it serious. We are going to look at it top to bottom. We do have some time constraints in that commitment. We do have other things in play. We may have to keep the ball rolling on some things, but that doesn't mean that the ball is going to continue rolling. It is going to be a process and with timing of season setting, quota setting and everything else that stuff comes up on us pretty fast with the number of meetings we have and with the information that we are going to require the Department to bring to us for a thorough three year review it is going to be a difficult timeframe. We are going to do our best to stay within that and there is some ways that we can stay within that and keep this moving forward and see where the outcome comes in the end without setting in stone where we are going one way or another to begin with. We will talk about that further when the time comes.

Commissioner Drew: Didn't have any items in particular. I am excited to get the process started and taking a look at things from multiple standpoints with multiple viewpoints. I know we don't have anything formal on the agenda, but it might be good to put together a list of concerns (working with Kathryn Bricker) relevant to the hunt that we need to make sure to address. Between the two of them they can capture most of the concerns since they have been at most of the meetings from the beginning. I think we need some sort of starting point or road map to work from. Kathryn agreed to work with Jeremy on this list.

Commissioner Robb: Noted that due to time constraints that we are under we still have to review as if we have a hunt. I want to go over regulations, and everything about the hunt as if we are going to have a hunt. But just because we are reviewing those doesn't

mean that we are not going forward. That is going to be the result of a thorough review. Just because we are working on some things, I don't want the perception that the hunt is going to exist 2 years from now. The review process is going to get us there but we have to keep some of these things going down the road because we do have these other time constraints that we have to work within at the same time.

Chairman McNinch: Our agenda tonight, I take full responsibility, my intent was to have an item after trash issues and before public comment, future committee meetings and a discussion on agenda items. When I passed this forward to staff for them to get out that didn't get taken care of. I was hoping to have a discussion on a lot of those things as part of our meeting tonight. That is not going to happen. It is still not the end of the road. I bring it up under member items and it has been stated that the couple items I wanted to cover; there are a lot of issues on the table. From a standpoint of how do we move forward, anyway that you go you could be considering that you put the cart before the horse, where do you start. It is hard to have a philosophical discussion on the hunt when you possibly need to explore a lot of different issues. But at the same time, if you are not going to have a hunt there might be a waste of time discussing a bunch of other issues. It is one of those deals that they are all interconnected in a lot of ways so what is the best pathway forward. I did have a chance to talk to Director Wasley today. We didn't come up with any definitive suggestions on how to move forward, but having said that I do have a number of items that I have marked down that could be potential discussion points. The most important to keep in mind is the timeframe that Commissioner Robb was mentioning. In order to do a comprehensive review, which implies a lot of discussions, these meetings in the past have been lengthy and generally we are dealing with one or two issues. The potential is very high for some very long and complex meetings. The timeframe for doing that, we decided that tonight was not the best time to start that process since we are still seeing the end of our third year hunt. It would be more appropriate to have that concluded before we dug in. We did a cursory meeting tonight to get the ball rolling. From a timeframe standpoint, there are deadlines for the Hunt Book that needs to be published and those are in February/March. That February meeting is a very important meeting in terms of kicking off all of the things from a hunt standpoint for any species. To push that out much further than that meeting in February where we are approving and adopting seasons, likely is going to be problematic. With that, it really truncates the timeframe we have. It is going to be very difficult to have meetings over the holidays. We are looking at getting through the New Year and possibly into that second full week of January before we hit it, which is going to leave us with about two weeks to really get through this stuff. That means that we are looking at some very aggressive meetings, possibly a couple a week, maybe some very lengthy meetings, we didn't have an opportunity to vet that out as a Committee tonight but I do intend to put a schedule together and there is not going to be a ton of wiggle room. We are going to have to lay it down and we are going to have to get with it to get this reviewed and out to the CABMW and provide them with an opportunity to review it before that February meeting, which is January 31-February 1st. It is very early this year. It is doable and we will work through it and we will do the best to get something out very shortly after this meeting. My intent is to get something out. I was hoping to have that discussion tonight. We will make it work anyway.

5. *Approval of Minutes - For Possible Action

Committee meeting minutes from September 10, 2012.

Commissioner McNinch asked if everyone had a chance to review the minutes. No comments from the Committee were noted.

Public Comment: None

Motion: Commissioner Robb moved to approve the minutes as submitted.

Second: Second by Commissioner Drew

Vote: Unanimous 4-0

6. Black Bear Regulations Update - Chief Rob Buonamici - Informational

The Committee will hear a report on the Department's analysis of current Black Bear Regulations specific to bear management activities.

Chief Rob Buonamici provided a handout - Bear Statutes and Regulations Related to Bear Hunting. Rob noted it is a compilation of the regulations and statutes that pertain to the bear season in some fashion or another.

Kathryn Bricker: The one about it is unlawful for a person to kill a female black bear that is accompanied by a black bear cub. I think we can all assume what the intention of that is. Based on knowledge of their behavior (sows with their cubs), is it effective? The other comment about hunting 24 hours to accommodate, I suppose, the hunters what impact would that have on being able to know if a female is with a cub noting that it could be dark outside. The other comment is I would like to know if there is any control or needs to be over how the houndsman are being employed in these hunts. They are not treated as licensed guides yet. It appears that the same groups of houndsman repeat and go with the tagholder. Are they doing that for free is it being 1099? How is it being controlled and how does it compare to licensed guides.

Rob Buonamici: With regard to the licensed guides versus somebody taking a friend out with their dogs to hunt bear, basically we have guide regulations and statutes that govern guiding. We must prove that the person has been compensated above and beyond what would be considered custom as a friendship deal. However, if given money, say \$500, then that meets the definition of guiding and if that person did not have a guide's license then we would pursue prosecution. Those cases are quite honestly very difficult to make because there is basically a conspiracy that occurs before hand if that is indeed the intent to guide, accept money as a guide but not have a license. They will have a conversation beforehand noting that if stopped by a game warden you are just a friend and I am just taking you out and you bought me a tank of gas. We have to prove otherwise. There are ways to prove otherwise but they are very time intensive and done through undercover operations.

Kathryn Bricker: Should there be concern that they are becoming professionals and these same groups of houndsmen are basically being contacted by all tagholders? I am wondering if this is an area we should be concerned about.

Rob Buonamici: The same scenario occurs with deer, elk, etc. We have unlicensed illegal guides in those arenas as well. Again, those are very difficult, time consuming cases to make.

Public Comment:

Elaine Carrick: I have a question on the regulation. When a female bear is taken is that female tested to see if it is pregnant. If it is pregnant with 1, 2 or 3 cubs then you are really killing more than just one bear. There is no comment in the regulation with regard to this but I think it is definitely something that should be considered.

Catherine Smith: Question regarding the bear hunting 24 hours. I know this originally came up because houndsman were found to be illegally hunting bear at night and rather than reward bad behavior wouldn't disallowing mountain lion hunting in the same hunt units that allow bear hunting be an easier and better solution for law enforcement?

Rob Buonamici: That is what we originally tried and that concept was rejected.

Margaret Martini: When a bear is taken and you are supposed to take the skull and the hide, if it is a lactating mother bear do you fine that person right there. Is that a class E felony?

Rob Buonamici: It is not a class E felony. If you look at NRS 501.376, it basically describes what we need as the elements of the crime.

Margaret Martini: If it is not a felony is it a misdemeanor?

Rob Buonamici: It is a misdemeanor.

Don Molde: Maybe I misunderstood Margaret's question or Rob's response. I thought Margaret asked if the Department scrutinizes the hides that come in and if they detect that somebody has killed a lactating female that then triggers some additional investigations to whether the hunter killed a mother with a cub.

Rob Buonamici: If we detect that potentially we have a lactating female we would check into it.

Margaret Martini: They are skinning the bear and they leave that part out is that a possibility? They would see that it would be a female bear but if they felt they were going to be charged. Is there any other way to determine that?

Rob Buonamici: That is a possibility. We do ask questions and while we are asking the questions it is amazing how often if somebody did violate a law especially knowingly, there are certain things that you look for and pick up that they are not quite telling us the truth.

Kathryn Bricker: You said that there had been 2 prosecutions, I assume one is the first bear killed, what was the other?

Rob Buonamici: The other one was an individual that was convicted yesterday, he shot a bear in a closed unit (203) and he was convicted of killing a bear in a closed unit.

Margaret Martini: On the education, do you have to prove that you have gone through the class before you are issued the tag or do you assume they have taken the mandatory class?

Rob Buonamici: They have to take the class to receive the tag.

Kathryn Bricker: Not this year but the previous year Director Mayer had told us that we could have a public representative at the indoctrination. We were denied being able to do that the first year because we were told there wasn't enough room to have someone. Director Mayer then told us that how about since we don't have enough room to have a representative from the public present that we video tape it and we will make that video tape available online. I didn't see that happen. We still have the issue that the public is not allowed to see what happens in the indoctrination class, which I think is weird and I think there is interest in doing so.

Commissioner McNinch: It might be a little unfair to the Department to ask them for a direct response but I think it is a fair enough question and we can look into it.

Director Wasley: I don't know that it is unfair. We have the bighorn sheep indoctrination and we have always opened that up to the public assuming seats are available. Obviously the desire is to meet the needs of the tagholders first and foremost and when those needs are met then we accommodate the public in those other indoctrinations first come first served. I don't know anything about the space limitations that previously occurred and I don't know if there were other issues. My feeling is that if there is ample room and everybody acts civilly there shouldn't be a problem accommodating people that have an interest to attend to learn something about the bears and the hunt.

Commissioner Robb: I went to the first indoctrination and there wasn't room for me. I tried to show up to see what was going on and there really wasn't room for me. It was standing room only. I didn't stay throughout the whole entire thing. Our sheep indoctrinations have outgrown the room that we had the bear indoctrination in and we have held sheep indoctrinations, when they were mandatory, at a different venue to accommodate more people. It is something we can look at.

Larry Gilbertson: In the first year of the hunt, the description in the NAC that made the bear hunt possible, we used the wording of something like "one bear indoctrination shall be held". We even had some hunters that had some pretty good reasons why they couldn't attend and we couldn't even offer a second one after checking with our DAG, and because it said that only one indoctrination shall be held, those hunters that could not attend the indoctrination did not get their tags. We have changed the wording to at "least one" and we have actually had two. We were tied to just one indoctrination. We had the location identified so we couldn't move it to a bigger venue. That was the difficulty the first year, but as Director Wasley pointed out if there is room and we are having additional classes now, it is fine to have interested people show up and attend.

7. Three Year Hunt Analysis (Preliminary Data) - Mike Dobel - Informational

The Committee will hear a preliminary report on three years of the Nevada Black Bear hunt. The third hunt year will still be in progress at the time of the Committee meeting. The Committee will take input from the public.

Carl Lackey provided a handout showing the preliminary data covering the first three years to date. Per the Black Bear Management Plan we established the criteria to look at the bear harvest statistics on a running three year average. The intent is to look at the bear hunt data for the last three years every single year like we do for all of the big game species. We will look at population and run our population model. It won't be a Program

Mark every year. We will be running our spreadsheet model, looking at that and then checking that against a Program Mark model every five years for example or whatever is determined. Carl went through the handout and reviewed numbers and percentages.

Commissioner Drew: One of the first things we heard the first year I was on the Commission and we discussed the hunt, I think you stated it and Dr. Beckmann stated it, was that they were comfortable with the parameters of the hunt so long as we at least maintained or increased our level of monitoring. Can you speak to some of the monitoring that has been going on? Maybe not necessarily associated with the hunt but the things you have been doing with the bears. I know you have handled a lot of bears this year. Just give us a sense of where that is at. For me that is kind of a key component of where and how this thing moves forward too.

Carl Lackey: As far as our bear population is concerned we have the advantage of having a fairly small bear population compared to states like California. When I present my data to other bear managers in other western states, I am told repeatedly that we have more information on our bears than just about anybody. That is because we have a small bear population and I am able to do that. We keep and record data on every single bear that we handle. Whether that is a bear that has been hit by a car and killed, a bear that we capture and release, when we den bears during the winter the females with small cubs for microchipping. We take DNA on every single bear that we handle. We record the age, body condition index (BCI), we are looking at physical characteristics of the animals. All of that goes into our database. We are continuing the research projects that I had mentioned previously. They are all progressing. Nothing has been finalized yet but we are continuing with the DNA study with UNR, which was a Heritage Project. We received an extension on that project from the Commission and Marjorie's Ph.D. student is running that data sometime this winter on probably over 500-600 bears now that she has DNA data for. We are continuing another Heritage Project, the Wildland Reproduction Project, where we go out and collaring adult wildland females and looking at reproductive status, reproductive potential and recruitment levels. Trying to get a handle on the level of juvenile recruitment and how that relates to immigration recruitment from California or elsewhere in the Sierra Nevada. My assumption is that is not going to be a whole lot different than recruitment levels that is in the literature. We have nine female bears collared in that study right now, which is more females than I have ever had collared for winter time denning. So I anticipate a busy and active February and March.

Commissioner Drew: All nine are satellite collars?

Carl Lackey: They are all satellite collars. I have a bear collared in the Wassuk Range Unit 202. We have at least one possibly two in the Sweetwaters, one hasn't denned yet it just depends on where she goes. There are two in the Pine Nuts. We had three but one dropped the collar and then we have three to five in the Carson Range. That is progressing nicely. The other project we have is the Isotope Analysis Study that we are doing with the University of Tennessee. The preliminary findings on that were presented at the International Bear Association Conference in Utah back in September, which is progressing as well. With that we are able to identify, using Isotope analysis and the nitrogen carbon signatures in the hair what bears are eating. Are they primarily eating human based foods or are they eating wild land foods? Ironically just about every single one of our bears has Burger King and McDonald's in their diet.

Commissioner Robb: So out of the 9 females that you have collared and said are wild land bears, they are not problem bears that you have had your hands on for any other reason. You went and got wild land bears. How many of those came into any type of urban setting and had the potential to become a problem bear? Do they pretty much stay wild land?

Carl Lackey: Both, we had one that became obviously an urban bear so we removed her collar and deployed that collar on a different bear. This year being a high conflict year and a drought year, we are seeing a lot of bears this year that we saw one time before back in 2007. They are showing up again in South Reno, West Carson, places like that this year. I haven't seen them since in the last six years. I have taken advantage of that and deployed two or three different collars on those bears that were wild land bears, they are just showing up this year because of the drought conditions. One is spending a lot of time down on the river in Smith Valley, presumably going after apple trees or bee hives along the river. I am hoping that she turns out to be a wild land bear.

Kathryn Bricker: Carl is defending the point of view, could we have a bear hunt, but at what point is this Committee or the Department going to address should we have it? This isn't about the science it is about values. There seems to be a lack of place for that to be explored and it seems to be what this is really about. Kathryn read an excerpt from the US Fish & Wildlife website. "Science provides a basis for measuring changes in the environment, for understanding how ecosystems operate, and for predicting how a change in environmental conditions might affect ecosystem operation. However, science cannot provide a basis for choosing human goals with respect to the management of these systems. Goal setting, an integral part of policymaking, is a value-based process. A common misconception of nonscientists is that science can provide objective answers to the thorny question, "How should we manage this ecosystem or resource?" Such questions can be answered only by reconciling the socially constructed values and expectations of the stakeholders at the policymaking table." She noted that the whole point is that where in this equation of reviewing the hunt are we going to engage in the issue of that this is a values issue. We are setting policy on whether or not to have a bear hunt and we are doing it based upon scientific data, which is not the basis of policy making. At what point is the Department or we as a Committee going to engage in answering that question and perhaps doing it within scientifically verifiable ways through perhaps looking into some human dimensions research. If what is already out there is not acceptable to the stakeholders involved.

Chairman McNinch noted that he has had conversations with Director Wasley with that exact issue, the philosophical aspect of the hunt, where we can consider the social aspects and things of that nature.

Public Comment:

Elaine Carrick: Will the public have access to the data compilation when it is done before the next Commission meeting? Will it be out maybe a week ahead of time so that we could take a look at it before going to the meeting?

Chairman McNinch: By the time the Commission meeting rolls around we will get out whatever is available as part of that agenda item as support material. I would expect that to be available.

Catherine Smith: All of the studies I have read on small animal populations and detecting effects of hunting basically comment that it is difficult to detect a decline with such a small population number, especially with the numbers of the hunt that we have here. If we accept a 10% chance of failing to detect a decline what is the power of this statistical information that is given in these handouts. In other words, how likely is this data to detect a decline? I think that is information that can be calculated and we deserve to know.

Don Molde: I was wondering if Carl can explain again the parameters on the handout provided. The indicators against which his numbers are viewed and that these represent some sort of safety factors as to whether we are okay or not. Given that we have a tiny sample in terms of number of bears actually killed and given that the bears are not killed randomly, that is they are killed according to hunter preference or hunter idiosyncrasy or whatever factors might go into a hunter's mind. I wonder if Carl can explain again your rationale for these categories and how confident you are in these given that we have tiny samples and non random data collection.

Carl Lackey: The parameters, when we wrote the Black Bear Management Plan, I canvassed other state's management plans throughout the west. These parameters are what is accepted in the published literature and in other management plans. So, we are not deviating from anything that other people don't do or that is not in the published literature. We don't necessarily have a small sample size. We have a small sample size for the hunted bears but when you start looking at all of our bear mortalities that we have documented over the last 17 years, we have a pretty extensive sample size. That is why we were able to run the Program Mark population model the way we were and come up with those tight confidence intervals. When you look at a bear population, just taking the percent females for instance, we know from our population model that we have roughly twice as many males in the population as we do females. When you are looking at harvesting or tracking an animal because of the larger home range size for males you would expect more males be taken during the hunt or during the tracking season. We are seeing that, if we weren't seeing that that would be an indicator that we are hitting that population too hard. The same thing when you look at the mean age. If you consider the bear population as a pyramid, we have a lot more younger individuals down there and as they progress in age they are exposed to mortality events on a more frequent basis. So, you have a lot of juveniles and you have fewer sub adults, fewer middle aged adults, fewer older aged adults. In your harvest if you start seeing a lot of younger aged class bears (3-4 years old for example) that would be an indication that there are not as many older aged class bears in the population. If all you had in the population were younger age class bears that were not of reproductive age you would have to back off on hunting mortalities.

When we check the bears out one thing we ask these hunters are how many bears could you have killed that you did not. How many bears did you have in a tree that you were looking at and decided not to kill. We have had more bears released in the last 3 years than were actually killed, 55 more bears were presumably let out the tree and let go than have actually been killed.

Commissioner Robb: You talk about your sample size of 17 years with your road mortalities and the hunter mortality data but how many bears did you and the

Department have your hands on this year? That greatly increases your sample size of what is going on in our bear population even though some of them are urban interface, some are wild land that just happen to get into urban looking for food, but with what you had in your hands this year in a non-hunt situation just conflict bears does it support your knowledge of what you know and what this paper is saying?

Carl Lackey: Yes, and if you look at my bear status report every year, I list the number of bears that we handle each year and then I list the age categories. Then we look at the sex and the various age cohorts for all of the bears handled. It always lines up. We handle a lot of sub adult and juvenile bears, a lot of adult bears from various age classes. The other thing I will mention too, we did the snaring project this year. We had biologists come from all over the state and we spent several weeks in the Pine Nuts snaring bears for this collaring project. We had a lot of bears, it even surprised me. We had trail cameras up on all of the snares and it was surprising how many bears we didn't even know were there until we checked the trail cameras. Again, it is anecdotal information but it is interesting.

Paul Dixon, Chairman Clark County CABMW: One of the things I found interesting was Catherine's question of where do we get into the ethics of having a bear hunt, should we have one. I had shared earlier a paper that was given to the Board. It is about ethics and preferences in hunting. It is by a Cornell professor who teaches ethics. It lays out some things, if we are going have that discussion, I think part of it comes down to personal differences between how everyone think about things and we have to come to a common ground. It does come back to are we within the regulation, are we hurting a species and are we hunting it legally. The rest of it comes down to preferences and ethics. It is something that everybody should be familiar with when we have the discussion. Every one of us has a different set of ethics and beliefs of how we should manage animals to some degree.

Kathryn Bricker: Yes, manage animals but as a society our laws are based upon our values. I think it is an open ended question that can be explored. I don't think it has to be within certain parameters as you are describing.

Paul Dixon: It is just where I am and I am just saying that it is backed up by somebody who has a degree in it not me.

Fred Voltz: I have been listening to this conversation and I find it a little disingenuous because in this state there are only 4% of the population that have hunting and trapping killing licenses. The responsibility of this Committee, Commission and the Department is to represent everybody in this state, not just the wildlife killers. If you really want to do a thorough scientific job unlike what Mr. Lackey has been doing to justify the third year of the hunt, which to me the numbers don't add up statistically or any other way, you need to commit the resources to poll scientifically and objectively everybody in this state on a representative basis as to what they want. You really can't make any policy choices until you know that because you don't know that now and you have admitted it.

8. Trash Issues - Mike Dobel - Informational

The Committee will hear an update on trash laws specific to Washoe, Carson and Douglas Counties in Nevada. The Committee will take input from the public.

Madonna Dunbar - Incline Village General Improvement District (IVGID) Department of Public Works: There are 3 trash hauling companies in the Tahoe area. Incline Village, Crystal Bay, Nevada is serviced like the rest of No. Nevada by Waste Management. South Tahoe Refuse is a service company for the City of South Lake Tahoe and the Nevada side of Tahoe pretty much up to Highway 50. Due to the way they run their operations, they have been putting tags on rolling trash containers. They use a manual lift system where the guys literally take the bags and cans and dump in the back of the truck. One of the tools we are using in Incline Village are wildlife resistant trash rolling carts. With the trash company in South Lake Tahoe saying they don't want the use of the carts it is removing one of the lower cost tools that could possibly be used. There was an article in the paper where the trash company has decided that they will not allow people to use any of the rolling carts. I think the public needs to address them.

In Incline Village we have come to the table in the last 3 months trying to address solid waste containerization on a bear resistant level. A handout was given to the board that is sent out in the garbage bill every month. There is another round on December 10th. There are two components to what is going on. There is a commercial element, which is used for businesses and homeowner's associations. Those customers use dumpsters. Right now we have a heavy lidded dumpster that has a chain on it with a padlock or a carabineer. It requires the person to use it properly and lock it tight. We have about an 80% success rate on that with most businesses able to use it. We have a fairly high 20-30% repeat failure rate. What we are looking at a requirement to upgrade our dumpsters to a more human friendly and still wildlife resistant container. It is called a park style dumpster. It has a door that you simply open and shut. The residential element we are looking at if you do not have a metal bear box to put your garbage in, which is about \$1000, then your standard trash container that would be the only container would be allowed to be put curb side with food waste in it would be a wildlife resistant would be a wildlife resistant locking poly cart. It is a rolling cart that has special metal latches. The general pulse at this point it seems like we may move forward fairly successfully on the commercial element, the residential element we are not sure where that is going to go. We will have much more direction after the meeting on December 10th. There has been a lot of community discussion on this particular topic.

Chairman McNinch: I would like to tie in how we got to that phase. If everybody can remember the Commission had taken this up and the Commission had given me authority to draft a letter on their behalf to present to the Washoe County Commission. As we were going down that road to submit the letter and present it at the Commission meeting, having to do with developing stronger ordinances in certain areas, at the 11th hour I received a call and said please don't. There was a lot of sensitivity so we backed off on the letter and as a result of the meeting the Commission basically said that we don't have the authority to go into this area in certain places. We have to address it as a county wide issue and that is how it ended up with the Incline Board of Trustees.

Madonna Dunbar: The dumpster upgrade is looking to be at about \$20.00 per dumpster per month, which on a dumpster cost ranges from \$200-\$3000 a month for dumpster use. That is not so big. It definitely seems to be the increase on the residential component, however that does include the rental of the wildlife resistant cart with repairs built in. I did want to mention if we are successful we are really trying to lock up the garbage I would hope that the Commission would really strongly consider supporting that discussion on the bear field response technician. If we move

forward and our timeline we are expecting a final decision in February on this. But with an implementation protocol of trying to roll this out July 1st. So we are rolling these dumpsters in high season. Waste Management is good with the timeframe as long as we don't vary too far from a sometime in February decision. It is pretty common knowledge that as you lock up the garbage you definitely increase the potential for other types of property damage. The bears are still going to look for food and as we take away that food source the needs on the ground for a first response agent is going to be significant.

Kathryn Bricker: Any time they talk about increasing the residential they talk about what a huge percentage increase that is for the customers but am I correct that it is \$8.00 per month?

Madonna Dunbar: It is actually less. It is going to be a little more than \$7.00, which is 30%. Our trash bill is \$20.00

Chairman McNinch: I know that the County Commission does continue to watch and keep an eye on what is happening at Incline Village. The City of Reno has actually gotten involved. There is a homeowner's association in the western part of Reno and they are considering taking action to require as part of their homeowner's association limitations or requirements for garbage for Waste Management. There are some discussions occurring in other parts of the county and in other parts of bear areas in regards to homeowners.

Carl Lackey: Questioned Madonna if she could remember about how many calls IVGID received this year for bears getting into trash.

Madonna Dunbar: I would have a hard time off the top of my head. We are probably at least at 100. With our proactive enforcement actually what we saw was prior to August we were on schedule to land at 150 calls for the year. The month of September violations that were cited was half of what had happened for the rest of the year before that, from January through August. The proactive enforcement itself is not letting people out of violations in the past. Before we used to have a thing where you would get a violation and you could approach the public works director and talk about it and potentially get out of it. Now they have to go to the Board of Trustees and they have to petition in front of the Board of Trustees for a release from a violation and the Board is not necessarily letting people off. Even our proactive enforcement has hammered the message home. With this program we are not having as many repeat people. What the Board has done now especially for a commercial entity is if they have had multiple violations on using a Waste Management dumpster they said spend your money on a park style dumpster and we will give you your fine back. We have had quite a few, at least 6, homeowner's associations that have purchased these so they would get their fine back. The poly carts are definitely not bear proof, they are bear resistant.

Commissioner Robb: Catherine brought up the fact of the number of bear calls in Incline Village compared to the greater Washoe County and that there is more bear calls in greater Washoe County than in Incline Village. Carl, the percentage of bear calls trash related in Incline Village compared to the percentage of bears calls in the greater Washoe County, I know a couple that I had talked to you about, they were more chicken coop, apple tree, fruit tree related. They weren't really hitting the garbage as much as they

were as being opportunistic to the fruit season we had in the valley. Do you see it as being a trash issue in the rest of Washoe County like you do in Incline or is it just multiple issues that we have in the greater Washoe County?

Carl Lackey: I haven't looked at all of the numbers for this year, but a lot of the issues in South Reno, Verdi and places like that this year are not necessarily trash related. They are typically wildland bears coming down because of drought conditions. They are after apple trees and beehives. There are a lot of trash issues, in Callahan Ranch specifically, but in Incline it is almost always trash. As you heard Madonna say a well over 100 calls they received this year on trash related issues. That is not even in our database because we don't get that information from IVGID, so that is in addition to bear calls that we reported in Incline.

Madonna Dunbar: We can give you data. Not every trash call is a wildlife related call but probably 85-90% of them are.

Commissioner Robb: The stuff down in greater Washoe County is trash and associated chicken coop and a lot of fruit trees.

Margaret Martini: 1) Waste Management is not fulfilling their contract terms. They are supposed to be washing the dumpsters at least once a month. Unless the terms of their contracts are enforced I think there are issues there. 2) Wanted to know NDOW's position on what constitutes a bear technician. I believe that they should have some higher education in bear biology at a minimum. 3) Seeing the article - I just wondered what NDOW's position in enforcing the feeding fines are. There is a resident in the Apollo area that continues to feed bears.

Chairman McNinch: Certainly, we have our trash issues and there is a feeding aspect of this also. I want to be very careful with where we are at. Maybe we can have Rob address it very quickly and briefly but our agenda item is talking about trash management.

Rob Buonamici: This last legislative session there was statute enacted with regards to feeding of big game mammals, which a bear is. By statute, the first offense is a written warning, the second offense I believe is a \$250 fine and the third and subsequent offenses are a \$500 fine. To have our officers doing trash enforcement would be problematic and basically not feasible with all of the other duties we have. We have three game wardens from here to the Oregon border to deal with poaching, checking fishing licenses on the Truckee River, dealing with deer with broken legs in backyards, etc. There is a tremendous amount of workload that is placed on our folks already. I think what is needed is a team effort to address the trash issue at Incline. For those people out there and intentionally feeding the bears we will address that. Keep in mind we have a very limited work force to address a lot of different issues.

Madonna Dunbar: If the dumpster is dirty they call Waste Management and they will get a clean one. They are not on schedule to be switched out. The customer can call at any time to request a new dumpster. The other thing about fines, the Public Works Director was forgiving a lot of fines. That was direction from the previous Board. This Board now has said they want proactive enforcement. Unfortunately, staff is somewhat restricted by what the Board direction is.

Fred Voltz: I would like to offer a suggestion, because I don't think there is a bear in this area that respects village, city, county or state boundaries and there is an organization that has the authority to do this and it is the Tahoe Regional Planning Agency (TRPA). Specifically, if you go to their website there is an environmental threshold category and in it includes fishery and wildlife. I would like to suggest that NDOW and the Commission get in touch with its counterparts in California and put together a joint letter that would go to TRPA and have them mandate a region wide approach to this. IVGID by itself is doing something, but it is not going to address the problem of the trash issue when you have all of these other jurisdictions that are going to do their own thing.

Kathryn Bricker: Charles Goldman is the iconic scientist for keeping Tahoe blue. He is at UC Davis. A member of our organization has contact with him and she contacted him and he feels that the bear issue is critical to the ecology of Lake Tahoe. I think it is something we could hitch on to and build on with the TRPA as they have the language built into their plans.

Commissioner Robb: It is so noted, Fred, and we happen to know someone on the TRPA and we will be in contact with him within the week to see what he has to say.

9. Public Comment Period

Persons wishing to speak on times not on the agenda should complete a speaker's card and present it to the recording secretary. Public comment will be limited to three minutes. No action can be taken by the Committee at this time; any item requiring Committee action may be scheduled on a future Committee agenda. In addition to this Public Comment Period, Public Comment limited to three minutes per speaker will also be allowed on each agenda action item, but not, unless otherwise noted, on reports or informational items.

Margaret Martini: When you discussed the make-up of the Committee, I have an exception to the person that Jack Robb said that he recommended someone from Douglas County who is an avid hunter. This Committee seems to be already stacked with people that are pro-hunting. I think there is time for a replacement. Someone who should again represent the public in a non-hunting basis. It would be a good opportunity for a more balanced Committee.

Caroline Stark: Wanted to touch base about what Rob Buonamici was saying about limited resources, I get that the game warden staff is understaffed and they are pulled to different areas, but given that in Incline Village the amount of time they had to spend in one area of town where there was a cluster of all the bear problems, time could have been well spent if they would have addressed the feeding issue.

Catherine Smith: Wanted to discuss a few things that she hoped would be evaluated during the three year review of the bear hunt. I do hope that the Department discusses the status of the bear population and the likely effect on the population due to the drought over the past couple of years. There is also new information on cougars in Washington demonstrating additive and even decompensatory mortality from hunting older males, not compensatory mortality. Similar information exists for hunting grizzly bears from decreased reproduction in sows. I wanted to know why the black bear is different. More data is also demonstrating increased human wildlife conflict by killing older males. We are seeing a lot more information on social structures of predators and I want to see if this information is going to be taken into account with our bear management plans. Also, when we review the regulations of the hunt I hope the Commission and the Department will discuss the current regulations of the bear population. I want the Department to comment on the effects of hounding on bears. If the Department biologists do not think that running a bear during hyperphagia can be

detrimental I want to know why. Why does Utah's black bear guide book state that the pursuit of a bear by hounds may drain a bear's energy so much so that they do not allow pursuit of hounds during most of the fall season when bears are in hyperphagia. Why do they do this? Do they know something that we do not? Why is a black bear different than other species that have to choose between feeding and running which can lead to decreased fitness? We also know that polar bears if they don't have a certain amount of fat reserves for the winter they will abort their embryos. Is a black bear different? If it is why is it different? I want to know the approximate calorie loss from a 250 to 400 pound bear running for several hours and why it is not detrimental because we do have documentation that this occurs. Are dog bites detrimental to the bears? I also want the commissioners who believe that hounding results in increased selectivity for males or females to back up their statements with kill data not just to say they believe that is the case. Since we are supposed to be doing what is best for wildlife how does hounding help the bear? I want to know specifically why we feel that is actually a benefit to the bear and to delve into the science that is so embraced by the sportsmen. Finally, I want to know how the bear hunt has been good for the Department, the Commission and for the bear. Have the goals of the hunt been achieved. Has the hunt given the Department a higher standing in the community? Has it improved the reputation of the sportsmen to the non-hunting public and has the hunt made the community trust the Department and the Commission more? Does this hunt pass the ultimate test of doing what is right for the bear and for our state? This is what I hope to hear in the upcoming 3 year review.

Pat Miller: I have listened avidly tonight to this discussion. To turn Sierra Nevada College around in a positive manner, let them be a leader. Let them have a major or a minor so they can show the kids of that college, because they work very closely with Davis, and they could be an example to the world to show them and answer this lady's questions. The President should be approached on a very positive basis, saying you can become a leader in the world in this particular industry because this is in your yard.

Don Molde: I appreciate Commissioner Robb saying that nothing is cast in concrete even though it may look like it. Finally, this is really a landmark meeting in a sense. I have never in my memory heard it discussed before that maybe we should talk about should we do something rather than just can we do something. That is the values aspect of decision making. I don't remember ever in the Department of my 30-40 years of coming to these meetings that that question has ever been put forward as being worthy of discussion. It was tonight and that is remarkable. I am looking forward to this first time discussion because I think it is critical not only for the bear issue but for everything else you do.

Chairman McNinch: Noted that tonight was largely a current events type of meeting. It is going to change very quickly at the next 3 or 4 meetings. We are going to do the best we can to do a comprehensive review. Certainly there are a lot of issues that we need to discuss and get into. I want to forewarn everybody that is going to be a real aggressive schedule. It is one of those necessary evils. As we work through I appreciate your patience and everybody's attendance.

MOTION: Commissioner Robb moved to adjourn

SECOND: Commissioner Drew second.

VOTE: Unanimous 3-0