

APPROVED MINUTES

Nevada Board of Wildlife Commissioners  
Bear Regulation Committee

Nevada Department of Wildlife  
1100 Valley Rd  
Reno, Nevada 89108  
Thursday, March 22, 2012

Committee Members Present

Chairman Commissioner David McNinch  
Commissioner Jeremy Drew  
Commissioner Jack Robb  
Judi Caron  
Kathryn Bricker

Department Personnel Present

Mike Dobel, Western Region Game Supervisor  
Larry Gilbertson, Game Division Chief  
Carl Lackey, Western Region Game Biologist  
Katie Simper, Recording Secretary  
Rob Buonamici, Chief of Law Enforcement  
Randy Lusetti, Staff Law Enforcement

Others in Attendance

Rex Flowers, self	Lloyd Peak, self
Tom Smith, Coalition for NV Wildlife	Gerry Lent, Sportsmen
Catherine Smith, self	Don Molde, self
Mike Smith, self	Carolyn Stark, self
Elaine Carrick, NoBearHuntNV.org	J. R. Jenne, Lyon CABMW
Bob Brunner, self	Madonna Dunbar
Joel Blakeslee, Coalition for NV Wildlife	Mary McKenna, self
Mel Belding, self	Tina Nappe, self
Dianne Belding	Requel Arthur, AIM of NNV
Glen Copeland, self	Larry Johnson, Coalition for NV Wildlife
Joe Crim, self	Lisa Bonta, AIM of NNV
Hal Shrum, NBWC	Johnny Bonta, AIM of NNV
Tom Enewold, SCI	
Gil Yanuck, Carson CABMW	
Pete Mori, NBWC	

**1. Call to Order – Chairman McNinch**

Chairman David McNinch called the meeting to order at 6:00 p.m.

**2. Opening Statement – Chairman McNinch**

Chairman McNinch: We are dealing with a highly emotional issue that is very serious. As we conduct our business, please be respectful.

**3. Approval of Agenda – For possible action**

Public comment: none

COMMISSIONER DREW MOTIONED TO APPROVE THE AGENDA,  
COMMISSIONER ROBB SECOND THE MOTION, MOTIONED PASSED.

**4. Approval of Minutes**

Committee comments:

Kathryn Bricker: It should read “definitional” differences not “deferential” differences. Chairman McNinch: There were a couple references to Commissioner Rob as opposed to Robb. Also, Bob Brunner’s name was spelled incorrectly “Brunnor” and should be “Brunner.” Chairman McNinch also read Rex Flowers’ correction into the record; which, added quotes around all three statements that were originally stated in Las Vegas, on page 13 under item #7.

Public Comment: None

JUDI CARON MOTIONED TO APPROVE THE MINUTES OF FEBRUARY 29<sup>TH</sup>  
AS CORRECTED. COMMISSIONER DREW SECOND, MOTIONED PASSED.

**5. Member Items – Announcements**

Commissioner Robb: On Monday, Tuesday and Wednesday of this week I attended the 4<sup>th</sup> International Human Bear Conflict Workshop in Missoula, Montana. The first was held in 1987 with 60 in attendance. A second workshop was held ten years later which 140 people attended. In 2009, 209 attended the third. This year 300 people were allowed. It was sold out. This is not just a Reno-Tahoe, Nevada issue, it is an issue everywhere there is a bear population. Commissioner Robb gave a brief overview of the conference. Robb talked about habituated bears (park and urban bears seen during the day that are accustomed to being around humans) being a huge concern because they stop being a wild animal and become unpredictable. He also spoke about relocation (removing a bear and placing it somewhere else in its home range) and translocation (taking a bear out of home range and putting it in unfamiliar territory). Commissioner Robb said studies show that adult bears, three years and older always find their way back home. He also reported on bear conflict situations and statistics from

other States and areas. He touched on perception versus reality. What is often “perceived” is not always “reality” and in every instance a person’s core values trump facts. It is human nature to reject facts that are different from a person’s core values.

Kathryn Bricker asked Commissioner Robb if anything stood out as far as technology. He said other than changing human conduct there is really not much more that can be done.

6. **Committee Charter – For Possible Action**

Commissioner Drew: What you have in front of you is a draft charter. The charter has been reviewed and we have approval from the NDOW Department DAG and Commission Chairman.

Judi Caron talked about developing a partnership with different trail associations similar to what Washington State has done. Also we should educate the public about hunting and instruct them on how to stay safe. Commissioner Drew answered that 4b addresses that issue.

Public Comment:

Joel Blakeslee, Coalition for Nevada’s Wildlife, asked the committee to define what a charter is. Commissioner Drew explained that a charter defines the purpose and goals of the Committee.

Back to Committee:

Chairman McNinch: The intent was to have Commissioner Drew draft a charter that outlined goals and objectives for the committee to focus on.

7. **Review Proposed Open Units for the 2012 Black Bear Hunt (Hunts#6151 and #6251) – For Possible Action**

The Committee will review the four proposed alternatives for open units for the 2012 Black Bear Hunt (hunts #6151 and 6251) as discussed at the February 29, 2012 committee meeting and may take action to recommend changes to the proposed hunt areas. Any recommended changes would be forwarded to the Commission for consideration and possible adoption.

Committee comments or questions: none

Public Comment:

Larry Johnson, Coalition for Nevada’s Wildlife: We support Alternative #1 leaving the hunt units the same as last year. The points analyzed in making their decision were as follows: existing boundaries of management units were established based on decades of data, nothing has changed to alter these boundaries now, there are more deer and grouse hunters in these management

units than there were bear tags issued, there has not been any conflict with hunters and the public. The public is already protected by County ordinances restricting firearm discharge in congested areas. Larry also quoted NRS 501.181 and stated other bear statistics supporting the bear hunt.

Joel Blakeslee, Coalition for Nevada's Wildlife: I ask the Committee to stick with the facts. I believe that arguments such as public safety, economic impacts and property values dropping are overstated and are based without merit. California has hunting within miles of populated areas and nothing has happened. Core value is the difference between the two sides here. I ask that you base it on the facts and the science. I support Alternative #1.

Caroline Stark, Incline Village: I would like to see Alternative #4. It would eliminate bear hunting from the areas that are predominately used by recreationalists and wildlife viewers who bring a lot of money into the basin and the Reno area.

Don Molde, Reno: I support Option #4. The Department discouraged hunters last year from going into the Tahoe Basin so if that is the case, why not go with some other option.

Rex Flowers, representing self: I support Alternative #1 since we have not heard any scientific data that supports the closures. In the last 10 years there has been an average of 201 deer hunters, 2,157 days afield for grouse hunters and no conflicts. I don't think you can say that there is a user group conflict.

Lisa Bonta, representing the American Indian Movement and the Northern Paiute Nation Numa people: I believe bears are sacred to our people and hold the power of healing and strength. We as a Paiute Nation vote no on all points for the bear hunt. We do not support any open units.

Jim Jenne, Lyon CAB: Lyon CAB supports #1.

Bob Brunner, speaking for self: Has the committee received responses back from the CABs? The committee answered yes. Brunner stated he supports Alternative #1 because of the hunter orientation training that the Department presented. Sportsmen are a sub-group of the population, as are hikers and skiers.

Elaine Carrick, representing self: Read from a written statement. See exhibit file.

Kathy Smith, Reno: I still believe that units 192 and 194 should be removed from the bear hunt, but given the options we have I believe Option #4 makes the most sense.

Mike Smith, Reno: I support Option # 4. It is still a compromise for me. I would have liked to see more areas taken out.

Gerald Lent said to Chairman McNinch: "As a Conservation representative on the Commission, I want to remind you that you are suppose to represent these people not the hunters." I also have a point of order with the Committee; there are Committee members here that are members of the Coalition opposing what NDOW suggests. I think it is a major conflict of interest. Committee member Judi Caron has signed off already with her mind made up. She should not be on this Committee; that is an ethics violation. There needs to be a compromise and I believe there are plenty of hunting opportunities outside the Tahoe Basin. I suggest giving them Option #4 with an understanding that they are not represented by the Humane Society of the US and with their promise to stop opposing this bear hunt and to support the Commission against the anti-hunting factors out there. They should also stipulate that they promise to actively promote bear proof containers in the Lake Tahoe area.

Tom Enewold, Northern Nevada Chapter of Safari Club International (NNSCI): The board reviewed the 4 alternatives and the letters written to the Commission by NBU and the Coalition. NNSCI supports Alternative # 1, it is based on the science available at this time and will allow NDOW and others to continue to collect valuable information based on actual hunting data over a longer period of time.

Tom Smith, Coalition of Nevada's Wildlife: Hunting is one of the safest action sports, with hundreds of thousands of hunter days in the field each year without injury or conflict with the public. Nevada has nearly sixty five thousand hunters each year and many of us spend dozens of days in the field.

Glen Copeland, representing self: I support Alternative #1 due to the data and the facts from the 2011 hunt. NDOW did a great job gathering information and keeping track of everything that happened.

Raquel Arthur, President of American Indian Movement of Northern Nevada: I am completely against any bear hunt.

Mary McKenna, Incline Village: Supports Option #4.

Mel Belding: Washoe County supports Alternative #1.

Madonna Dunbar, Incline Village: I support Alternative #4.

Back to the Committee:

Judi Caron: I would like to address Dr. Lents comment. I state and disclose that I am a member of SCI and Coalition of Nevada's Wildlife. The letter that you see before you from the Coalition of Nevada's Wildlife was discussed prior to the first Bear Committee hearing. I did not comment on SCI's letter and will not let that affect my vote tonight.

Judi Caron: Does Map #1 reflect what our motion was, no change to the hunt units? This map reflects firearm discharge. Why isn't this the same material that was given to all the hunters last year? Also, Map #4 when you do an overlay of Washoe County congested areas, does not match. Commissioner Robb said I am not concerned about Map #1. Those in favor of this option are basing their opinion on, no change. Regarding Map #4, Commissioner Robb asked Chief Rob Buonamici to discuss the map on Washoe Counties Web site that shows firearm restrictions. Chief Buonamici replied: There are a couple issues in regards to congested areas. The Washoe County map has an official congested area map that incorporates the City. Then they developed a map and ordinance that you cannot discharge a rifle within 5000 feet and shotgun within 1000 feet of an occupied dwelling. They tried to capture all the occupied dwellings and display that on a map. What we did is the same thing; you are going to see differences because two separate people did the maps with different knowledge of the area. None of them are official congested area maps.

Kathryn Bricker: I would like to address the Sportsmen. I would not make the public safety argument, statistically you win that argument. I do not agree with you on a number of things however, this is a core value and a species thing. Those that share habitat with the bears have a special relationship with them. It crossed the line when you decided to come into their back yards and start killing. I do not agree that nothing happened last year in the Tahoe Basin. If Warden Connors was here he could back me up because he is the one that got the call. There is an official record provable and testified to in front of the Legislature, that 1 out of the 2 hunters that hunted the Tahoe Basin caused problems. Tourists from the Bay area were hiking the rim trail, the hunter told them he was hunting bear and if a bear appeared he was going to shoot the bear and he didn't care who got in the way. Then he told them to get out of there or risk being shot. The fact is, it did happen. So please don't act like nothing happened. What are you being asked to give up if no bear were killed in the Tahoe Basin and most of the hunters show preference to hunting elsewhere? Why can't you show the public basic respect and zone the hunting away from our neighborhood? To me this is a zoning issue.

Commissioner Robb asked Chief Buonamici: Does the Department have any report regarding this? Buonamici said that the Department had no such report and NDOW does not have a Warden Connors working for the agency. Robb asked if this was possibly a California warden. Kathryn replied that she should have brought the letter written to the Legislature reporting the incident. Commissioner Robb: I heard this story before at the Douglas CAB meeting and the hunter was wearing goggles and blaze orange. Doesn't California require blaze orange to hunt? I am just trying to determine if it happened on California side. Kathryn: It did not and I am sure of that. Chief Buonamici told Kathryn if she could supply the letter NDOW would investigate.

Commissioner Robb: I have spent a lot of time trying to find an answer. Basically what I am looking at is my core values. Hunting and the State of Nevada are my core values. I am also getting a lot of peer pressure. The one core value that is more important than hunting to me is to do what is right. Commissioner Robb said I would like to go through the maps one by one and go back to how we got here. Map #1 basically depicts last year's hunt. Map #2 takes out the Tahoe Rim trail and a lot of Forest Service land. I believe in Map #3. The way I came up with this map was, I thought where I would feel comfortable hunting. The area between Spooner and Kingsbury has a lot of Forest Service land that had some hunting opportunity and with the road access the hunters would not use the rim trail. Therefore, if hunters use the roads, the trail conflict would be minimized. There are hunters hunting close to residences all over the United States. Nevada is a wide open State so this conflict is something we don't usually see. I will never say it is a safety issue; it is a user group issue. I do not feel comfortable with Map #4 because I feel there is huntable area in there.

Judi Caron thanked everyone for being here. I understand what Kathryn and the people from the Tahoe Basin are saying. My honor, my trust and my image is what makes me actively engaged with the public. I feel that as a member of the conservation and hunting community that we are safe, responsible and respectful. I never thought I would see the Department put a restriction on a group of hunters without formally discussing it in a workshop. I do not see a need to change what we have.

Commissioner Drew: This is a tough issue. First I consider the biology provided by the Department, secondly I listen to CAB input and thirdly I listen to public input. I don't believe anything on these maps will change the biology of the hunt. I don't believe anything on these maps will change the data we're collecting because the fact is no bears were harvested in any one of these areas. The CABs unanimously support Option #1. The public voice a large concern about some of the areas we have on the maps. It comes down to a split between the Cabs and where some of the public is. The easy decision would be #1 but my heart tells me to go with #3.

Kathryn Bricker: Option #3 is worse than Option #1. It is disturbing that two of the Commissioners want that option and continue to ignore the public.

Commissioner Robb: I have looked at that and read material that was put out prior to the bear hunt and prior to us making the permanent regulations. What we propose in Option #3 will not funnel anybody any place. I am having a hard time finding the user group conflict when you have roads next to trails. It is not a safety or a user group concern and that is why I still support #3.

Commissioner Drew: There is not an option before us tonight that will make everyone happy. Some of the statements that Commissioner Robb made are the same reason I like Option #3. There are a lot of folks that have been in that area hunting a lot of different things and I don't think the potential exists like in the

other areas that we are talking about. In terms of Option #3, if someone in the general public has a concern, there are a lot of other places they can go where they are out of a bear hunt zone.

Kathryn Bricker: The reasons we disagree are as follows: number one is the trail guides state that particular portion of the rim trail has the highest density of hikers. Because those roads intersect the trail, the guides see people on all terrain vehicles thinking they are on a Forest Service road. There are all kinds of special events that utilize those dirt roads. I think you are making the worst decision and I am trying to convince you that it would be a mistake.

Chairman McNinch: There were some interesting comments made at the CAB meetings. I took to heart those comments that dealt with the urban interface hunting issues. With this issue something has to give and I think the best place to handle that is through the Commission and through the Department. The Legislature would only bring more problems than we have now. This in my mind is not an anti-hunting issue and I think we are moving away from the public safety issue. It is an urban interface issue. Why are we not seeing people call about ending deer hunting or the grouse hunting? Because it is a bear hunt issue. We have not come up with a consensus. I personally don't think Alternative #4 is asking too much. I think by doing that we are providing a level of respect to the sportsmen and the public.

Commissioner Robb asked Kathryn: Say we did adopt Option #4, would No Bear Hunt Nevada put out a letter of support stating that they support mule deer and blue grouse hunting in the Tahoe Basin?

Kathryn Bricker: We are already on record that we support ethical hunting. We are not an anti-hunting organization. We are opposed to the bear hunt.

Commissioner Rob: If we agreed to Option #4, would No Bear Hunt Nevada still have 100% opposition to the bear hunt or would some think they got it out of the Lake Tahoe Basin and that was the main concern? Kathryn: I think the organization is against the bear hunt in Nevada and I don't think the organizational mission would change. Picking Option #4 is not a bargaining tool with us. I cannot say what the support of the public would be but I do think it would have an impact on the public.

Public Comment:

Rex Flowers: It does not matter what you pick for an alternative. No Bear Hunt Nevada has already stated that this will not change anything. There is no compromise. Stay with #1.

Bob Brunner: This is about rights. We all have the right to use multiple use land and people have a right to live in the Tahoe Basin.

Mike Smith: There have been more people that have talked and sent comments to the Commission than just No Bear Hunt NV, a great deal of people in the Reno area also have concerns with the bear hunt. As long as you have a bear hunt you will have a fight. We have conflict issues; let's stick to that. We are all trying to come to a common ground.

Raquel Arthur: Bears also have rights.

Madonna Dunbar: I would like to ask you to consider #4 as a compromise between the hundreds of thousands of non-hunting recreationalists and the 45 hunters that drew a bear tag last year.

Larry Johnson: There is no easy or right answer. Regardless of what alternative you select they will be back in front of the Commission and at the Legislature next year. We don't want to be in the middle of this fight. I am here for hunters rights. What do we get out of this compromise? Nothing, so why would we compromise? My logic is simple they don't want us to be reasonable; they want to take our rights. Every CAB has given you direction.

Webster Arthur, Pyramid Lake Paiute: Native Americans hardly ever hunt bears for consumption. They hunted for food, not for the sport of it. I see high ethics here. I am behind my fellow peers. I am against hunting bear.

Mel Belding, Washoe CAB: If we compromise, they will take the whole bear hunt from us. Our forefathers did not know the word "compromise". It was victory or defeat and that is the way I am looking this. I am strictly for Option #1.

Gerald Lent: We proposed this when I was on the Commission and we didn't think there would be so much opposition. Hunters can be dead right by being uncompromising. The Department is trying to make a compromise by taking it out of their back yard; this shows good faith with the Legislature.

Kathy Smith, Reno: Option #4 is a compromise.

Back to the Committee:

Commissioner Drew: A lot of comments have been made with the word compromise. If I were to compromise, I would be choosing Option #4. I think we are shunning our leadership responsibilities as Commissioners if we are to stick with Option #1 and leave it to the Department to encourage the hunters not to be in these areas. As leaders in the sportsmen community, what we need to say are these are the areas where you need to exercise your hunting safety skills, your ethical skills and these are the areas we are not willing to send you into because we believe it could put you into a very compromising position. I think that needs to be very clear and it comes back to communication. That is why I support #3. I really think Option #3 clearly communicates to sportsmen where they should and should not be.

Commissioner Robb: If I thought voting for #4 would make this all go away, I would; but it will not. Kathryn Bricker asked, what will go away? Commissioner Robb answered, the issue with bear hunting. Kathryn Bricker said I don't see the Department giving up anything by going with Option #4. We oppose the bear hunt way beyond the unit issues we are discussing tonight.

Commissioner Robb: Wildlife management belongs in one place and that is in this room. State Legislation is not the place for it.

JUDI CARON I AM GOING TO BRING A MOTION TO THE COMMITTEE TO BRING FORWARD ALTERNATIVE #1. JUDI MADE A MOTION TO BRING FORWARD ALTERNATIVE #1. MOTION DIED FOR LACK OF A SECOND.

Chairman McNinch: There will be future discussions between now and the main meeting on quotas.

COMMISSIONER ROBB MOTIONED TO APPROVE OPTION #4, KATHRYN BRICKER SECOND THE MOTION.

Commissioner Robb commented that the motion goes against his core values.

Commissioner Drew said that Option #3 is still the best option but he respects where Commissioner Robb is coming from.

Judi Caron: Multiple use of public land is still on my mind. We have to be at the table to preserve hunting for our children. There are different ways to reach a compromise and I don't believe we have used all the tools.

Kathryn Bricker: In everyplace with every species at certain points in time, people draw lines and they come together. I believe you are being very paranoid about it. Hunting game animals will be around forever.

ROBB, MCNINCH AND BRICKER IN FAVOR, DREW AND CARON OPPOSED. MOTION PASSED. ALTERNATIVE #4 WILL BE TAKEN TO THE COMMISSION FOR PRESENTATION AND CONSIDERATION.

## **8 Future Agenda Items - For Possible Action**

Kathryn Bricker: The nuisance bear issue needs to be addressed as soon as possible. Chairman McNinch replied our approach to that would be an education proponent. Kathryn Bricker asked if there is a written policy.

Mike Dobel: We have policy and procedure that directs Department employees on how to deal with nuisance wildlife problems and we have a conflict manual that goes into depth on how to deal with specific issues.

Jeremy Drew: At the May Commission meeting the big item will be quota setting. The agenda will be full.

Jack Robb: We recognize that we have a lot of bears being hit by cars along the Sierra Front and being removed by NDOW. We have a legislative year coming up and we are running out of time to forward anything from this committee to the Commission. The bear problem at Lake Tahoe is not a bear problem it is a people problem. Kathryn said the people agree and the public is ready to step it up on the fines and support you.

Commissioner Drew suggested an informational workshop on what ordinances are out there.

Kathryn Bricker: Do we have to have it as a Bear Committee meeting? Could we do a workshop; maybe up at the Lake? Chairman McNinch replied that he thought that there might be some opportunities there and he would run it by some staff. This would have to be after May.

Public Comment: none

9 **Future Meeting Dates - For Possible Action**

The Committee may choose the location, date and time for the next committee meeting.

DREW MOTIONED TO MAKE NEXT MEETING FOR THURSDAY, MAY 10<sup>TH</sup>, 2012 AT 1:00 PM. ROBB SECOND THE MOTION.

Public comment: none

MOTION PASSED NONE OPPOSED.

10 **Public Comment Period**

None

COMMISSIONER ROBB MOVED TO ADJOURN, JUDI CARON SECOND.