

Nevada Board of Wildlife Commissioners
Bear Committee
Wednesday, January 14, 2015 / 9:00 a.m.

Department Employees in attendance:

Brian Wakeling
Pat Jackson
Mike Scott
Jody Wilkinson

Public in attendance:

Steven Bohrn
Sean Shea
Fred Voltz
Catherine Smith

Information highlighted in **yellow** was agreed upon language for changes to the report.

1. Call to Order – Chairman McNinch

Meeting was called to order at 9:02 a.m.

2. 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.

Public comment: None

Motion by Commissioner Drew: Move to approve as presented.

Second by Commissioner Wallace.

Vote 4-0 passes

3. 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: Announced that Fred Voltz will have a follow up on issue of human bear conflict from the Tahoe Regional Planning Agencies Local Government Committee. Since then they have contacted him and they have put it back on their agenda for February so it has progressed.

4. *Report of Three Year Comprehensive Review of Nevada Black Bear Hunt – Chairman McNinch – For Possible Action

The Committee will discuss the development of a report detailing the three year comprehensive review of Nevada's black bear hunt. The Committee may take action to provide direction to staff or establish findings or recommendations to present to the Nevada Board of Wildlife Commissioners.

Chairman McNinch: Our plan is to forward and completed this project. As Committee Chairman I am going to push for a level of consensus on what we can and working through our report. If there are things that we may not have consensus on then my inclination is going to be to take a separate vote so we can demonstrate as much as consensus as we can. I think that has value in terms of how the report is presented and how it is recorded. It is really critical that we finish this today. We have been at it a long time. My expectation is that we come out of here with a report that is presentable to the Wildlife Commission. Our time is limited at this

point. We have spent a lot of time on it. I think we have hashed the issues out. I think we are at a point where we need to formulate our ideas and get it on paper and move forward. We will work as a group on where we take our action with regards to the report. We will provide opportunities for the public to comment on the variety of issues that we will touch base on.

Commissioner Drew: Just to follow up with that, my expectation as Chairman of the Commission is that this will be on our agenda in February. I see a couple of CABMW's in attendance. If on the off chance that we don't get through the report today it will go to the Commission and we will report that the Committee wasn't able to get through the whole thing. I trust that we are going to be able to get through it today. It does need to be on our February agenda.

Chairman McNinch: We did receive an updated version. It is draft version December 29, 2014. It is an updated version from the December 11, 2014 version that had been provided by the Department and it includes the track change edits. Where we left off was through the section titled Social Perspective Review. I am not sure we finished with this section on page 7. I am going to lean on Kathryn to take the first step this morning because there had been changes to that section and there had been modifications to sections prior to that but you had expressed some interest in discussing some of this additional information. There was Wildland Black Bear Population Assessment information from 2008 that referenced some studies and stuff prior to that. Some of your thoughts might be incorporated or you might wish to present those for the social perspective review.

Kathryn Bricker: The thread of the social perspective issue rises primarily in 3 places. On the very first page under the executive summary is the first mention of this. Then if you go to the second to the bottom sentence of the first paragraph where it says, "The Commission remains responsive....", that is the first mention of social concerns. So the question that I think the members of the public who oppose the hunt want answered or the question posed is to what data and how so. My original hypothetical question that I gave you all was trying to take us in that direction. I am not necessarily seeking consensus but what I would like is a clarification of the issues that would benefit all stakeholders to discuss. I think it will bring clarity to the discussion. In there somewhere we want to say if the Commission is remaining responsive as this document repeatedly states to social perspective then we need to ask the two questions, to what data and how so. I think that undergirds the request for later on in the document where we get to the recommendation of recommending to the Commission to conduct a human dimensions survey of public attitudes. I think it undergirds that because it could provide that data. Then the question of how so is a more open ended question that the Commission and others would need to take up. My bringing forward that particular document from 2008 was to give an example that that has been done by the Department in the past. We did receive a correspondence from Rex Flowers who didn't get the benefit of our discussion last meeting showing that that specific document from 2008 has been discussed and cited at each of our bear committee meetings beginning on the three hunt review beginning with the one in December of 2013 and in my presentation on human dimensions at the committee after that. It is also part of the public record both in written and the oral recording of the December 2011 Wildlife Commission meeting where the temporary regulation for the bear hunt was passed. This document has been kept alive throughout all that and was presented to the Commission.

On page 12 on the second line down, it again states that the Commission remains receptive to public input regarding possible improvements. So, again we have another example of wanting to pose the question to what data and how so.

If you wanted to have a specific place where possibly that document could be cited within the body of this, one that we could consider would be on page 2. It might segue from what is said there pretty well. If you go to page 2, second paragraph, five lines down it begins; Social

perspectives are much more diverse. It could be inserted there stating the majority of Nevadans do not support black bear hunts. The most recent assessment of social perspectives indicates....and then you could note the 2008 document there.

Chairman McNinch: Which document are you specifically citing?

Kathryn Bricker: I am citing the one that went out for public review this time, which was the Department of Wildlife staff's presentation to the Wildlife Commission in February 2008, which told the Commission that the majority of Nevadans do not support black bear hunting and presented multiple states perspective as well as information from the 2005 Colorado State paper specifically on Nevadans attitudes.

Commissioner Drew: So, let's clarify this off the top so we all know which document we are dealing with because the support material had by my count at least 5 or 6 different documents. I am assuming the one that you are specifically wanting to reference is entitled Black Bears & Public Opinion, A summary of Other States' Lessons Learned.

Kathryn Bricker: Correct.

Commissioner Drew: As I read this, and I think what you are getting at are the two bar charts that are listed in here. It talks about one of the objectives of the studies was to determine public attitudes towards population management techniques to address human wildlife conflicts. Then it goes on to present two scenarios and it has some data that was connected.

Kathryn Bricker: Specific to Nevada, yes. The larger report from NDOW also had a lot of other studies.

Commissioner Drew: Then basically everything beyond that was the actual studies that were cited or summarized in this 2008 report, different case studies. The Utah human dimensions and the 2002 New York State Cornell University study were cited.

Kathryn Bricker: The statement by the researchers summarizing that information was the following: This information contains a study conducted by Colorado State University in 2005, which revealed that a majority of residence (referring to Nevada residents) did not support a trophy hunt even when respondents were misled by omission into believing that hunting would reduce conflicts with black bears. In this study it is noted that, "The fact that a bear hunt would minimal effect Nevada's nuisance bear population was not even taken into account." Respondents were asked whether they supported hunting where black bears wandering into human habituated areas, "Getting into trash and pet food containers". But were not informed that hunting would not reduce conflict bears. When respondents were under the impression that killing black bears would reduce conflicts the majority still did not support recreational hunting but a majority did support, "controlled hunts using trained agency staff". This support for the lethal removal of bears by staff does not imply support for recreational or trophy hunting.

Commissioner Drew: What page of which document is that so we are all on the same page?

Kathryn Bricker: That is from the public record presented by Megan Sewell of Humane Society of the United States to the Wildlife Commission in December of 2011.

Commissioner Drew: In the packet of information that you gave us where is that at?

Kathryn Bricker: That is not in that information. This is from the record of 2011.

Commissioner Drew: Do we have that anywhere in our binder or anywhere else in the information you gave us?

Kathryn Bricker: It is not in that binder, I presented it at past meetings.

Commissioner Drew: So these are minutes essentially?

Kathryn Bricker: No, this is the written statement that was submitted both to the Commission and as part of the public record.

Commissioner Drew: So it is a written statement by who again?

Kathryn Bricker: Megan Sewell of the Humane Society of the United States.

Chairman McNinch: She is reference what study?

Kathryn Bricker: The 2005 Colorado study and the excerpts specific to Nevada is included in the packet. That was also the Department of Wildlife's staff's interpretation that was presented to the Commission. Theirs did not differ from this in terms of them concluding and presenting to the Commission that Nevadans do not support bear hunting. There was no difference of opinion between the Committee, staff reporting that to the Commission, nor this statement I just read, they were in agreement.

Commissioner Drew: In that reference you are speaking of the minutes from February 8 & 9, 2008 where Kelly Clark said human dimensions data showed that people are not supportive of bears being hunted.

Kathryn Bricker: Correct.

Chairman McNinch: I did what I could to review the documents that we put out. I got through quite a bit of it. I certainly read the front 20 pages relevant to the report put together by the Department and I read portions of the studies that they were referencing. For the most part these graphs that we are talking about, yes, Kathryn I am not lining up my interpretation of them with what you are presenting. Because it says that they weren't exclusive of each other for one thing (the bar graphs). More than one opinion is represented in any bar graph I think. But providing more recreational opportunities to hunt bears, somewhere around 40% and they conduct control hunts using trained agency staff was up around 70% but these were all relevant to scenarios pulling off of people's experiences with nuisance bear issues, wildlife conflict bears. Our report isn't really talking about those.

Kathryn Bricker: Do you value the interpretation of the researchers themselves in making those conclusions?

Chairman McNinch: I am not sure I understand what you are asking me.

Kathryn Bricker: What I am quoting is what the researchers concluded from the data.

Chairman McNinch: What you just quoted to us was from public comment from a representative from the US Humane Society.

Kathryn Bricker: So, you are saying that you need to see more from the researchers stating this as well before you accept that they interpret it that way.

Chairman McNinch: I am simply saying that based on the packet that you asked us to consider, which is what I have done. With some exceptions this is largely addressing nuisance bear issues. There might be some broad take home stuff. The stuff that I took home from the

documents that we were asked by you to review, involve things like engaging stakeholders, not taking for granted public sentiment. Those are some broad based things I took in there. A lot of those studies the work were largely found on nuisance wildlife issues on urban interface issues.

Kathryn Bricker: Do you accept the Department's staffs report from NDOW that stated what it does in the minutes?

Chairman McNinch: It states in the report there are many references to the need to do additional work relevant to the hunting of bears and understanding the wildland population that references in many cases the need to conduct more study or gather additional data. That was in 2008. I wasn't here on the Commission when the hunt went through as the temporary so I can't sit here and speak to what was presented that shored up some of those deficiencies if that is what existed. What I can say is that a lot of this in reference to, we have a wildland black bear population assessment, and in that report it basically says there is a lot of work to be done to gather information. I have expressed concerns with my perception of the information that is out there. No doubt there has been a lot of work done and some of this does represent some of my thought. But to transition that to say that people in Nevada are opposed to the bear hunt, I think is a reach.

Kathryn Bricker: Do you agree that the Department report made that statement in the minutes. Jeremy just read it to us.

Commissioner Drew: There is no doubt it is in the minutes from 2008 but who, maybe Commissioner McNinch was here as a Commissioner in 2008.

Chairman McNinch: You're drawing some pretty faded memory. I am not up here saying that people aren't opposed to the hunt. What I am saying is that to draw conclusion that all of Nevadans are against the hunt I don't know it is firm ground.

Kathryn Bricker: Nobody is saying all of Nevadans. What is being said is that in 2008 staff from the Department of Wildlife presented to the Commission a report. The minutes state what they told the Commission in their assessment and conclusion, I believe they said the majority of Nevadans did not support hunting bears and that is clearly stated in the minutes as a conclusion of NDOW staff from the report materials presented.

Commissioner Drew: Just to clarify. It does not say a majority of Nevadans. I think this is a quote from Kelly Clark and she said, "the human dimensions data," which references I believe everything they summarized, "show the people are not supportive of bears being hunted." So it is her interpretation of the reports that were summarized in 2008.

Kathryn Bricker: Are not most of what we move forward with information provided us by the Department, how does this differ?

Chairman McNinch: I share some of the same thoughts that you do on the hunt. I am not trying to be argumentative but I want to get it right too. I don't want to hang my hat on something that I feel vulnerable about. I am not convinced that this isn't relative to how to manage urban bear problems. The exception is hunters who support hunting bears. She said the human dimension data shows that people are not supportive of bears being hunted. I believe that that maybe specific to managing urban bears. A lot of the data and a lot of those reports that are presented in here are in that arena. They do get into hunting bears and people's perceptions of predator management and things of that nature, but a large number of those reports are really focused on people's perception of managing nuisance bears by hunting them. They have a problem with it because they feel people are shooting them out of garbage cans and they are walking

down the street and being shot. People have an issue with that. I am not convinced that this relevant to the hunt that we have in place at this point and time.

Kathryn Bricker: Do you agree it is the only human dimensions assessment of public attitudes regarding the killing of bears that is available.

Chairman McNinch: For Nevada or in general?

Kathryn Bricker: That has been presented in Nevada. Since this is the major issue that has brought us all here, it seems that acknowledgement of what has been done as an undergirding for requesting, if we end up doing so in this report, that the Commission consider such an assessment it seems to undergird the support they need for that so its inclusion would demonstrate that. Given the importance of this issue, I don't think it is proving anything, I think it is hopefully supporting what may come out of this as our request that the Commission consider conducting human dimensions research. It is with that in mind that I submitted it.

Commissioner Drew: If that is truly the goal, here is my take on it. I don't have a problem including the summary that was presented in 2008. I think we get on a very slippery slope when we start talking about different individuals interpretations of that report. If we want to say – Social perspectives are much more diverse and a summary was provided to the Commission in 2008 and we include this report so people can review it and determine what context the report was conducted, I am fine with that. But all the other stuff to me is really getting on a slippery slope. I don't know if it is worthwhile adding volume to our binder with all the background studies on it because I think they did a pretty good job of summarizing it in here.

Kathryn Bricker: I am fine with that. Our intention is to move forward, I would hope a strong support from this Committee about the importance of that being done. Within that context, the two questions answered, if we have data and then answer the question about how the Commissioner were to remain responsive. To what data and then the bigger question, which I think is a straight question at this point is part of the shifting of paradigm on wildlife management in general, but I think for clarity that we just need to define what the issues are and what questions remain. So the question and if so how is something that is right for discussion just as many issues like hunting aesthetics of all kinds, trail camera use and so forth. Having the discussion is a benefit whether or not consensus is achieved.

Commissioner Drew: I think Kathryn had some specific language on page 2 about social perspectives are much more diverse. What I would say is: This diversity was captured in a report presented to the Commission dated February 2008 as appended and make that an appendix. Basically the report I am looking at in the big packet we had of support materials is Black Bears & Public Opinion – A Summary of Other States' Lessons Learned. I think we are all in agreement that we don't necessarily need to list all of the other background data at this point.

Kathryn Bricker: I like that as well.

Public Comment relevant to support material provided by Katherine for us to consider:

Rex Flowers: Doesn't think it should be included. Never a part of any discussion at the time they decided to look at having the bear hunt, starting in 2010 I believe it was. This has never come up in any conversation until your last Bear Committee meeting. Adding it in is like adding support, support that nobody has ever seen before. If it had been included during Commission or Committee reports or even County Advisory time from when we initiated that then I could see the inclusion but this is all new material and why have it in that report, I don't think it fits. I think you should add materials that were involved in the process.

Cathy Smith: Thinks the 2008 report should be considered and included because it was brought up in 2008 by the Department. I don't think there should be a cutoff period of information we use. We use studies obviously dated much older than that. There is no downside of including this in the report. The more information the better and they get a clearer picture of the initial hunt and what happen when it was initially brought up in 2008. It is interesting that we really haven't obtained anymore human dimensions research since that time even though in the report it says we need to before we have a hunt.

Bob Brunner: I would ask you to take a look at SB82. It urged the Nevada Board of Wildlife Commissioners to conduct a 3 year comprehensive review of the hunt. What we need to here is take a look at the review of the hunt. What did we harvest? What did we learn? What happened during the harvest? Then that review of the harvest as stated and then go on to the Commission and bring in other things. What did we learn from the hunt? What did we learn from hunter behavior? What did we learn from the public's behavior during the hunt? This is about the hunt. If you can bring this down to review the 3 year hunt then I think when it gets to the Commission level you can urge that into the social issues because it is asking you here to focus on what happened when we hunted bears for 3 years in Nevada.

Fred Voltz: Agree with Ms. Smith to include 2008 information. In hearing the exchange between the Commissioners this morning on what has been discussed so far, it seems as though you need to go to page 13 of your document, item #5 and strengthen your language that you are proposing. Instead of saying the Commission should consider conducting with the amount of confusion or lack of current information the wording should really be changed to should conduct to get some clarity on where the public is in their opinion of the hunt.

Stan Zuber: The studies that are shown are not scientific studies. In college I did study these types of studies and research on them and that was one of the biggest concerns on these studies is that these are not scientific studies. These are aptitudinal studies, in which you are surveying a given population at a given time. The graph in the support material does not support a statement that Nevadans are against bear hunting.

Don Molde: Should include the 2008 because this bear hunt is not a new idea. I have heard a request for a bear hunt in Nevada over the last 20 years or more. Periodically somebody from the Safari Club International or somebody would show up and suggest a bear. The Commission would talk about it and nothing happened until a certain composition of the Wildlife Commission was appointed by a certain Governor and the bear hunt occurred in 2010. Not because it was a great idea. It was a political event that occurred. Because of the political factors that were involved the public has not greeted this well as you know. You have spent a lot of time talking about the bear hunt. You are here because of the public unhappiness to whatever extent it exists. The other reason you should do something like this is because, Mr. Chairman, by your own comment at one of these meetings in the past the public has no say in this proceeding. You make your decisions based on what the law says, what the CABMW's say and what the Department says. You said that was the foundation of your decision making. I assume that is correct, I don't criticize that because I am sure all the Commissioners have the same point of view but what that does is it leaves the public out. To not account for public comment is simply going to continue to cause you more trouble because we will remind the Legislature that you found no place for them in this review. The public discontent being the reason why the bill was passed in the first place. To thumb your nose at this and drag your feet and do nothing about it is a mistake.

Back to Committee.

Chairman McNinch: Part of this report because of the involvement in the legislature I think it is important to capture the public sentiment. I think that is what we have been working on. I think

we are not necessarily picking a side. We are taking input as a Committee and I think that reflecting the public sentiment about the hunt, for purposes of presenting it in the report is appropriate. That is not to say that it is scientific or that is how it is. We are capturing that these are the things that we heard. There is room for that in this report. I think that is an appropriate part of this process.

Commissioner Drew: To address some of the perceptions about human dimensions work. I can see why a lot of folks are nervous about it. I think, Kathryn, you have highlighted my concern about human dimensions work because what we will do instead of looking at the whole body of research we will try to pick one statement that supports our case either for or against something. I am not so sure that that is how human dimensions work should be interpreted. Actually from the New York study it talks about implications from wildlife management. It says, "while this is not to say that approval should be the driving force in selection of appropriate management strategies, it is something that must be considered along with such aspects as technique, effectiveness, costs etc. You look at the state of Utah and they just actually expanded their bear hunt even though they have some very robust human dimensions work. I think it helped inform them in terms of which areas of the state, which techniques would be more appropriate. It is not to say that they did away with the entire bear hunt. I think we need to look at it in context. The human dimensions work isn't going to be the ultimate deciding factor one way or the other, it is one piece of a much broader picture and things we need to consider when we are talking about a hunt in general or specific aspects of a hunt. I have no problem with this report that was provided. I think it does a good job summarizing some of the discussions. I am with Commission McNinch, I think more of the discussion is specific to urban bear management but it does spill over into some of the hunt information. So, in terms of language and including this portion of the packet I am comfortable with it.

Kathryn Bricker: If I have given you the impression that I do think that way, let me clear that up now. I don't think that way. I am in agreement with you that it is a complex issue and there are many factors. This is not just my opinion. It is the opinion the Department has put forward. Let me quote from their Black Bear Management Plan in 2010, page 5. It says that "NDOW will appraise public support for a limited hunt season and weigh the support with the needs and status of the bear population." Given that we have included in our report and clarified the fact that from a biological perspective in terms of urban bear management or population control this hunt was not needed from those biological perspectives, which does mean that our current hunt, the only thing that would be weighed would be the opinion of the public against the interests of the bear hunting community as the two defining issues. Commissioner Drew I agree that there are many other issues that come into play as well such as cost etc. It is a complex issue and I don't think that any of us are in disagreement about that fact. I have looked at this human dimensions information extensively and talked to a lot of the researchers and it is just an important factor to consider. I think we need to give it that importance by also assessing it in the scientific manner.

Chairman McNinch: I think we have some level of resolution with regards to the information that Kathryn had asked us to review as a Committee.

Commissioner Drew: Page 2 second paragraph about half way down where it says Social Perspectives are much more diverse. We would add to that by saying as captured in a report provided by the Commission February 8, 2008 entitled Black Bears and Public Opinion A Summary of Other States' Lessons Learned. On page 2 the other addition. Just above Biological Data Review we talk about the members of the subcommittee include titles of each member so it is clear what the composition of the Committee was.

Chairman McNinch: So from the Introduction page through Social Perspective Review on page 10, are there any comments or concerns?

Commissioner Drew: On page 2, I think Ms. Bricker had a comment in regards to the status that was submitted by NDOW on that first paragraph that Nevada's bear population is believed to be a part of the larger Sierra Nevada Population..... There is a newspaper article that discussed that. I would just put on the record that that finding in that sentence was also supported by US Fish and Wildlife Service in its 90 day finding not to list the Nevada Black Bear as a distinct population segment. I just want to make sure that is reflected on the record. I am not suggesting any changes.

On page 3 end of the first paragraph, it talks about this updated estimate compares favorably with Program MARK estimate calculated in 2011 that put Western Nevada's bear population between 400-700 animals. I think it would important to add that **this information was compiled, peer reviewed and published as appended**. That was a question that came up a lot in discussions in terms of what information had been published and peer reviewed and which information had not. I think we have that document appended already but I think it would be important to point that out.

Commissioner Wallace: On page 4 the last paragraph, I think it needs to be noted in there that the hunt was going to conclude at the taking of 20 bears. So that success percentage would not be based on 45 tags. It should have been based on 20 being the quota.

Commissioner Drew: Does that matter one way or the other since we never actually met that?

Commissioner Wallace: Just for clarification I think it should. To me when I look at that and I see a 29% success rate out of 45 tags it is just not accurate to what we were going to do.

Kathryn Bricker: I think also we need to keep in mind who is going to be reading this. If legislators are going to be reading it we know from last legislative season that the chair of the Senate of Nature Resources Committee made the comment to all of us that he doesn't even use the environment and that he could not feel more like a fish out of water on this subject. Anything we can do to make it simple for people who are maybe not as informed about these issues as you all are is going to help.

Commissioner Wallace: It is just more of a clarification for me to show the true story of what the hunt consisted of.

Commissioner Drew asked Commissioner Wallace: **So the wording you are suggesting is: Based on the availability of 45 tags/year, at a maximum quota of 20, hunter success was 29%.**

Page 1 – No new comments from members

Page 2 – two proposed changes

Page 3 – one addition on first paragraph

Page 4 - **change wording with regarding in 1) and 2); addition of at maximum quota of 20**

Kathryn Bricker: The only thing I question on page 4 is the first paragraph under the chart up from the bottom 3 lines it says 1) during 2011 and again in 2) during 2013 – the two words that I am questioning in each of those lines were “apparently misinterpreted”. It may be better to state what the finding was.

Chairman McNinch: I don't disagree. Just stating what happened.

Commissioner Drew: I would be inclined to leave it just because I think by saying apparently that essentially that was the reason given by each of those individuals. I don't think either one went to court, they paid their citation and that was it. I don't know if being found guilty would

necessarily be the appropriate term. I don't have a problem with it. I think it is kind of law enforcement speak but I am comfortable with it.

Page 5 - No new comments from members

Page 6 - No new comments from members

Public Comment for pages 1-6:

Cathy Smith: Not clear on what you were planning on doing with the citation reference. I think it would be better to say during 2011 the hunter used baits and during 2013 a hunter harvested a bear in an inappropriate or illegal unit. Because this actually minimizes the event.

Don Molde: Agrees with Cathy Smith. This language reads in an unapologetic way.

Rex Flowers: On the citations; the use of bait was violating the law with intent. The case of #2 you can end up getting down in a gully and end up being in the wrong spot with how it is written. You can apparently make a mistake.

Back to committee:

Commissioner Drew: I think it is pretty clear. I don't think we are minimizing that the citations were issued. Again, without knowing exactly how those played out once the citations were issued I am not comfortable changing the language. I personally don't feel it minimizes the offenses. I think it points them out.

Kathryn Bricker: It did go to court and he was convicted. I can say that. My reason for bringing it up is concern that this document looks as professional as I know we all want it to. Just the number of people in this room who have questioned that language speaks for itself and do we need that language? Can we not just state it factually?

Chairman McNinch: I agree. Let's just state what happened. It is just easy that way. If there were citations issued we have stated that. If they were convicted of it just state it.

Commissioner Drew: So we would strike the word apparently the two times it is used?

Grant Wallace: What if we just simplify it at 2 citations have been issued.

Kathryn Bricker: It is more than citations though. One was definitely a conviction. I don't know the second.

Commissioner Wallace: That is kind of what my point is. If we don't know the exact details of it. We know two citations were issued. We don't know the exact details of what went to court, if it went court in either case. To me that simplifies it.

Commissioner Drew: To me we are splitting hairs. I tend to agree with Commissioner Wallace that the citations were issued.

Chairman McNinch: Kathryn does that solve the issue for you?

Kathryn Bricker: I am fine with that, yes.

Commissioner Drew: So, Commissioner McNinch, given that would you be willing to accept a motion on those sections to adopt those.

Chairman McNinch: So that would read, In the history of this hunt 2 citations have been issued.

Kathryn Bricker: And then you state what they were

Commissioner Drew: My opinion is to leave as is. The citations were issued and here is what happened in regards to the citation and be done with it.

Commission Wallace: I am happy with leaving it as is but I was trying to figure out where we had a little bit of a rub here that if we cut it off at 2 citations have been issued and then we are done with it. If we don't know the details why give details.

Commissioner Drew: I think the details that are provided are pertinent to the citation that was issued. Anything beyond that is beyond the ticket being written.

Kathryn Bricker: The only thing that I was suggesting was to eliminate in the #1 are the two words "apparently misinterpreted" and in #2 the two words "apparently inadvertently"

Chairman McNinch: I would hate for this to be an issue once it gets to the legislature. If it is a function of detail we can always get detail for inclusion for a presentation to the Commission. It is to what extent.

Commissioner Drew: In the history of this hunt, 2 citations have been issued: 1) during 2011 regarding the prohibition on the use of baits and 2) during 2013 regarding a harvested bear within a unit that was closed to hunting.

Motion by Commissioner Drew: Move that the committee adopt the following sections as amended today: Introduction, Process and Biological Data Review.

Second by Kathryn Bricker.

Public Comment: None

Vote: 4-0 passed

Page 7

Kathryn Bricker: Under the heading of Social Perspective Review the third line down go into the beginning of the sentence of; Strongly held societal values regarding the appropriateness of hunting bears are rarely altered by presentation of biological data. I want to preface what I am going to say. I am not trying to introduce this as discussion. I am going to suggest this is an issue upon which there could be strong disagreement and do we have the data to support this statement. Ultimately can the document be fine without this statement because I think it is very problematic. Do we need this statement and if so then I ask how do we know this and please give some citations upon which this statement was based.

Chairman McNinch: In my mind the idea behind the comment was to simply recognize that people have real strong core values. I think that is all that is trying to say.

Kathryn Bricker: It is a broad and general statement and I think it to be not true. I think people's core beliefs, biology and core belief have always shown to be inextricable from one another. Not that there are not many other issues woven into that. I think that is why we have meetings like this to present data and to make people consider other issues. I think people's opinions do change. Rather than getting into it do we need that statement.

Chairman McNinch: I am open to it. If we want to take it out then that is fine. I think it applies not to the people that would be opposed to a bear hunt. This was intended to address everybody.

Commissioner Drew: I don't think that statement was written with any sort of malice. I think we have struggled to come to some sort of consensus amongst strongly held core values on both sides. I think that statement can apply to either side of this issue. I am not strong one way or the other.

Chairman McNinch: Do you have anything else on page 7 that you wanted to bring up?

Kathryn Bricker: It was kind of along the same lines that we spent too much time on those other two words. In Timing of the Hunt, first paragraph, in the third and fourth line down – has been voiced about the increased potential for....I am questioning the word inadvertent orphaning of young cubs and then the sentence below that as well with "inadvertent orphaning". I think we are trying to get into the head of doing the act. I think it can be as strong of a stand with the omission of the word "inadvertent".

Under Timing of the Hunt, the last sentence of the first paragraph says that NDOW has provided no evidence of any cubs being orphaned as a result of the 3 years of hunting. While I don't question that being a true statement I am wondering if it lends itself to the professionalism of this document. My question regarding that would be if that is true then I would want to know by what mechanism is the data upon which the statement made being collected and is that data available to the public?

Also under Timing of the Hunt, second paragraph, last sentence in blue – Some individuals disagree with the effectiveness of this strategy in actual implementation. It is referring to the timing of spring bear hunts to try to minimize orphaning. That information was presented multiple times to this Committee and also to the Commission. I think the word "individuals" should be replaced by "agency professionals". Because the people making those statements are agency professionals. I think that is a more accurate representation rather than individuals.

Commissioner Drew: No items outside of what Kathryn has brought up. As far as the "inadvertent" goes I think we are splitting hairs there. I would be interested to see there is a strong opinion in the comment we get. As far as the no evidence of any cub being orphaned. I would imagine, Brian that it would be safe to say that that is based on mandatory post harvest check in.

Kathryn Bricker: I think it supports my point of view, which was in the mandatory check in one of the things that Carl agreed that he would do as a result of concerns raised in our discussions, his ability to determine whether a sow is dry while he may be expert enough to do that he acknowledged that the check ins often occur by staff members that do not have his level of expertise. He showed willingness to see that by next hunt that he would train them to do so. I don't think this has been in place the past 3 years based on his willingness to make that improvement.

Commissioner Wallace: I would have a hard time replacing individuals with agency professionals. I would agree with the wording of some disagree with the effectiveness.....

Chairman McNinch: Is there room to moderate the statements a little bit in the basic sense that some states do it one way and some states don't.

Chairman McNinch: I am sensing is discomfort with the term states disagree because we don't have a record.

Commissioner Drew: What if we said something along these lines: Some states have chosen not to implement this strategy based on the lack of effectiveness in their particular situation.

Kathryn Bricker: I would leave it like it was. I would have it read, Some states have not implemented this strategy because of their findings of it being ineffective in the actual implementation.

Public Comment on Social Perspective Review; phrase beginning with Strongly held...., Timing of Hunt to the inadvertent orphaning cubs and the phrase starting with Some individuals

Rex Flowers: On the first sentence that was requested to be taken out, there are some core values that weigh heavy with each of us. While there are those that are strongly opposed to the hunt. I have a core value that says that according to our Commission policy we issue tags based on success. Last year we should have given 50% more tags because of our success rates. I think that shows the other side of where we are coming from. I think that sentence is fine. Going down to the inadvertent orphaning. If it is not an inadvertent orphaning then the hunter has intentionally shot a sow with cubs and thereby he is in violation of the law. We have no citations for the harvest of a sow with cubs therefore if there was an orphaning it would have to be inadvertent because it was not intentional. The sentence about some individuals agreeing with the effectiveness. In three years of sitting on the advisory board and to the Commission meetings and a few of the Committee meetings I have heard many individuals and members of organizations get up and speak against the bear hunt. I think individuals and organizations would be appropriate but I wouldn't think that the states would be appropriate.

Don Molde: I don't like the word "inadvertent". I think it suggests an apologetic tone to the report. If orphaning occurs we don't know whether it was inadvertent or not. The comment of Strongly held societal values, I think it either should be deleted or expanded. I would like a paragraph on this. One hand it is speaking about people like me opposed to the hunt based on other values. On the other hand maybe it should read - Strongly held hunter values, "hunter opportunity" trumps societal values in current wildlife management and uses available biology to support its intentions.

Cathy Smith: Agree about the word inadvertent it is again apologetic and suggests that we know the intent. It really is separate from regulations. The other sentence of - Some disagree with the effectiveness ofthere are some states wildlife professionals Tom Beck, and Mr. Peterson, they are both with Colorado and they did state that they did not think it was effective strategy because you can have late or early snows. Bears are exiting and entering dens at different times based upon the climate. Not only the climate of your particular state but the climate of that year. I think a minimum of agency professionals or wildlife professionals should be added to give it the added credibility. Bias in the report is not seen but it is there.

Sean Shea: The first sentence that you are talking about - Strongly held societal values....I think it is fair, depends on what side you look on.

Steven Bohrn: I read this sentence - Strongly held societal values...and agree that depending on what side of fence you are on, it goes both ways.

Fred Voltz: My suggestion would be the following: the first summary paragraph under Social Perspective Review, I think both sentences in that first paragraph should be stricken. There is enough clarity in the rest of the document as to what the perspective is of the people assembling this that neither of those sentences really add to the discussion. I would also agree with a couple of the previous speakers that the word "inadvertent" is an editorial comment and the fact that a cub is dead that is what you simply need to state it as being. I would remove the inadvertent in both references. I also agree in the second paragraph under Timing of the Hunt that you are starting out by saying some states have also capitalized.... And you keep some

variation of that wording but you saying some states. That last sentence also needs to state, some states disagree.....

Back to committee:

A discussion took place between members regarding the wording for the proposed changes.

Commissioner Drew: Replace the first two sentences of first paragraph under Social Perspective Review withDifferences in core values regarding the appropriateness of hunting bears has made it difficult to reach consensus on many aspects of the hunt. Nevertheless, differing perspectives are important aspects in considering conservation and management direction for the Commission.

In terms of inadvertent orphaning of a spring hunt, I think inadvertent is critical to leave there because I think a lot of the discussion around the spring hunt was a potential to harvest a sow that was out of the den while the cubs were still in the den. In that context I think it makes a lot of sense. In terms of the second part, I don't know if it matters one way or the other.

Kathryn Bricker: I do believe there are states where it is perfectly legal in a spring hunt to kill a cub. There are no regulations protecting cubs in certain states. In certain states they are even okay to go into dens and kill both sows and cubs. This is not about Nevada, it says other states. So for that reason even more so.

Chairman McNinch: To me the term inadvertent isn't necessary for either one. It is just stating it. We are not passing judgment on whether it is inadvertent or intentional. We are saying the concern is the orphaning of cubs.

Brian Wakeling : The point I might make with a spring hunt, I think the use of the term inadvertent in that particular phrase was used to capture concern for implementing a spring hunt. Even if everything was done completely legally the opportunity, in that situation, for the inadvertent orphaning of a cub is greater. I think that is how that term was to be used in that instance. There other states where it is lawful to take a cub, but if we were to implement it in Nevada that would not be a lawful activity but the possibility of an inadvertent take, even if everybody did everything right that was part of the concern for implementing a spring hunt.

Commissioner Drew: Given that what if we were to say the potential for inadvertent orphaning of cubs during a spring hunt in Nevada. Omit the word inadvertent.

Chairman McNinch: So under the third issue on page 7, which was NDOW has provided no evidence of any cubs being orphaned as a result of the 3 years of hunting. We touched on it briefly with the comments that Carl made at the last meeting. Maybe if we incorporate that consent of the Department has advised or the Department presented that the education of staff to make sure that this information is gather.

Kathryn Bricker: I originally said, "Why don't we just get rid of that sentence?" But from what you are saying I kind of like the idea better to just expand on it a little better would probably lay the ground work for what maybe among our recommendations when we get to that point on that issue. It certainly get agreement from Carl. The expansion can be something along the lines NDOW has provided no evidence of cubs being orphaned as a result of the 3 years of hunting staff biologist supports the idea of or something along those lines.

Chairman McNinch: I think it is fair to say that Carl had mentioned that he started the process of training so maybe we can capture in there that they have implemented a training program to insure that staff is sufficiently trained.

Commissioner Drew: Last sentence under Timing of the Hunt, first paragraph change sentence to read: NDOW has provided no evidence of any cubs being orphaned as a result of the 3 years of hunting, based on mandatory post harvest check in. Concerns were raised in regards to training consistency of check in and NDOW has indicated a willingness to insure appropriate staff training going forward.

Second paragraph under Timing of the Hunt, last sentence: Some individuals disagree (blue) replace with:

Kathryn Bricker: Based upon the conversation, I change my original recommendation from replacing the word individuals with agency professionals to just parallel what the first one says, which is some states.

Commissioner Drew: Some states have chosen not to implement this strategy based on a lack of effectiveness on implementation in their state.

Page 8 No new comments from members

Page 9 No new comments from members

Page 10

Kathryn Bricker: In the first full paragraph (green segment) the second line from bottom beginning with NDOW has not provided any information that would suggest this has occurred, although such an event is possible. I ask the same question by what mechanism is NDOW collecting such data in order to justify the conclusion of this statement? Available to the public?

Chairman McNinch: What I am struggling with is if it is something that is important for us to understand then we need to frame our conversation around that. It is not necessarily the statement. They don't have information that multiple pursuits are occurring but we may not have the mechanism for capturing the information.

Kathryn Bricker: I object to the statement as it stands because it is not supported by any known data to which I am aware. So making that data to the public would be good. To agree with what you said, Dave, if this is an issue of concern then should there be such a mechanism in place?

Brian Wakeling: Predominately the data that we have available to us is the radio telemetry and GPS data. This statement clearly says that we can't say that it has never happened. But the information we have based on radio telemetry and the GPS satellite data that we do have we haven't seen any evidence of it occurring. Basically, we do have limited data but we don't have a lot of data. The statement is true. But there is no way that we can preclude it.

Kathryn Bricker: When you say the radio telemetry data do you mean on collared bears that are collared for research? So you are saying that based on tracking bears that are collared you can determine what bears are being chased in hunts and you are not seeing the same bear being chased multiple time?

Brian Wakeling: Again, this is not conclusive information. It is anecdotal. It is the data that NDOW has. Just based on the movements on a small proportion of the overall population that is radio telemetered at any one point and time we have not been able to observe any movements that would be consistent with going through several different chases during the course of a day.

Kathryn Bricker: That answered my question by what mechanism they are collecting the data and if that data was available to the public. So thank you.

Chairman McNinch: Where do you stand on this statement?

Kathryn Bricker: I would rather hear public comment and your comments.

Kathryn Bricker: The third full paragraph, last sentence beginning This is a period known as hyperphagia.... hibernate optimally I would like to add to that and/or result in the loss of pregnancy.

Kathryn Bricker: Just to have this document read better. In the section of Other Concerns expressed by the public, first bullet point – it says GPS telemetry.... My suggestion would be regarding the words fair chase and changing it to something like fair chase doctrines. Somewhere in the body of this material give reference to one of those for people who might not be familiar.

Commissioner Drew: I have a concern with that bullet in terms of the statement that may result in hunters behaving unethically, as if because they have a collar on their hound somehow they are going to do something unethical. I am not so sure that is an accurate statement. I think the way the concern has been presented to us it would be easier to say GPS telemetry collars on hounds and the use of handheld radios have raised concern over whether or not this is a fair method of pursuit. Or something like that.

Chairman McNinch: Maybe we want to turn the bullet points into a paragraph of some kind.

Public Comment on Pages 7, 8, 9, 10:

Loyd Pete: A comment with regard to the second bullet point under other concerns expressed by the public – request the word precludes be deleted.

Cathy Smith: The first complete paragraph on page 10. I don't know how this can be captured. I still want to point out the fact that hunt unit 291 gets hit very hard for this hunt. We have no idea what the bear population is in that hunt unit. We have no idea what the bear density is. Unlike the overwhelming majority of the states, which have bear quotas by hunt unit numbers. The other fact is that, yeah our population was estimated at 400-700 but based upon the only published data we have we know that the urban bear population was greater than that of seen in the Smoky Mountain National Park, which is the highest in the country. The other issue is with the next paragraph. I still don't like the word "necessarily". I don't think that captures the fact that I can name 5 states off the top of my head that have comparable not statistically different kill data in bears hunted with and without hounds. I have not a single one presented where that kill data differs. We have seen that there is a higher level of expectation for us to bring forward data to support our point and we have not seen any data to support the other point here. I think we should either put in most states or take necessarily out and put usually or typically to suggest that the majority of the states do not have any difference in their kill data.

Don Molde: Regarding the first full paragraph on page 10 the issue about multiple pursuits of an individual bear. It is probably is important to have something like that in there. I think the background of this (second hand information) is there is apparently social media evidence that this occurs but I am not sure anybody wants to go further with that information at the moment. There is some suggestion that there is a problem here. I think it is good that the Committee is considering a reference to it. The bullet points under Other concerns expressed by the public – I agree the first bullet point about hunters behaving unethical reference should be removed and some question of fair chase concept. The second bullet point: this makes the claim that GPS

collars on dogs are simply a way of finding your dog and have nothing to do with finding the bear, not true.

Rex Flowers: Regarding the third full paragraph regarding hyperphagia. Do we have any documentation to this fact and do we have a definition of hibernate optimally is in a biological sense?

Steve Bohrn: Something about the handheld radios clarify that the dogs don't hold or use radios. If they are referring to hunters using the radios I would like that clarified. GPS and telemetry are two different types of tracking systems.

Sean Shea: Has a problem with the behaving unethically statement and that it should state GPS and/or telemetry.

Back to committee:

Chairman McNinch: Kathryn I am going to come back to you with the last sentence of the first full paragraph on page 10.

Kathryn Bricker: I wanted to hear what the public said. Brian answered my questions. I don't have a problem leaving it based on Brian's response.

Discussion of changes that were proposed during the public comment as well as Committee proposed changes.

Other concerns expressed by the public

Katherine Bricker: Add another bullet: the difference between urban and wildland bear population, population data not specific to hunt units, concerns of overhunting in certain units, GPS and telemetry collars possibly used to find and kill bears.

Chairman McNinch: The third full paragraph that begins with - Some members of the public has expressed concern.... We will go to the sentence that reads - this is known as hyperphagia, ending with optimally. There were concerns from the public in that arena. Does anybody have any concerns with regards to that?

Kathryn Bricker: I would like to add that there was documentation provided on that issue. The term hibernate optimally would be a professional discussion as to what that means but we do have papers and documentation on that subject and this is an issue of concern. Would like to add the wording of **and/or result in loss of pregnancy** at the end of that sentence.

Commissioner Drew: **Strike the section other concerns expressed by the public. Change bullet points to a paragraph. Some have expressed a concern with an unfair advantage in terms of hounding with GPS and/or telemetry collars on hounds. Others believe that GPS and/or telemetry collars on hounds actually provide an electronic leash that precludes hounds free ranging inappropriately and allows hunters to retrieve hounds when the hunt is over.**

Kathryn Bricker: Had a question regarding what was brought up in the public comment regarding the word precludes.

Chairman McNinch: I think we can try to frame up the public sentiment specifically here. If we had done that from day one specifically we would have a document that is about 800 pages long. I think we have done a fairly good job of taking input and processing as a Committee and reflecting that into the document. I don't want to feel like we have to take all comment as if

everybody in the public is up here as part of the Committee. For me, the way that Commissioner Drew has suggested this is stating others have, meaning this is there sentiment.

Kathryn Bricker: My suggested verbiage would be to replace the word precludes with assists in preventing. I am in agreement that the word necessarily based upon all the data would be better replaced by the word either usually or typically. Are we doing that or leaving it?

Commissioner Drew: In the second full paragraph on page 10: I would just say - In some states, selectivity of hunters with hounds does not differ markedly....take the word necessarily out and replace the word other with some.

Commissioner Drew: Move to accept the changes to the Social Perspective Review on pages 7, 8, 9 and 10 through the section that begins Special Regulations Adopted by Commission Specific to the Bear Hunt.

Second by Committee Member, Kathryn Bricker

Vote 4-0 passes

Page10 – Special Regulations Adopted by Commission Specific to the Bear Hunt

Commissioner Drew: *Italicize “Special Regulations Adopted by Commission Specific to the Bear Hunt”*. New bullet point under - These include: Complete list of all special regulations pertinent to the bear hunt are included in Commission Regulation as appended.

Summary of social concerns section:

Kathryn Bricker: Page 10-11 – bullet 1 and sub bullet 1: I want to make sure that is in agreement with the changes that we made earlier. That had more to do with the relationship with biological data and core values. We kind of changed how that read so are we okay with this one?

Chairman McNinch: Page 10-11 - Bullet 1 and sub bullet 1 - Combine as one bullet point that would read: General support or opposition to the concept of a bear hunt unlikely to change. Basis of support or opposition is personal belief and values.

Kathryn Bricker: Bullet 2, sub bullet 2 – add Unlikely to change unless hunt is eliminated, or harvest of sows is eliminated.

Kathryn Bricker: Bullet 3 - sub bullet 5 – would like to be shown the supporting data regarding the second part of the sentence in sub bullet 5. The data does not support that statement.

Chairman McNinch: The data may not but this might be a sentiment as part of public input from houndsmen.

Commissioner Drew: Bullet 3 sub bullet 1 - I think just saying – Unlikely to change unless the use of hounds is eliminated from the hunt. And this would be consistent with the bullets prior. Then under other concerns identified at the bottom of the page in blue we can that some have suggested that the use of hounds may result in an increase of sow harvest. To couch it under the other section.

Kathryn Bricker: If that is going to be included I think there also needs to be the statement that there is no data to support that and in fact the data shows otherwise. That is getting it to stand as is.

Chairman McNinch: I think what Jeremy was trying to do there is to handle that particular aspect like we have handled it already. If that is not going to be functional here we might have

to go back and look at how we handled it in other places. I think it was just a statement of “others have stated” type thing.

Bullet points for other concerns identified.

Kathryn Bricker: under other concerns identified: new bullet point sub bullet 14 Current population estimates do not discriminate between differences and/or overlapping of wildland and urban bear populations.

Commissioner Drew: new sub bullet 15 Concern has been expressed about overharvest in certain units under the current hunt structure. To this point NDOW has not expressed a similar concern or proposed changes to the hunt structure.

Commissioner Drew and Kathryn Bricker: New sub bullet 16 - Some believe that if hounds are eliminated from the hunt it may result in an increased harvest of sows or increased potential for inadvertent orphaning of cubs. Others argue that the data doesn't support this claim.

Public Comment regarding bottom of page 10-11:

Fred Voltz: Since you are mixing information here about the opposition or support to bear hunting and it doesn't really make sense to separate out the arguments pro or con. I would like to suggest a change in the title of the section “Summary of Social Concerns”. Instead of the first bullet point at the bottom of page 10. I would like it to read “Summary of Social Concerns – Public Perceptions of a Bear Hunt” and leave it at that. Don't worry about saying pro or con because you are not going into that layout point for point for either side on everything you are doing on page 11. I think it would make helpful if the items were numbered with sub numbers for clarity.

Cathy Smith: I appreciate taking out the potential for orphaning cubs in the first bullet under the opposition to the use of hounds. I guess something that comes to mind is the first bullet point under other concerns identified most of those are statistical facts. I guess the fact that others argue the data doesn't support this claim as far as the orphaning of cubs or the increase harvest of sows. There is no data to support that claim. This makes it look like there is data to support that claim. So I am hesitant to have that implication in there. I think the other concerns are basically statistical facts. I am going ahead but I have to go is on #4 in recommendations in a) 503.147, I would love it to say - To considerate appropriate methods of pursuit, including disallowing hounding.

Don Molde: The use of the term hyperphagia I think is poorly chosen. Nobody knows what that means outside of insiders. If a legislator or member of the public is reading that they have no clue what that means. It would be simpler to say particularly nearing hibernation in late fall or some better reference of what this refers to. Not easily interpreted. At the bottom under other concerns identified, the sample size killed at the end of 3 years is insufficient. It seems to me it might be better with the sub bullet point and say something like the small sample size for clarity because it is small only 39 bears. It is a small sample size of bears killed at the end of 3 years and I would change the wording to say may limit the predictive power. I don't like the word insufficient. Also the second sub bullet point – the 3 year sample is not randomly collected but then it goes on to say it reflects hunter preference, which it clearly does. I would be inclined to rewrite that saying 3 year sample is not randomly collected thereby limiting its usefulness and leave out the hunter preference. Under the third sub category – the Mark recapture model. Given that Nevada has no closed geographical boundaries requires assumptions that are not well served by a small non random data sample. I think we can leave it like that or say that given that there is no geographical boundaries it may limit its usefulness. I think we can actually shorten it a little bit.

Back to committee: 1:45

Bullet 3 – delete the wording “during hyperphagia” and add nearing hibernation i.e. hyperphagia

Commissioner Drew: Summary of Social Concerns - General perception of the bear hunt
Bullet 5 sub bullet 11 The small sample size of bears killed at the end of 3 years (39) may limit the predictive power of a possible long term decline in the bear population.

Bullet 5 sub bullet 12: The 3 year sample is not randomly collected, thereby limiting its usefulness.

Bullet 5 sub bullet 13: Change wording to - Given that Nevada has no closed geographical boundaries. The Mark recapture models usefulness may be reduced. Concerns remain even though the methodology and results have been peer reviewed and published.

Commissioner Drew: Move to let the Committee approve the changes made to the following two sections: Special Regulations adopted by Commission specific to the Bear Hunt as well as the Summary of Social Concerns on pages 10 and 11.

Grant Wallace second.

Vote: 4-0 passes

Page 12 – Conclusions

The Committee had a discussion and came to the agreement to remove the conclusion section/paragraph.

Public Comment on Conclusion section page 12:
None

Commissioner Drew: Motion that the Committee delete the conclusion section.

Second by Commissioner Wallace.

Vote 4-0 passes

Change sub committee to committee throughout the document

Recommendations to the committee page 12

Under #1

Kathryn Bricker: in 1 a and b.: The commission should request and obtain...

Commissioner Drew: #1 (d) The Commission should consider requesting the Department to develop a consistent post harvest protocol and training in order to determine female reproductive status.

#2 No changes proposed by Committee members.

#3 No changes proposed by Committee members.

#4

Kathryn Bricker: a) methods of pursuit, including disallowing hounding and discuss the merits of adding...(after discussion with Committee members it was withdrawn by Kathryn).

#5 No changes proposed by Committee members.

#6 No changes proposed by Committee members.

#7 No changes proposed by Committee members.

Public Comment on Recommendations to the Commission by the Black Bear Committee pages 12 and 13

Steven Bohrn: Addressing item 1 (d) – Carl mentioned at a previous meeting that the reproductive status was too difficult for hunters in the field to remove the internal organ parts so

some stuff was changed there. As far as with the shotguns a change in wording for shotguns with slugs.

Rex Flowers: On #1 omit the wording for at least the first 10 hunt season. We annually review all big game hunts, season structures and quota and method of take. I don't think that needs to be in there. On #2 d the closure area is part of the discussion every year with season structure and harvest, open areas vs closed areas. You really don't need the inclusion of that. On #3 omit the entire section – all part of discussion when setting seasons. On #6 a ii – trash management – omit because no standing when it comes to trash management unless you can put it in the context of feeding rather than trash management.

Back to committee

Commissioner Drew: **Strike for at least the first 10 seasons at the end of #1.** As far as item #3 being something we do everyday. If this were something that was just going to go to the Commission and stop at the Commission I would agree with you, but since it is going to a legislative audience I think it is important that they understand that we do review those things on an annual basis. Under item **4 c) ...shotguns with slugs as permitted...** Is appropriate just to be clear. In terms of removing any items under #6. I understand where Rex is coming from on this but those are three areas where this Committee actually could get consensus on.

Kathryn Bricker: Not only that but we have great influence over those who do have that power and have been demonstrating that with some forward movement and resulting.

Commissioner Drew: Move to approve the recommendations to the Commission by the Black Bear Committee of the based on the recommendations and edits that were just reflected.

Second by Commissioner Wallace

Vote: 4-0 passes

Executive summary:

Chairman McNinch: Read the last sentence of the first paragraph. We addressed that similar comment by deleting a whole section because the concept of conclusion vs. recommendations. Any thoughts or ideas on this at this point?

Kathryn Bricker: Proposed some choices for discussion purposes by adding as the last sentence There exists no scientifically verifiable public opinion data to guide decisions on how the Commission might remain responsive and how so.

Commissioner Drew: omit last sentence of first paragraph: the Committee has prepared a set of recommendations within this report that should facilitate Commission discussions on the black bear hunt moving forward.

Public Comment regarding Executive Summary

Fred Voltz: Both the original version of the last sentence and what has been proposed as replacement don't seem to capture a balanced essence of what effort has been involved. I would propose the following: Eliminate the last sentence in the first paragraph and replace it with However, the Commission remains responsive to the possibility of modifying or eliminating the hunt. I think it is key because you should not be presuming up front that the hunt will continue.

Back to committee

Kathryn Bricker with input from Commissioner Drew: I agree with Fred's statement. Add to that sentence (the last sentence in the first paragraph of the Executive Summary): omit last sentence of first paragraph - However, the Commission remains receptive to the possibility of continuing, modifying or eliminating the hunt per statutory authority. The Committee has prepared a set of recommendations within this report that should facilitate Commission discussion on the black bear hunt moving forward.

Commissioner Wallace: Recommendations to the Commission in section one essentially covers all of that. Section C actually says that the Commission should encourage ongoing black bear studies and monitoring efforts by the Department and others and encourage sharing updates and findings as they become available. Which is under the premise that the Commission should consider retaining a season structure and harvest level that does not decrease the population size of black bears in Nevada and should consider season structure "annually".

Kathryn Bricker: The problem with that is that there is also an assumption that the governing principle is that it won't reduce the population. The majority of the arguments made by people that oppose the bear hunt have not been as much concern in reducing the population as it is the concern of other issues in terms of the impact on bears. That is a real difference in view point. Nowhere in this document is the idea encompassed that there could be the possibility of other biases or viewpoints considered. If the Commission is going to truly remain responsive to their role as administrators of a public trust then I would think all possibilities would need to be open and not such a limited set.

Chairman McNinch: I am not as threatened by the language that Fred proposed. It is just real succinct. I think if we really look at that we are open to that. I think Kathryn's example is good.

Commissioner Drew: The term responsive is subjective. I think we have been receptive to all sides throughout this process and throughout my tenure on the Commission. I would be more comfortable with receptive than responsive because it is so subjective and then at the end of

that adding per its statutory authorities because we do have to operate within the authorities that are granted to us by statute. I guess we would add one sentence that says: However, the Commission remains receptive to the possibilities of continuing, altering or eliminating the hunt per its statutory authorities.

Public comment: None

Commissioner Drew: Move to approve the Executive Summary as revised per the previous reading and include the updated Recommendations section immediately past the Executive Summary.

Second by Commissioner Wallace

Vote: 4-0 passes

List appendices at back of report

5. Future Committee Meetings and Potential Agenda Items – Chairman McNinch – For Possible Action

The Committee will discuss the date, time and location of the next Committee meeting. The Committee will also review and may take action to set potential agenda items for that meeting.

Chairman McNinch: Present this report to the Commission and discuss at that level. If there is a need for a future meeting we should have that direction from the Chairman and/or the Commission as they present their concerns and issues to us.

Public Comment: None

6. Public Comment Period

Persons wishing to speak on items 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.

Fred Voltz: I wanted to make a brief statement about where we are with the trash management issue in the Tahoe Basin. Back in August the TRPA agendized the issue. There was a large presentation. It was pretty much solidly in favor of a region basin wide approach to dealing with trash probably through the bear proof trash containers. Some of the issues that were brought up were the trash company capabilities. They are not all the same. There was concern about enforcement costs and in one case impact on low income residents. What has happened since then, there was solid waste committee meeting of the South Shore people in September. They took a fragmented approach to the subject and were basically saying that they wanted to do their own thing jurisdiction by jurisdiction and county by county. Subsequent to that the beginning of this year I was contacted by TRPA and they have agendized the issue of creating a working group to talk about the issues I just outlined and other things. Who will be on that group is yet to be determined. It is a positive sign moving forward, especially from NDOW's standpoint as far as enforcement that maybe there can be some improvement and fewer calls that need to be responded to and less resources applied. The idea is to get the working group going and assemble some recommendations, take that back to the TRPA and hopefully get some buy in from them about implementation. They have been hesitant as far as creating an ordinance but that is probably where it needs to go if there is going to be basin wide compliance with this and some improvement with the situation. I will be happy to keep you folks and the Commission apprised as appropriate of the progress we are making. The idea is to keep this as informal and efficient as possible rather than creating an army of a working group moving forward and then bring those recommendations back. Hopefully, make the case that something comprehensive

needs to be done on the issue and the TRPA is really the only one to do it because there is no other governmental entity that has authority over both sides of the Lake.

Don Molde: I would like to compliment the Committee on the process you went through for the opportunity for the members of the nonhunting/nontrapping public to make statements and suggestions and to see some of that incorporated.

Written public comment for the record: Ms. Janice Howard and Ms. Linda Meleron.

Adjourn at 3:19