

Nevada Board of Wildlife Commissioners
Black Bear Committee

Draft Minutes

Nevada Department of Wildlife
1100 Valley Road
Reno, NV 89512
Thursday, October 23, 2014

Committee Members Present

Chairman – Commissioner David McNinch
Commissioner Jeremy Drew
Kathryn Bricker
Commissioner Grant Wallace

Department Personnel Present

Brian F. Wakeling, Game Division Chief
Mike Scott, Western Region Game Supervisor
Carl Lackey, Western Region Game Biologist
Chris Healy, Conservation Education Public Information Supervisor
Pat Jackson, Staff Specialist
Jody Wilkinson, Recording Secretary

Public in Attendance

Steve Bohrn	Cathy Smith
Jerad Lees	Tina Nappe
Roland Faiferek	Stan Zuber
Don Molde	Kelly Strain
Darrell Pursel	Talon Colby
Clay McCauley	
David Briscoe	

1. Call to Order – Chairman McNinch

The Bear Committee was called to order at 9:03 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.

No comments from the members of the committee.

Public Comment: None.

Chairman McNinch wanted to let everybody know that there are three items that we are bringing forward into today's meeting from previous Committee meetings. The intent is that we will discuss those as a function of this report. There will be opportunity as we move through the report for comments.

**Commissioner Wallace moved to approve the agenda as presented.
Second by Commissioner Drew.
Vote: 4-0**

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.

None.

4. *Approval of Minutes – For Possible Action

The Committee may take action to approve Committee minutes from the October 23, 2014 meeting.

No comments from the members of the committee.

Public Comment: None.

**Commissioner Drew moved to approve as presented from the October 23, 2014 meeting.
Second by Commissioner Wallace.
Vote: 4-0**

5. Update on Trash Management Issues – Informational

The Committee will hear a report on recent activities associated with trash management, including in the Tahoe Basin

Chairman McNinch: As you know we are dealing with our 3 year review and it is basically associated with the hunt. We haven't had much of an opportunity to update with regards to the trash management issues and activities that continue to go on with IVGID and surrounding areas. We will give a quick update on some of those.

In August of 2014, Fred Voltz was able to get us on an agenda item for the TRPA Local Government Committee. They have representatives from the member counties that are represented up at Tahoe on that Committee. There were a number of people including Tony Wasley the Director of the Department of Wildlife. Jim Hammerel, a trustee with IVGID and myself and a hand full of other folks that got up there. There were a few people that got up and provided testimony on the importance of coming to some kind of consistent trash management protocol policy to see if we could manage the urban interface bears that get themselves in trouble because people can't manage their trash properly. Nothing has come out of that but it was a positive meeting. It was a positive presentation and I think at least there was contact made and there was some thoughts thrown out on the table. I think that the Local Government Committee is painfully aware of what is going on. They have a lot of challenges and recognize the challenges of bringing everybody together because everybody is already in a different place. When you are dealing with franchise agreements it is difficult enough to deal with changes to one let alone trying to pull a whole bunch of them together. I think that they recognize the importance. To date nothing has come out of that specifically. The foundation was at least laid that there are people out there that are interested in pursuing a consistent method of managing trash up in the Tahoe Basin to mitigate the problems of nuisance bears.

IVGID has taken an approach to continue to monitor efforts. They have elevated their existing enforcement protocols for public that does not manage their trash properly. They have increased their citations. They have increased their enforcement. They have been more active in going around and dealing with that and checking and monitoring. Their ultimate goal is to evaluate as they encourage people to come into voluntary compliance with their existing laws

and how that stacks up as an option to mandatory wildlife resistant trash bins. I think we are still waiting to hear where they come out on that scale with the regards to the effectiveness.

Kathryn Bricker: Back note to the TRPA. There was also a representative from the California Fish and Wildlife who came with Director Wasley and Commissioner McNinch and others and supported the ideas so there was a good showing of support from the wildlife agencies and community. Shelly Aldean, who is the Chairman of the Board of TRPA along with Joanne Marchetta who is the Executive Director of TRPA, did verbally commit to Fred Voltz that they are considering or going to form a bear working group to expedite this whole issue. I don't know if they have appointed those people or if there has been a meeting yet but they did express that intention. Secondly, with regard to IVGID. The increased enforcement and fines that they have implemented per this fall has shown a dramatic improvement in reduction of wildlife violations. They are feeling that what they have done to date has been highly successful and are encouraged by it. If you saw the fines that have been levied against individuals you would understand why it has been so effective. This fall they are also putting all of their restaurants in their area through restaurant training that is based upon the Bear SMART model out of Whistler. I think in terms of what the trustees are considering when they bring this back to the agenda, probably after the first of the year, it appears there is a fairly good appetite for requiring mandatory wildlife resistant containers for commercial entities. There seems to be much less of an appetite for the residential. That will remain to be seen.

Chairman McNinch: They have been levying fines in the order of thousands of dollars.

Kathryn Bricker: One complex has paid \$30,000 to date in a number of months time.

Chairman McNinch: One last update and it goes hand in hand with the activities that IVGID has got, the Washoe County Health District in coordination with the Department of Wildlife they have put together a short program that is designed to go on as a program on a TV show. It is about 22 minutes long and it concentrates on basically keeping the bears wild by managing trash. It won't be out for a little while yet, they are doing the final touches on it. I had an opportunity to review it the other day and it really does focus on some real basic bear biology. It focuses on the impacts, the importance of bears being wild. I thought they did a real nice job of putting the focus on the damage and the impact that a bear can have on individuals. There were a hand full of folks that gave personal testimony about their homes and vehicles being damaged. The whole point is that this isn't what we want bears to do. This is what they do because they are good at it and they have such a keen sense of smell and their instincts are strong that you have to be over the top aggressive about managing your waste to keep them out of your house and your vehicles. I think it will go hand in hand with some of the stuff that IVGID is doing and create awareness and I think that is going to be out shortly. It focuses on the waste management side.

6. *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.

The members of the Committee went through the Three Year Comprehensive Review of Nevada Black Bear Hunt.

Chairman McNinch proposed to take sections at a time. At some point later in the meeting we will take a break and let the Department make some changes to the document so we can review it one more time in areas that we want to see back to us as a committee.

Kathryn Bricker: Going in segments as you propose, at the end of each of those segments we will at that time have opportunity for public comment so that they can also digest it as we are today.

Chairman McNinch: That is the intent.

Commissioner Drew: I think the support material is the body of the report, which we will focus on today but to just keep in mind that we have documented everything that the Committee has done through a binder that I know not everyone has but I believe all of this information was on the Committee's website and looked at last meeting. I wasn't sure if you plan on reviewing any of that or just with the understanding that we will focus on the narrative and this is the back up documentation to that.

Chairman McNinch: That was my intent is to work on the narrative. If there are concerns with anything in here it is certainly on the table to talk about. I don't consider just the narrative to be the report, it is the whole thing here or not here, whatever might be the case. We wouldn't focus on going through the binder specifically.

The Introduction section of the report was discussed between Committee members.

Public Comment:

Don Molde: I think there should be a more expanded explanation as to why we have a bear hunt. I don't think that simply saying it is to provide recreational opportunity appears to be the only statement in the report that I can find that speaks to why we are actually having a bear hunt. While in a sense I agree with that I would translate that to read "hunter opportunity", which is really what it means. If you look at NRS 501.102 only one of the five provisions of that applies to this hunt in my view. Regardless of that the reason I think there should be better explanation as to why we are doing this. Depending on your audience, if this report is simply to be limited to legislators who probably have a little more awareness than some people, maybe this is sufficient as "recreational opportunity", based upon the public encounters that I have had this year I don't think it is sufficient. Why we have a bear hunt is still unanswered and I think that is why the legislature passed SB82. I would suggest some additional thinking about that.

Elaine Stark: Commented on the 3 year review as an overall document. The executive summary talks about biological data and social perspectives. The 3 year review has gone through extensive biological data. In regard to the social perspective side it is quite vague. It has made comments that there are different perspectives on the hunting of bears, on the values of bears, etc. This review does not go through the details of what the public has done to oppose this bear hunt. I feel these things should be in a comprehensive review, when the bear hunt first started there were 3,000 opposing the view of having the hunt. There were hours of testimony. In 2012 No Bear Hunt collected over 19,000 signatures on a petition, which was presented to the Governor. Nothing has been said in the report about that petition. In 2012 Dr. Rick Hopkins who is a Ph.d. in San Jose came and spoke to the Commission on the bear hunt and gave statistics and why it should not continue. That has not been mentioned. In 2013 these post cards, which were addressed to the Governor were passed out to people. There were somewhere between 2,000 – 3,000 people where the individuals signed their name, put their street address, city, state, name and signature. These were sent to the governor last year

before the third bear hunt. In response to this, the Governor after receiving these post cards sent individual letters to the people. I have a letter here by the Governor acknowledging that he signed SB82, he felt that it should be looked into with regard to this bear hunt. That was not mentioned in the comprehensive review. There were quite a few detailed reports from Dr. Steve Stringham who is a bear expert in Alaska talking about why we should not be hunting the bears because of the small population. My point is to all of this, if we are going to have a comprehensive review and we have all of this biological data that was presented by NDOW then we should have the social perspective on this and not vague statements that there are people in the public that are opposing this.

Steve Bohr: In regards to something that Don said about to not do anything with the population as far as the trash control and stuff, as far as that we were not allowed into the Tahoe Basin after the second year. The whole hunt had changed. The map perspective and everything. A lot of the area was taken away. We were unable to deal with any bears that may be in that area that are problem bears in an urban setting dealing with trash. Basically, we can't hunt those bears so how can we deal with the bears in those issues.

Brought back to the Committee for more discussion and wordsmithing of the introduction section.

Process section:

Committee members continued to discuss and make recommendations.

Public comment specific to the Process section:

Don Molde: On page 1 first paragraph doesn't feel accurate public trust doctrine is inaccurate.

Back to committee for further discussion of wording for the Process section.

Meeting back to order at 2:16 p.m.

Chairman McNinch: Noted that copies of the report that have been edited during the break are available on the back table. He noted that he has to step out of the meeting at 3:00 and would like to continue into the next section of the draft.

Committee members continued to discuss the Process section of the report.

Public comment on Process section:

Don Molde: On page 1 first paragraph under process; the statement professional wildlife biologists are trust managers that serve the trustees. This sentence follows on a couple of previous ones talking about the public trust document, which basically says that wildlife belongs to everybody. I have never seen that comment anywhere. I think that is an extension of the public trust document that I have never seen and I don't think it is accurate. If you were going to make it accurate you would probably have to say that NDOW biologists are trustees or some biologists are and some aren't because we have biologists on our side that don't agree with this. I think that is an over reach, that is not part of the public trust document. I understand why perhaps staff put it in here but to me it is objectionable. I don't think it needs to be there.

I agree with you on the last paragraph in this section, if I read this correctly that this report is to show conclusive evidence about the sustainability of the current harvest levels that that should be removed. Because Mr. Lackey and I were at a bear conference a few years ago where it turns out with low sample size and what not that you might not detect decline in bear populations for several years. Clearly, with the tiny sample size that we have there is no way

we can use the current data, which is statistically insignificant to show that there is conclusive evidence that there is no population decline. That is not a true statement.

Back to the Committee.

Further discussion on the Process section took place between Committee members.

Brian Wakeling: Let me go back to the introduction to make sure that I have captured specifically what has been suggested. In the introduction, first paragraph where it gets to provide recreational opportunity add for Nevada sportsmen. Also following the first sentence within the first paragraph, identifying that the objective of the hunt within the first three years was not to reduce the bear population or address urban conflict issues.

Moving on within the Process; within the first paragraph clarifying that professional state wildlife biologists are trust managers. The second paragraph; The Commission has considered biological data and social perspectives....

Commissioner Drew: On the first introduction paragraph, Commission McNinch had suggested to strike the word "other".

Brian Wakeling: Then on page 2 under Process, following the second paragraph starting on the second sentence. "The Department provided biological data and scientific comparative data to examine the sustainability of black bear harvests as currently regulated within Nevada and suggests the current harvest levels are sustainable. The sentence that follows social perspectives. The Commission established a black bear sub committee, which met six times between March 22 and February 21 to attempt to capture social perspectives and identify common issues. Following that paragraph, adding another bullet stating that the report was developed by the bear sub committee, identifying the members and submitted to the Commission for their action. Are there any other edits I missed?

Commissioner Wallace: The first sentence we had discussed biological data and social perspectives.

Commissioner Drew: There are actually two different spots. On page 2 we need to make that consistent.

Brian Wakeling: One observation I might share with the Committee. We often use the term data pretty freely. Not being a criticism of the Committee. There is a lot of data out there. The challenge that we are presented with is getting representative data. There are volumes of social data out there. NDOW is probably better qualified to be providing biological data. We know how to scientifically collect that data. We know how to collect that and get it in a representative fashion. There is a lot of data. How many people sent in a questionnaire, how many people responded to a questionnaire. Unless those questionnaires are scientifically designed we wind up providing a biased perspective. I think that is why the Committee is wrestling with this and in one of the recommendations the Committee is forwarding is to do a scientific human dimensions portion study.

Chairman McNinch: That captured everything that I had heard. Now to follow up one more time with Kathryn's comments. Is there a way to build off of capture social perspectives? That is a fair statement. I think it was the intent of the Committee and the Commission to at least try to capture some of those social perspectives. Is there room to say, "While there is information (referring to the report) that has been presented indicating that some of this having to do with

social perspectives the Committee felt the need that pursuing a more structured approach to defining what the social perspectives are. Is there room to work in some way there?

Commissioner Drew: My opinion is that is probably not as appropriate for Process as it is further back under the Social Perspective Review. I think that is a more appropriate place for it to be.

Chairman McNinch: Kathryn can you put a place holder there for the time being and see if we can fix it in the Social Perspectives Section?

Kathryn Bricker: I think that is a good idea.

Chairman McNinch: As we move into the Biological Data review, I think we have to be careful to not bog down into the data itself, what it is saying and the interpretation. If there is disagreement we have to find a way to note the disagreement in the report. It is going to be a big challenge but I think we have to try not to get into the weeds and we have to be able to find a way to present that disagreement and transition that and send that to the Commission.

Kathryn Bricker: Just a question. The first biological data review under status the opening sentence says Nevada's bear population is believed to be part of a larger Sierra Nevada population estimated at 10,000-15,000 black bears. This is certainly the position that I have heard expressed up until biologist Lackey being quoted in the Tahoe Daily Tribune, Wednesday, November 19, 2014. I have the article. What they quoted him as saying is the following. The name of the article was "Bear Capture – Captures Benefit Research". They say Lackey's research has revealed that Nevada's bear population is genetically distinct. They go on and this is a direct quote, "Nevada's bear population is genetically distinct. It is a small isolated population. The genetics will confirm that, Lackey said. I guess I am just confused to which it is.

Chairman McNinch: One of my comments was, again, that this is information that is being provided to us by NDOW. If we are going to have this in the report, in my mind we need to clarify according to NDOW or information presented by NDOW. I think it is fair enough to ask for the clarification to make that clear in our report what NDOW's stance is on it. I think we can clarify that and clean up some of the beginning of this paragraph. I wanted to make sure it was recognized as work that NDOW had worked on.

Carl Lackey: That was a miss quote. We notified them that this was a miss quote. They printed a correction in the future copy of the Record Courier. The original story originated. I contacted the editor advising him it was a miss quote. The reporter called me back and got the correct information and told me that she would print the correction.

Commissioner Drew: This statement in the report: Nevada's bear population is believed to be part of the larger Sierra Nevada population estimated at 10,000-15,000 black bears is still the position of the Department.

Carl Lackey: Yes. My exact quote was, "The argument has been made that Nevada's Bear population is a small isolated population genetically distinct."

Commissioner Drew: So, Dave adding to your point the easy solution on that is to say "per NDOW" because that is who is reporting it.

Chairman McNinch: Are there any other questions regarding the Biological Data Review Section?

Kathryn Bricker: I did have a question. In the first paragraph the final sentence says, "The harvest level criteria established in the Black Bear Management Plan were not met in 2011, 2012, or 2013 indicating that hunter harvest was conservative." In hearing different people talking about the bear hunt I got the impression that the more conservative hunter harvest in the earlier hunts was more a factor of them getting good at it. It seemed as it was written that it was kind of suggesting it was causal. Is that an accurate statement I guess is my question.

Chairman McNinch: For me it goes back to, NDOW is their own entity and they are going to present information to us. My suggestion there was to recognize that this was based on their evaluation. So, it would read something along the lines of, "The harvest level criteria established in the Black Bear Management Plan were not met in 2011, 2012, or 2013 – NDOW considers this an indicator of conservative hunter harvest." The other comment I had relative to that paragraph was that we have had a number of people testify and provide testimony that they don't agree with the methodology or the estimates. I think we need to recognize that. That we are being provided that information by the Department and there are members of the public that have expressed concern with the methodologies and the estimates. That is a fair statement.

Kathryn Bricker: I objected to that at the last meeting. Yes, there were members of the public that is correct. There were also non affiliated experts who expressed that. To suggest it was members of the public, while that is correct, but to not acknowledge there was outside professional expert opinion.

Chairman McNinch: So, what is your suggestion to rectify that?

Kathryn Bricker: Rather than state it as you did, being members of the public, state it as being other non affiliated professional bodies and experts.....

Chairman McNinch: So we can capture the sentiment from the public that there have been comments and that there have been individuals not affiliated with the Department that have expressed both support and disagreement with the methodologies and estimates as well.

Kathryn Bricker: I think it needs to be said not that they are individuals but on both sides because there were profession and expert opinion on both sides that were not affiliated that agreed and disagreed. I think most of the public bases their opinion upon whomever expert they align with.

Brian Wakeling: If I might point out. There is a paragraph on page 6 where this was somewhat addressed during the earlier draft you may want to look at.

Kathryn Bricker: Since we are there. The parentheses that says (Comments recorded in the minutes of the black bear subcommittee meetings), would it be better to have citations where those actual documents exist in public record? So a person can go directly to the document.

Chairman McNinch: Are we going to try to wordsmith this section now or do we want to be systematic about it and work our way back to it.

Commissioner Drew: I think if it is addressed there then let's address it at that time and let's keep stepping through. I don't think I would add anything on these first two paragraphs other

than the two things that you indicated. As far as the disagreement I think that is handled on page 6. Rather than be redundant on it let's handle it on page 6.

Chairman McNinch: I did have one more section in the middle of that first paragraph, page 2, seventh line down beginning with; Based on available data sets,.....again, we have to have that noted as according to NDOW, or NDOW has presented that. We could note that there have been comments expressing concern with the methodology and the estimates.

A discussion continued to take place among Committee members about suggested wording for the document.

Public Comment on Biological Data Review Section:

Cathy Smith: The last sentence of the last paragraph, "Biological and social data are not always consistent." Really to me biological and social data can't be inconsistent. They are two separate sets of data. I think there is an implication in here that I hear quite often that if a hunt is sustainable then that is the biologic data supporting the hunt. Well, biologic data doesn't support a hunt. That is social data. They two separate entities. To get to the biological review, first the harvest limit criteria indicating that hunter harvest was conservative. I don't understand how those numbers are conservative. Where do they get that assumption? The second part, in the model population estimates. Again, there was a comment that our population is part of a larger Sierra Nevada population. I would like the Department to put somewhere in the report why our population is growing at greater than 2 times California's population and within California's data we are also including a cascade population where the bear density is twice that of bear density in the Sierra Nevada. Their population I would suspect to be growing much more robustly in the Cascades than in Sierra Nevada. I was also concerned about, is we are seeing the harvest management criteria, which Dr. Molde commented on, is not statistically significant. I think it gives the perception to the public that this population is being monitored and if we don't meet this criteria we will be detect a heavy harvest. I will be the first to say that we could have a majority of females in this hunt and it wouldn't matter, it is not statistically significant. I would like the Department to try to do is to estimate or calculate the power of being able to detect a significant drop in the population.

Don Molde: Under the status: the first sentence of Nevada's bear population is believed to be part of the larger Sierra Nevada population – I don't see the relevance of that statement. The only reason I can that it is there is perhaps some sort of subtle reassurance to people who wonder about the bear hunt. I have the same problem that Kathryn did with the word conservative. The longer I come to these meetings the less I understand what the word conservative means in Fish & Game lingo. To me that word is meaningless in that sentence. It seems to me a more accurate statement would be that the criteria were not met indicating that it was probably a function of hunter selection or hunter preferences – rather than some nebulous term that. Clearly people kill the animals they want to kill, that is why they kill them. I don't know how that translates to a word called conservative.

Back to Committee:

Kathryn Bricker: Kathryn asked if Brian was able to capture what the public concerns are. I am wondering if Brian captured that well enough that he could suggest how to list those that would be consistent with what came before in terms of NDOWs positions.

Brian Wakeling: As I understand the first comment. There is some concern about the statistical power of NDOWs ability to detect population change. I hear a lot of discussion about statistical

significance, I think what we are really trying to refer to is how meaningful is it biologically. Mr. Molde brought up some concerns about the use of conservative. I think in some fashions define the intensity of the harvest based on NDOWs plan.

Kathryn Bricker: On the issue of the sample size rendering the data being statistically insignificant, that point was made by both Dr. Stringham and Dr. Hopkins so perhaps lifting their specific language and sentences to include would be the best way to express that concern if Brian didn't have a firm suggestion. Maybe that would be another way to go about how we want to express this.

Chairman McNinch: We have this new section we are putting together Perspectives regarding black bear population status and harvest management – the comments I heard back from the public was that there was concern with the harvest levels being conservative. There is concerns, more specifically, why is Nevada population growing at 2 times the rate of California when they are supposed to be part of the same population. That is a question we have heard the public bring to the table a couple times now. Harvest management criteria, the significance or insignificance of the data that is collected, what power does it have in helping us determine if there is an overharvest that is occurring. For lack of making a change to it the suggestion is to recognize it. Then there are concerns with the use of the term conservative.

Kathryn Bricker: We also need to include Cathy's comment regarding the statement that the biological and social data are inconsistent. I think we should consider that issue as well.

Commissioner Wallace: Just an observation – I think we just tasked Brian with quite a task here of going back and looking up quotes from Dr. Stringham and some other people mentioned. I don't know if it is necessarily fair to him.

Commissioner Drew: We are at a point where we need to categorize where we are, where the disagreements are. And to that end on page 2 my recommendation where it says - The harvest limit criteria established in the Black Bear Management Plan were not met in 2011, 2012 or 2013 – you could probably just say see table 3. The statistics are provided there and the reader can make their own conclusions based on the statistics provided in the table. In terms of the section on Page 6, Perspectives regarding the Black bear population status and harvest analysis, I really think what we need is one paragraph specific to the concerns with the population status and the support for that. If we simply highlight those concerns in bullet points I am fine with that. Probably a similar paragraph for harvest analysis and just set out bullets of what the concerns are.

Kathryn Bricker: I think that works and I would be happy that we provide that to Brian.

Chairman McNinch: Is that something we can work on during a break? We are getting a list of things to do and I think some of this stuff to this point has been pretty easy for Brian to make. Ultimately, now I think now we are getting into the meat and potatoes of some things and it is going to require a little more time and effort.

Kathryn Bricker: I don't know if I have access to the information that I would go to with me right here today.

Chairman McNinch: Would you be open to capturing the concerns that have been expressed in bullet points with a reference to these are all part of the packet that is in there, rather than getting specific in the report.

Kathryn Bricker: I don't think it is captured in there. I think NDOWs point of view is captured but I don't think these other points of view were captured in there.

Commissioner Drew: I am wondering why we decided if we can capture it in a bullet point and simply state this was the concern that was raised.

Chairman McNinch: Is there anything else outside of moving that paragraph up. Is there anything else we want to talk about with respect to the biological data review?

Kathryn Bricker: How do we feel about the point that Cathy made about the statement regarding the biological and social data?

Chairman McNinch: If we put something together that we can take a look at as part of that bullet point that you were going to work on. If you want to incorporate that into this concept and then we can talk about it as a Committee on where we all stand with it specifically.

Commissioner Drew: To be honest with you. On page 2 I don't even though we need that sentence of Biological and social data are not always consistent. I think we have pretty well captured that there is a big disagreement on the social perspective side. I think we strike the sentence and start with The Department provided the biological data. The sentence starting social perspectives on page two will become a new paragraph.

Social Perspective Review:

Chairman McNinch: I had one comment and it goes back to the according to NDOW context and that was under "Timing of Hunt" at the bottom of the first paragraph, "...the potential for an orphaned cub to survive at that age is greater is because the dependence on the female is less." That is a concept that is information that is being presented and I believe that is NDOWs perspective based on information that they have. I think it would be good to not that as according to NDOW.

Kathryn Bricker: Under Social Perspective Review I felt that is where we needed to include what NDOW generated exists and the report from 2008 is all based upon peer review published human dimension research papers. On page 7 the paragraph that begins with "Some states...", I clearly presented multiple expert sources that said that just didn't pan out and work because of the differential year to year and when those overlaps occur. There was quite a bit to dispute that being effective. That was presented in part of the materials that I presented. It was from multiple sources, not just one. I have a problem with that standing out like that anyway because I don't know if it is considered accurate other than some states might be doing that. My question beyond what I just said is in Nevada when our hunters can harvest bears in their dens does this even matter? We have no law against harvest occurring in dens.

Chairman McNinch: That prompts a question. Carl, are there laws in other states that don't allow for harvesting while bears are in dens?

Carl Lackey: I am not law enforcement I can't answer that. I can say that primarily bears are hunted in the fall. When people use dogs they are finding tracks on or near roads and locating bears that way. Bears in dens aren't leaving any tracks.

Chairman McNinch: Kathryn, your concern is really with the second sentence in that paragraph where it starts – Fall seasons that occur later in the fall and spring season that occur earlier in the spring are less likely to harvest female black bears.

Kathryn Bricker: The data didn't support that and I presented that data. It was from multiple sources.

Chairman McNinch: So, this is one of those situations where we either do the according to the information presented by NDOW and leave it at that and present another section with the disagreement to that. How would you propose to fix it?

Kathryn Bricker: I guess I am asking NDOW do you really want to make that statement because it doesn't seem to be a statement that is supported. I found multiple sources saying that didn't pan out when we did our follow up. I guess all I can do is resubmit those same studies that said that it didn't work and see if NDOW wants to continue to think can be effective.

Carl Lackey: When you look at the conclusion that that sentence implies. Our own data supports that. Yes, we have data published by Beckman and Berger in 2002 that we specifically address denning chronology and we separate males and females. Males, they merge from the dens later in the year. Females, tend to den up earlier in the year. We also distinguish that between wildland bears and urban bears. Yes, based on our data you can draw that conclusion.

Kathryn Bricker: Carl, the studies that I presented don't disagree with that point of view. The failure of the plan was that most hunting occurred within the X two weeks of that season. So, depending on that year even though the chronology of when males do what they do and when females did what they did was accurate. The fact that for whatever the reason was that hunters prefer to hunt within the certain 2 week period of the season that was by law what the dates they could hunt, that is what caused the failure.

Carl Lackey: That is where professional wildlife managers and biologists addressed those kinds of concerns with the timing of season dates. We don't have a spring hunt in Nevada. But, if we were, based on our data you would clearly have a hunt in the first 2-3 weeks in March. My collared females that have cubs of the year don't come out at least until mid to late April sometimes May. Again, that is where professional biologists form management decisions based on available data.

Kathryn Bricker: Am I correct. Among our current recommendations that we all approve them among those is to continue to not recommend to the Commission to conduct a spring hunt. I guess is this necessary?

Commissioner Drew: I believe that is one of the recommendations. I think in that statement, it is a fact that some states attempt to capitalize on those differences. I have no problem saying that some dispute the effectiveness of this strategy and leave it at that.

Kathryn Bricker: I am okay with that. Is this going to help given that hunters can hunt a bear in a den? So, their denning chronology is irrelevant if they are allowed to hunt a bear in a den anyway.

Chairman McNinch: I don't know if we really have the latitude to make a specific recommendation today to explore that.

Kathryn Bricker: On that note, the recommendations of what our various issues are came out in this report and I have definitely brought up our concern about that issue. It just didn't get picked up here. I am not sure how that affects our ability to talk about it. If you refer back to the minutes the issue of hunting bears in dens and concerns there has been raised.

Chairman McNinch: It didn't resonate with me as much as it did today. However, that went down I think the Department has done a fantastic job of pulling out hundreds of pages of minutes and pulling out to get to this point. Unfortunately, it is just something that we missed. Maybe it is not too late to put it back on the table at some point.

Commissioner Drew: Suggested to just recognize that some dispute the effectiveness of this strategy.

Kathryn Bricker: On the timing of the hunt we did have a motion that was passed by the Committee and went to the Commission and failed there regarding the timing of the hunt. Should that be represented here? We are talking about what other states do but we are not talking about what we do here in terms of our own motion that passed.

Chairman McNinch: Again, where do you capture that concept where we have motions that have moved forward, or recommendations, whatever the case may be. Maybe we need another section that bullet points a couple of those. I don't know.

Kathryn Bricker: What we have chosen to include is reference to other states and what they do with regards to a season we don't even have here and yet we have not included what we made a motion on here regarding timing of hunt with this Committee. We passed as a Committee and forwarded to the Commission. It seems much more relevant to this document then what we are including.

Chairman McNinch: I thought there was a section more specific to the season aspect.

Commissioner Drew: I had that noted originally. I think part of it got picked up in the methods section. At the end of the first section on page 7 where it says the commission adopted hunting seasons during the fall that resulted in harvest of predominately males. I don't have a problem just documenting that the first season ran August 15 – December 31 and subsequent seasons have been shortened or altered to run September 15 – December 31.

Chairman McNinch: And then recognize there was an additional modification proposed to the season that was forwarded to the Commission by the Committee that was not adopted.

Commissioner Drew: I think documenting the sequence of events is probably a fair thing to do. Just stating the fact.

Kathryn Bricker: In addition the final sentence of that section says – The Commission has adopted hunting seasons during the fall that have resulted in harvest of predominately males – now that is implying causation. I dispute that. You are saying it is the adoption of the hunting seasons that resulted in the harvest of predominately males and I think that is a disputable fact on multiple grounds.

Chairman McNinch: We can go back because I just heard Carl say that it is his opinion that that is. So, it is something that has been presented to us and we can put in there that NDOW has

indicated that the hunting seasons during the fall have resulted in harvest of predominately males.

Kathryn Bricker: I am not questioning that it could be a contributing factor but it is not stated in that way. Speaking to bear hunters (the one's I have spoken with) would say because they prefer to go for the Boone & Crocket record book and they are looking for big males to set records. That is why they are selective in what bears they harvest and what they let go.

Grant Wallace: So as far as the data that shows 29 male bears were killed out of 39. That is not predominately male bears?

Kathryn Bricker: I am questioning that it was the hunting season that caused it to be the predominance. It can also be that the 2:1 male:female ratio would be a contributing factor. The hunter preference towards larger males as being better trophy animals and I would cite those as two reasons that make me not accept this as being a valid statement. It is implying causation.

Chairman McNinch: I see 2 ways of addressing this. The fact that the Commission adopted this – that is a fact – during the fall. The results in harvest of predominately males that is what you are expressing concern over. The Department believes that the reason why it is predominately males is because of the harvest strategy doing it in the fall and we could make that clarification. Or we can leave it what it is now and then capture your specific concerns that you don't believe that this could contributed to it directly that there may be other factors.

Kathryn Bricker: I think one way you could fix it would be to say – The Commission has adopted hunting seasons during the fall in an attempt to mitigate.... And then state it that way.

Commissioner Wallace: How about we just put – The Commission has adopted hunting seasons during the fall that have resulted in harvests of predominately males. Move that up to the previous statement followed by some dispute the effectiveness of this strategy.

Kathryn Bricker: I still don't believe with the statement.

Commissioner Drew: I am inclined not to change it. It is a statement of fact. I don't know that it implies causation anymore than anything else.

Committee members continued to discuss language for the report.

Public Comment – Social Perspective Review

Elaine Carrick: To comment on the hunting methods. I think there should be in there specific information that the use of hounds have GPS collars and 2 way radios, which allow the hunters to make it easier to hunt bears. A lot of people feel that is not fair chase. On the last topic we were talking about when we are going to be adding paragraphs with bullet points under perspectives regarding the black bear population status and harvest analysis and putting what the public perceives that to be. I wanted to say that in SB82 it was in there that in doing this comprehensive 3 year review they did include that there should be independent studies in there and not simply NDOW. On page 2 in the paragraph under status, second sentence – Based on data provided by NDOW and other research studies. A lot of the comments that were made here that would certainly be a place to add reports of independent studies who do not feel that the bear hunt should be continuing.

Kelly Strain: The GPS is an electronic leash and recovery system for the hound. It is not for hunting. It is a recovery system so our animals don't get in harm.

Cathy Smith: Comments on page 7: the one comment about the dens, I think it came about too because Colorado had a bear killed in a den and they made it illegal following that and it has been demonstrated in other states, especially Alaska. I think with trail cameras and things of that nature we are going to start seeing more of that technology as it advances. On page 9 – last paragraph – implies there are some states that it does and it doesn't. I don't know of any states where hunters as a group are selective. I think we need to remove the word "always" because we have not found that to be the case unless someone can come up with one state and demonstrate their data that says that it does. In the second paragraph – regarding multiple chases – this year 12 of the 16 kills were done in Unit 291. There is no published data to my knowledge on the population of bears in that hunt unit. The bears in 291 are really being abused compared to the bears in the rest of the state.

Roland Faiferer – As far as the bears being repeatedly run. I hunted bear in California for 40 years and what happens is bear being run, he learns the jingle jangle of the truck. He also learns the sound of hound on the truck and he leaves. He has been hunted more than once or twice. As soon as he hears that he gets a head start. He is long gone. When that happens more than once he tends to leave the area.

Discussion regarding public comments took place between committee members.

Break

Chairman McNinch: Mentioned that he has to step out at 3:00 p.m. What I would like to do between now and then rather than go over and review the changes I would like to continue into the next section of the draft while all of us are here and see what we can accomplish.

Section: Special Regulations Adopted by Commission Specific to the Bear Hunt

Chairman McNinch: This is another subset of the social perspective review section. While we were waiting to get started again I actually started to draft some language that might be able to capture that special regulations adopted by the commission section. Maybe rather than being a component of the social perspective review it might just be its own section. What I had wrote down to summarize that was: The Commission has adopted special regulations specific to the current bear hunt – mandatory hunter indoctrination – mandatory post-harvest check-in – Prohibition on harvesting a sow accompanied by a cub. While the mandatory hunter indoctrination course is only required to the tagholder or representative some members of the public have suggested that houndsmen, if they plan to participate in a bear hunt, should attend the course as well. Thoughts ideas?

Commissioner Drew: I think I like the summary of special regulations adopted by the commission specific to the hunt and I would agree that maybe that seems a little out of place in this spot so maybe we make it its own section before the conclusions. Carl or Brian are there any other special regulations that we missed?

Kathryn Bricker: Are we adding what you said then – did everybody agree to that language? There was something on this page. Under Hunting Methods including hunting with hounds and baits – there was public comment in the second paragraph, second line, sentence starting with In other states....there was a request by a member of the public to eliminate the word always.

The rationale for that was to remove it because there is no data to show it does this at all. By removing the word always it would make it more acceptable.

Chairman McNinch: For me when the comment was made, I understand what Cathy's point was. What does it do if we remove that. Have we looked into it enough to know that if we took that out that that would be the case too? I am not advocating one way or the other. I am just saying you can create the same situation from the other perspective if we take it out.

Kathryn Bricker: Can we change it to....not necessarily?

Chairman McNinch: I think "not necessarily" makes the point.

Public Comment – Page 9 Special Regulations Adopted by Commission with the 3 bullet points:

None

Kathryn Bricker: I was thinking back to our conversations and wondering if we want to give an example for each of these as well about public concern and not put it all on the houndsmen. On the mandatory post harvest check-in I think the main discussion centered around the training of the staff person. Obviously when Carl checks in a bear he is more highly trained than I would expect certain newer members of the staff in the field. Are those newer staff members other than Carl receiving any sort of training that could make them make the determinations? Does that training exist already regarding identifying if the sow has cubs of the year?

Carl Lackey: When this came up at the last bear sub committee meeting I indicated that I would be more than willing to address that and offer some training to those people checking in bears.

Kathryn Bricker: Could we include that in the recommendations knowing that Carl is in agreement with this so that it is included. Obviously, it is not occurring at this point to include it as a result of this process and have it on the record would be my preference.

Commissioner Drew: I think we can note the concern and just say that NDOW has offered to conduct appropriate training.

Discussion took place regarding the consideration of the 2008 report. The Committee has decided to table further action on agenda item 6 at this point. They will schedule a future meeting to close out our discussions on the report.

Public Comment:

Don Molde: I endorse Kathryn's persistence on this because this is the essence of our complaint about the bear hunt from day 1 that these aspects were adequately assessed. I appreciate that we are going to have a chance to do this. Under the summary of social concerns – general opposition to the concept of a bear hunt. The second sentence of Basis of opposition is personal beliefs and values is unnecessary. The reason why is this, it could just easily say, Basis for having the bear hunt is personal beliefs and values. There is no difference between hunters and nonhunters on this issue. Both have personal beliefs and values as a basis of their preference. The science, if you will, doesn't support either side. That is there is no conclusion. The decision to have a hunt and kill animals is a value judgment. That is why I don't see the relevance of that second sentence.

No more public comment. Closing agenda item 6. Kathryn will provide bullet points directly to Brian to incorporate into the draft.

7. **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.

Continuation of agenda item 6.

Next meeting: Wednesday, January 14, 2015.

8. **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.

No public comment.

Adjourn at 3:09 p.m.