

MINUTES
Regular Meeting
Carson City Advisory Board to Manage Wildlife
Monday June 20, 2016 ● 4:00 PM
Community Center Sierra Room
851 East William Street, Carson City, Nevada

Board Members

Chair – Doug Martin

Vice Chair – Stan Zuber

Member – Robert Boehmer

Member – James Powell

Member – Gil Yanuck

Staff

Dan Yu, Deputy District Attorney

Tamar Warren, Deputy Clerk

NOTE: A recording of these proceedings, the board’s agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record. These materials are on file in the Clerk-Recorder’s Office, and available for review during regular business hours.

Audio recordings of the Board’s meetings are available on www.carson.org/minutes.

1. CALL TO ORDER AND DETERMINATION OF QUORUM

(4:01:50) – Chairperson Martin called the meeting to order. Roll was called. A quorum was present.

Attendee Name	Status	Arrived
Doug Martin	Present	
Stan Zuber	Present	
Robert Boehmer	Present	
James Powell	Present	
Gil Yanuck	Present	

2. PUBLIC COMMENT

(4:02:25) – None

3. For Possible Action: APPROVAL OF MINUTES – March 21, 2016 and May 9, 2016.

(4:03:18) – MOTION: I move to approve the March 21, 2016 meeting minutes.

RESULT:	APPROVED (5-0-0)
MOVER:	Boehmer
SECONDER:	Yanuck
AYES:	Martin, Zuber, Boehmer, Powell, Yanuck
NAYS:	None
ABSTENTIONS	None
ABSENT:	None

(4:03:46) – MOTION: I move to approve the May 9, 2016 meeting minutes.

RESULT:	APPROVED (5-0-0)
MOVER:	Yanuck
SECONDER:	Zuber
AYES:	Martin, Zuber, Boehmer, Powell, Yanuck
NAYS:	None
ABSTENTIONS	None
ABSENT:	None

4. For Possible Action: ADOPTION OF AGENDA.

(4:04:29) – Member Boehmer noted that agenda item 13 stated the Commission meeting was in Reno, which was an error. The meeting would actually take place in Elko.

(4:05:05) – MOTION: I move to approve the agenda as corrected.

RESULT:	APPROVED (5-0-0)
MOVER:	Boehmer
SECONDER:	Yanuck
AYES:	Martin, Zuber, Boehmer, Powell, Yanuck
NAYS:	None
ABSTENTIONS	None
ABSENT:	None

5. Informational Item: DISCLOSURES

(4:05:34) – There were no disclosures from members.

6. For Possible Action: UPDATES ON URBAN WILDLIFE EDUCATION AND OUTREACH PROGRAM DEVELOPED BY NDOW AND UNR COOPERATIVE EXTENSION STAFF.

(4:06:02) – Chairperson Martin introduced the item and invited Member Boehmer to elaborate. Member Boehmer reported on a flyer published by the Nevada Department of Wildlife on Mule Deer and its fawning season. He noted that he had duplicated the flyer, at no cost to the Board, and had it distributed by 23 cub and boy scouts, their families and their leaders to areas known to have a deer population, and had shared some important facts about deer with the residents. Member Boehmer clarified that 250 flyers were distributed. Chairperson Martin cited an example of human intervention at Yellowstone National Park as a lesson to leave wildlife alone.

There were no public comments.

7. For Possible Action: PRESENTATION BY DISTRICT ATTORNEY'S OFFICE STAFF REGARDING THE SCOPE OF THE CCABMW'S AUTHORITY RELATIVE TO WILDLIFE, DEVELOPMENT, AND RECOMMENDATIONS TO THE NEVADA BOARD OF WILDLIFE COMMISSIONERS.

(4:12:20) – Chairperson Martin introduced the item. Mr. Yu gave background on the roles of the Nevada Board of Wildlife Commissioners, the Nevada Department of Wildlife (NDOW), and the County Advisory Boards (CABs). He also concluded that said State agencies “don’t have any authority relating to the preservation of wildlife or open space in the context of local planning or development matters”. Mr. Yu advised “this Board is charged with providing recommendations relating to those wildlife management criteria for the purposes of adopting regulations on the statewide level”, adding “with respect to local planning matters...I don’t see any statutory provisions or any City code provision that either authorized or otherwise requires this Board to provide any sort of input to community development standards”. Mr. Yu also reviewed the Planning Commission’s role and processes in amending the City’s Master Plan. He, however, clarified that each Board member may speak as a private citizen, in a non-representative capacity, regarding any development or wildlife issues. As another alternative, Mr. Yu suggested working with the State Legislature should they want to change the existing scope of this Board, and proceeded to answer clarifying questions by the Board members.

8. For Possible Action: DISCUSSION REGARDING URBAN FISHING PONDS, INCLUDING BUT NOT LIMITED TO, ACCESS, STOCKING, AND PREDATION; POSSIBLE ACTION TO FORWARD RECOMMENDATIONS TO THE CARSON CITY PARKS AND RECREATION DEPARTMENT AND THE NEVADA DEPARTMENT OF WILDLIFE.

(4:32:11) – Chairperson Martin introduced the item. Kris Urquhart, NDOW Fisheries Biologist introduced himself and distributed photographs of new habitat structures for fish to remain in the ponds, including Baily Pond, longer and to evade predators. Travis Hawks, NDOW Fisheries Biologist, reported on a Virginia Lake study that “the Cormorants, when present, were taking up to 95 percent of stocked fish”. Mr. Hawks also noted that they would no longer stock fish there until the birds leave for the season. Mr. Urquhart clarified for Chairperson Martin that the predatory presence at Baily Pond was low, adding that it is stocked well due to the good water quality flowing from Clear Creek, the pond stays fuller longer and was utilized for longer periods by the community. Discussion ensued regarding the high usage of Baily Pond.

(4:45:47) – Mr. Hawk gave an update on the spawning operations at Marlette Lake, distributed related photographs, and responded to clarifying questions. He encouraged the public to volunteer via their volunteer website. Mr. Hawk announced that the catch-and-release fishing season would be open from July 15 until September 30, 2016 and noted that Hobart Creek Reservoir offered limited-take fishing.

9. For Possible Action: REVIEW AND DISCUSSION REGARDING THE BLM DRAFT 10 YEAR WILD HORSE MANAGEMENT PLAN FOR THE PINE NUT MOUNTAIN HERD MANAGEMENT AREA. *The Carson Field Office of BLM is accepting comments on the draft plan until July 6, 2016. According to the press release from BLM this herd management population is found in areas of Carson City, Douglas and Lyon Counties, the herd is reported to consist of 536 horses, the appropriate management level is between 119 and 179 and 39% of the herd is observed outside the HMA including urban interface areas such as Deer Run Road, Dayton and Fish Springs. For more information please refer to the BLM project website at: <http://1.usa.gov/1t1Opmz>.*

(4:59:00) – Chairperson Martin introduced the item and referred to the BLM project website and an incorporated report (<http://1.usa.gov/1t1Opmz>). Member Yanuck spoke of the damage done to the wetlands and the Sage Grouse by the horses. Vice Chairperson Zuber expressed disappointment at not seeing “real recommendations” in terms of reduction timeframes and sterilization. Member Boehmer echoed Vice Chair Zuber’s sentiments and agreed that the impact was much less in Carson City than other areas such as Washoe Lake. Member Powell also stated that he did not see a solution in the report and believed that the feeding stations set up by civilians have contributed to the increased number of wild horses. Chairperson Martin encouraged the members to provide comments on the website.

(5:15:20) – MOTION: I move to “notice the Department of Wildlife Commission and the Bureau of Land Management and that we accept the process of reduction numbers as indicated for what they believe to be an appropriate management level”.

(5:16:32) – Member Yanuck suggested amending the motion to require action within the next three to five years. Member Powell amended the motion to include an action timeline of one to four years. Member Boehmer seconded the amendment.

PUBLIC COMMENT

(5:22:50) – Mel Belding cited success in Winnemucca and attributed the water and grass availability to the snow. He also believed that landowners would cooperate when asked to have a watering trough on the outside of their fences. He noted his preference in working with the private sector rather than the BLM.

(5:34:23) – Fred Voltz expressed opposition to the rounding up and mistreatment of the wild horses by BLM prior to their sale “to some slaughterhouse”. Instead he suggested that this Board and the Commission look into reducing the lease of the BLM lands to cattle ranchers “at a very inexpensive rate”, adding that the cattle herds deplete the water sources from the alfalfa harvest and destroy the habitat by trampling on the landscape.

(5:36:03) – Jim Davis explained that ranchers had reduced their cattle size “by up to 40 percent, in some cases”. He also noted that just like the managed deer or other herds that are thinned, the horses needed to be managed. In response to a question by Member Boehmer, Mr. Davis stated his support to the current motion.

RESULT:	APPROVED (5-0-0)
MOVER:	Powell
SECONDER:	Boehmer
AYES:	Martin, Zuber, Boehmer, Powell, Yanuck
NAYS:	None
ABSTENTIONS	None
ABSENT:	None

10. For Possible Action: CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE CONSENT AGENDA ITEMS. http://www.ndow.org/Public_Meetings/Commission/Agenda/: *The items agendaized hereafter, as 9-A through 9-G, are consent agenda items. They are considered routine and may be acted upon by the Advisory Board to Manage Wildlife with one action and without extensive hearing. Although a member of the advisory board may request an item be pulled for separate discussion and action, the advisory board chair retains discretion in deciding whether or not to pull an item from the consent agenda. There will be no public comment unless an item is pulled for separate discussion and action.*

(5:38:39) – Chairperson Martin introduced the item and suggested pulling agenda item 10-A for discussion.

(5:41:14) – MOTION: I move to support all the items on the consent agenda, with the exception of item 10-A.

RESULT:	APPROVED (5-0-0)
MOVER:	Zuber
SECONDER:	Powell
AYES:	Martin, Zuber, Boehmer, Powell, Yanuck
NAYS:	None
ABSTENTIONS	None
ABSENT:	None

10-A. For Possible Action: COMMISSION REGULATION 16-13, 2016 - 17 AND 2017 - 18 UPLAND GAME AND FURBEARER SEASONS AND BAG LIMITS - WILDLIFE STAFF SPECIALISTS SHAWN ESPINOSA AND RUSSELL WOOLSTENHULME. *The commission will establish regulations for seasons, bag limits, and special regulations for upland game birds, rabbits, wild turkey, furbearers, and falconry seasons for the 2016 - 17 and 2017 - 18 seasons.*

(5:42:28) – Chairperson Martin introduced the item and disclosed receiving an email from Joel Blakeslee, a lobbyist for the Nevada Trappers’ Association, in support of a 120-day season instead of the proposed 94-day season. Member Boehmer received clarification that Mr. Blakeslee’s supporting data had been obtained from NDOW.

PUBLIC COMMENT

(5:44:01) – Bob Brunner introduced himself and noted that all harvested bobcats are reviewed to adjust seasons, adding that the number of trappers has been reduced due to reduced fur demand. He recommended approval of the 120-day season.

(5:48:18) – Mel Belding also spoke in favor of the 120-day season, adding that using three-year data would support the longer season.

(5:50:48) – Member Yanuck stated that he was in favor of the 120-day season based on information provided by the public comments and wished to turn it into a motion. Chairperson Yanuck clarified the motion as:

(5:51:42) – MOTION: “to support a 120-day trapping season.”

(5:51:50) – Mr. Voltz cited statistics from NDOW Staff Specialist Russell Woolstenhulme indicating a reduction in the bobcat population in the last eight years. He also stated that the longer season would not manage wildlife but would cater to a special interest group, the 1,100 licensed trappers in the State.

(5:53:33) – Member Boehmer expressed concern that the Board would be voting on information that was not validated and Chairperson Martin agreed. Members Powell and Boehmer were in favor of starting a dialogue at the Commission level to request validated number. At Member Yanuck’s request, Mr. Belding explained the methodology of compiling bobcat population information and responded to clarifying questions. Chairperson Martin suggested that Members Boehmer and Yanuck ask for supporting data when they represent the Board at the next Commission meeting. Mr. Belding noted that the “State of Nevada has the best bobcat data in the country”. Member Yanuck suggested asking the Commission for the “true numbers” during the meeting in Elko, and Chairperson Martin instructed Members Yanuck and Boehmer to request the data at that time.

(6:05:25) – AMENDED MOTION – to support a 120-day trapping season if the Department [NDOW] can provide the supporting data at the meeting in Elko.

(6:06:28) – Member Boehmer believed that this was “the responsible action”.

RESULT:	APPROVED (5-0-0)
MOVER:	Yanuck
SECONDER:	Powell
AYES:	Martin, Zuber, Boehmer, Powell, Yanuck
NAYS:	None
ABSTENTIONS	None
ABSENT:	None

10-B. For Possible Action: COMMISSION REGULATION 16-03, AMENDMENT #1, 2017 HERITAGE TAG SEASONS AND QUOTAS, HERITAGE TAGS ORGANIZATION / VENDOR SELECTION - MANAGEMENT ANALYST 3 MAUREEN HULLINGER. *The commission will consider selection of the 2017 Heritage Tag vendors / organization recommendations, and will also consider language changes associated with the sealed bid process to potentially address any outstanding Heritage tags not allocated to vendors.*

10-C. For Possible Action: COMMISSION GENERAL REGULATION 458, ELECTRONIC RIFLE TRIGGERS, CALIBER AND CARTRIDGE LENGTH, AND SMOKELESS POWDER RESTRICTIONS, LCB FILE NO. R144-15 - CHIEF GAME WARDEN TYLER TURNIPSEED. *The commission will consider amending Chapter 503 of the Nevada Administrative Code. The proposed regulation amendment contains several changes. The first change will clarify the use of black powder substitutes that are considered smokeless powder. The second change would make it legal to hunt big game mammals with a handgun if the handgun uses a centerfire cartridge of .22 or larger and has a barrel length of four inches or more. The third change would make it unlawful to hunt a big game mammal with a rifle using a centerfire cartridge of caliber .50 or larger or case length longer than 3 inches. The amendment would also make it unlawful to hunt a big game mammal with any firearm equipped with any sighting system using a computer or electronically controlled firing mechanism.*

Two workshops have been held on this regulation change; one on January 29, 2016 and one on March 25, 2016. The commission directed the Department to change “3.8 inches overall loaded length” to “3 inches case length,” change “.46 caliber” to “.50 caliber,” change the minimum legal handgun cartridge to “caliber .22 or larger,” and change “electronic or computer controlled trigger” to “sighting system using a computer or electronically controlled firing mechanism.”

10-D. For Possible Action: COMMISSION GENERAL REGULATION 459, UNMANNED AERIAL VEHICLES (DRONES), LCB FILE NO. R145-15 - CHIEF GAME WARDEN TYLER TURNIPSEED. *The commission will consider amending Chapters 501 and 503 of the Nevada Administrative Code. The proposed amendment contains several changes. The first change would make the prohibition of using aerial devices for the purpose of hunting and scouting, from July 1 to the last day of February each calendar year, rather than the current prohibition of 48 hours prior to and during any open season. The second change is to clarify existing language that prohibits the use of unmanned aerial vehicles for the purpose of hunting, locating, or observing big game animals. The changes would extend aerial scouting prohibitions and clarify the existing regulation by explicitly listing unmanned aerial vehicles. The third change is to clarify real-time satellite images. The proposed amendment would also add game birds and furbearing mammals to the aerial scouting and hunting prohibition.*

Two workshops have been held on this regulation change; one on January 29, 2016 and one on March 25, 2016. The commission directed the Department to add “game birds and furbearing mammals” to the season closure on aerial scouting and hunting, change the closure dates to say July 1 to the last day of February each calendar year, and to add and define the term “real-time” to clarify satellite imagery.

10-E. For Possible Action: COMMISSION GENERAL REGULATION 460, DEFINITION OF “SPIKE ELK,” LCB FILE NO. R013-16 - GAME DIVISION ADMINISTRATOR BRIAN F. WAKELING. *The commission will consider adopting amendments to NAC 502.104 and 502.1045 to define “spike elk” in a manner that limits inadvertent errors in the field. The intent is to consider and possibly broaden the definition of spike in a manner that is consistent with the management objective of defining a spike while reducing the likelihood of errors in harvest definition. A workshop was held in Yerington on March 25, 2016 and further discussion on the proposed amendment occurred in Reno on May 14, 2016. The commission amended the version of language for consideration at the June meeting that defines “spike” as any antlered elk having no more than two points above the top of the ear on either antler.*

10-F. For Possible Action: COMMISSION GENERAL REGULATION 461, INDUSTRIAL ARTIFICIAL POND PERMITS (“IAP”), LCB FILE NO. R014-16 - HABITAT DIVISION ADMINISTRATOR ALAN JENNE. *The commission will consider adopting regulation changes relating to Chapter 502 of the Nevada Administrative Code. It revises provisions relating to artificial industrial ponds, adds a provision on the purpose of permits, adds definitions for permanent closure and stabilization, adds new provisions and revises existing provisions relating to application, compliance, modification, renewal, and transfer of permits, and modifies provisions relating to assessment fee structure and payment tiers.*

A workshop was held in Reno, on May 13, 2016, where the commission asked that the following language be added to Section 8, “... specifications for the design of any facility associated with the artificial or artificially created body of water according to the highest applicable payment tier within any of the following schedules:.” This language was added to provide clarity that only the maximum amount found in any one of the applicable tiers will be assessed and that calculation will not be additive.

10-G. For Possible Action: COMMISSION GENERAL REGULATION 462, ISSUING AND VERIFYING HULL NUMBERS OF VESSELS, LCB FILE NO. R015-16 - MANAGEMENT ANALYST 3 MAUREEN HULLINGER. *The commission will consider the adoption of regulation changes to address federal regulatory changes the U.S. Coast Guard has requested states to implement pertaining to hull numbers for vessels and the verification and issuance of these numbers, the processing of certificate of number applications for vessels to include language definitions, standardization of terminology regarding vessels and personal identification information of owners.*

In order to receive federal matching funds associated with the Dingle Johnson Act, all states report vessel information annually to the USCG. In an effort to modernize and standardize their vessel database information, which the USCG collects from all of the states, the USCG amended federal law. This federal change standardizes terminology across all of the states and provides direction regarding the method that states assign and verify hull numbers. Ultimately, these federal changes are expected to improve state reporting. As a result the Department must amend state regulation to implement this standardization effort in order to meet the USCG reporting requirements. These changes must be implemented by Jan. 1, 2017. A workshop was held in Reno on March 13, 2016. The Department provided several cleanup language changes, which were accepted by the Commission.

11. For Possible Action: DISCUSSION REGARDING NON-REGULATORY AGENDA ITEMS AS PART OF THE JUNE 24 AND 25, 2016 NEVADA BOARD OF WILDLIFE COMMISSIONERS MEETING. *Other than those items listed under the CCABMW consent agenda (item 9 above), the remaining items on the attached June 24 and 25, 2016 Nevada Board of Wildlife Commissioners agenda typically require no action of the Carson City Advisory Board to Manage Wildlife. Occasionally, one or more advisory board members may have a desire to discuss these items and such discussion may result in action in the form of advice or a recommendation by this advisory board to the Nevada Board of Wildlife Commissioners. There will be no public comment unless action will be taken on an item.*

12. For Possible Action: DISCUSSION REGARDING NDOW'S NEW PAPERLESS POLICY.

(6:07:45) – Chairperson Martin introduced the item and gave background. He believed that the cost and time savings would be worthwhile; however, those wishing to have paper copies, they could request it. A consensus to go paperless was reached. Discussion ensued regarding online access to the background support materials.

13. For Possible Action: DISCUSSION REGARDING ADVISORY BOARD MEMBER COMMITMENT(S) TO THE JUNE 24 AND 25, 2016 WILDLIFE COMMISSION MEETING IN ELKO.

(6:14:57) – Chairperson Martin introduced the item and noted that Members Yanuck and Boehmer will attend the meeting. Member Boehmer clarified that he was attending the Thursday and Friday sessions for personal reasons; therefore, he would not seek expense reimbursement from this Board.

14. Informational Item: NEXT CCABMW MEETING.

(6:16:10) – Chairperson Martin introduced the item and noted that the next meeting of the Nevada Board of Wildlife Commissioners is scheduled for August 12 and 13, 2016 in Elko. Therefore, the next meeting of the Carson City Advisory Board to Manage Wildlife would tentatively be scheduled for Monday, August 8, 2016. Discussion ensued regarding alternative meeting times and Member Yanuck noted that other commitments for the hospital would cause for him to occasionally miss Board meetings or arrive late.

15. FUTURE AGENDA ITEMS

(6:20:35) – Member Powell requested an update on the Pistol and Rifle Range improvements.

16. PUBLIC COMMENT

(6:21:48) – Mr. Belding complimented the Board on “the most well run meeting place I’ve ever been too”, adding that he’d been “attending wildlife meetings since 1975”.

(6:23:03) – Chairperson Martin encouraged “everyone to practice caution” during this very dangerous fire season, especially when shooting outdoors. Member Powell also suggested creating a defensible space and preparing a “go pack” to include medications. Member Boehmer gave “a textbook example” of a homeowner who had created an outstanding defensible space that had saved his property from a fire in the Reno area.

17. For Possible Action: ACTION ON ADJOURNMENT

(6:25:38) – Member Boehmer moved to adjourn. The motion was seconded by Member Yanuck. The meeting was adjourned at 6:25 p.m.

The minutes of the June 20, 2016 meeting of the Carson City Advisory Board to Manage Wildlife are approved this 19th day of, September, 2016.

DOUG MARTIN, Chair