

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the September 2, 2004 Meeting

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A regular meeting of the Carson City Advisory Board to Manage Wildlife was scheduled for 6:00 p.m. on Thursday, September 2, 2004 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

PRESENT: Chairperson Steve Walker
Vice Chairperson Gil Yanuck
Wes Clyde
Jennifer Derley
Stan Zuber

STAFF: Kathleen King, Recording Secretary
Vern Krahm, Park Planner

NOTE: A tape recording of these proceedings is on file in the Clerk-Recorder's Office and is available for review during regular business hours.

1. CALL TO ORDER, DETERMINATION OF QUORUM (1-0007) - Chairperson Walker called the meeting to order at 6:02 p.m. A quorum was present.

2. APPROVAL OF MINUTES - August 2, 2004 (1-0009) - Member Clyde moved to approve the minutes. Member Derley seconded the motion. Motion carried 5-0.

3. MODIFICATIONS TO THE AGENDA (1-0018) - Ms. King explained that the Board's agenda was based on the Wildlife Commission's draft agenda. She reviewed the differences between the draft and final versions of the Wildlife Commission agenda.

4. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0033; 2681) - C.K. Baily advised that Don Quilici is doing well following an emergency medical situation.

5. DISCLOSURES (1-0051) - Vice Chairperson Yanuck advised of having attended, together with Chairperson Walker, the August 11th meeting at Fuji Park which is the subject of item 6. He advised of having attended, together with Members Clyde and Derley, a special Parks and Recreation Commission meeting on Thursday, August 12th at which the BAER Plan was presented. He advised he will attend a Wildlife Commission Legislative Committee meeting next Tuesday, September 7th. Member Derley advised of having discussed with several people the non-resident tag issue. Member Zuber advised of having discussed the Hobart Reservoir with NDOW Fisheries Biologist Kim Tisdale. NDOW has scheduled the fourth annual fish out during the week of September 20th. In response to Ms. Tisdale's request for input, Member Zuber advised that he had informed her of the Carson Fly Fishing Club's preference to schedule the fish out on Wednesday, September 22nd. Member Zuber explained that NDOW fisheries biologists have been studying the results of the fish out over the past four years and that it appears to have a positive effect on the fishery. He acknowledged that the study will continue for another year, after which time NDOW biologists will evaluate the program and provide a report.

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6. REPORT AND DISCUSSION ON THE CARSON CITY URBAN FISHING POND PROJECT AND THE FAIRGROUNDS / FUJI PARK IMPROVEMENT PROJECT - PHASE 2 - PARK PLANNER VERN KRAHN (1-0136) - Mr. Krahn pointed out the location of the urban fishing pond on the draft Carson City Fairgrounds / Fuji Park Conceptual Plan which was displayed in the meeting room. He referred to a diversion point planned for just above the bridge from which water will be piped into the pond. He advised that the diverted flows will be returned to Clear Creek through a series of water quality basins. He explained the function and purpose of the detention facilities. He advised that the City's surface water rights on Clear Creek will be used to fill the pond; the outflow will eventually be used to irrigate the park. He responded to questions regarding the same. He reviewed details of the proposed pond, as follows: one-acre in size, sloping gradually from the east end to 10-15 feet deep on the west end, with paths encircling it. Mr. Krahn advised that as larger scale planning of Fuji Park progresses, more amenities may be added.

In response to a question, Mr. Krahn advised that the geotechnical work has been completed by the design consultants. The geotechnical report is expected to be published in approximately six weeks. Buzz Fitzpatrick, of Lumos & Associates, anticipates preliminary information regarding soil conditions at the pond site in approximately two weeks which will determine whether or not the pond should be lined. In response to a further question, Mr. Krahn explained the funding mechanisms for the detention facility/water quality basin and the pond. He advised that NDOW staff has specified their desire for a one-acre pond. Once the geotechnical report is published and the project is at 30% design, NDOW representatives have assured Mr. Krahn they will consider allocating additional funding. Mr. Krahn advised that City representatives are supportive of an urban fishing pond; however, a final determination has yet to be made with regard to the pond size. He suggested that increasing the pond size to 1.5 acres would be considered a significant change to the master plan, requiring Board of Supervisors approval. He acknowledged that the southern portion of Fuji Park is currently used for overflow parking.

In response to a question, Mr. Krahn advised that drainage issues associated with the Wal-Mart shopping center are in the process of being addressed with Douglas County representatives. He explained that one purpose of the water quality basin will be to collect any off-site flow. Member Clyde expressed a concern that drainage flows from additional development in the area will continue to impact Clear Creek and Fuji Park/Fairgrounds.

Discussion took place regarding the "Kick-Off Meeting" which was held August 11, 2004; a copy of the agenda was included in the meeting materials. Mr. Krahn reviewed the project time line which was included in the agenda materials as Exhibit B. In response to a question, he advised there has been no concern expressed regarding West Nile Virus because of the flow-through design of the pond. In response to a further question, he discussed plans for park irrigation which will be done as part of a future improvement phase. In response to a comment, Mr. Krahn reviewed the improvement phases and their corresponding funding sources.

Chairperson Walker suggested that the Board of Supervisors may want to consider allocating user fees back to corresponding park facilities rather than to the City's general fund in order to fund needed improvements. In response to a question, Mr. Krahn advised that Fuji Park is considered part of the Fairgrounds facility. He reviewed design details of the pond which will facilitate ease of operation and maintenance. In response to a further question, he advised that the Board members or any other interested party or organization would be welcome to search for additional funding sources, such as grants. He acknowledged that NDOW staff

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envisioned the pond as a “put-and-take” fishery. In response to a question, Chairperson Walker advised that the Advisory Board provides a recommendation for the appropriate number of fish to be allocated from NDOW’s Carson River fish plant. He commented on the general support expressed for the fishing pond, and expressed enthusiasm over the project. He described urban fishing ponds in Clark County.

(1-0718) C.K. Baily requested a copy of the geotechnical report, once it is available. He discussed the use of screens to keep unwanted species out of the pond, and described the weir system used at a Mason Valley fishery. He offered to request additional funds from NDOW on behalf of the City, if necessary. He reiterated an interest in the geotechnical report, and discussed various methods for lining the pond. He discussed the unfairness of having to mitigate pollutants from Douglas County, and suggested that Carson City should aggressively address this issue.

Discussion took place with regard to the drainage issue from the Wal-Mart shopping center development. (1-0896) Mr. Baily suggested that the Army Corps of Engineers may be willing to assist in developing the pond. He advised that Army Corps of Engineers members assisted with the Liberty Pond in Fallon. Mr. Krahn advised that the City has the necessary equipment and manpower to dig the pond. In response to a question, Mr. Krahn advised that the new wellhead at Fuji Park is part of the City’s water system. Mr. Baily expressed an interest in a year-round fishery, and Vice Chairperson Yanuck advised that the water rights are specified for early April through August. He discussed alternatives suggested by the consultant for the availability of year-round water.

Mr. Krahn responded to additional questions regarding the project time line, and discussion took place with regard to the same. Mr. Baily expressed appreciation for the efforts of City staff. Mr. Krahn advised that another public meeting would be scheduled once the design phase is complete. He discussed the importance of keeping the communication lines open, and invited the Board members to call with any question.

7. DISCUSSION OF POINTS OF INTEREST FROM THE AUGUST 6 AND 7, 2004 WILDLIFE COMMISSION MEETING (1-1140) - Vice Chairperson Yanuck referred to the draft Commission meeting minutes, and advised that both Chairman Tommy Ford and Vice Chairman Chris MacKenzie were re-elected. Vice Chairperson Yanuck provided an overview of the discussion which took place regarding predator management issues, and advised that the Commission approved the proposed, listed projects. He discussed Commissioner Bradley’s clarification of the role of the Commission’s Legislative Committee. He advised that the U.S. Forest Service is working on a plan to address ATV and off-highway vehicle issues, including regulation, registration, sales and use tax, safety, fee allocation, etc. Nevada State Parks representatives have indicated a willingness to collect fees. NDOW staff was very clear regarding their intent to stay out of the responsibility for regulation and registration of off-highway vehicles. DMV & Public Safety representatives were not interested either.

Vice Chairperson Yanuck advised that NDOW’s budget was presented, and will be agendized for final approval at the Ely Commission meeting. He made copies of a PowerPoint presentation available to the Board members. He provided an overview of the discussion which took place regarding the Paradise Valley Deer Hunt, the Mule Deer Policy Plan presentation, and the status report on the resident/non-resident tag quota litigation. In response to a question, he advised that the Commissioners voted to repeal Commission Regulation 20 which provides for the percentage distribution of resident and non-resident tags. He noted that the action will not affect the 2004 hunt, and the Commission hopes to have a solution prior

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to the 2005 draw. In response to a further question, he advised that the Arizona Department of Fish and Game is in the process of developing an acceptable resolution under the provisions of the U.S. Commerce Clause. NDOW representatives and the Wildlife Commissioners have expressed an interest in negotiating an out-of-court settlement with the plaintiff. Extensive discussion took place with regard to the same. Vice Chairperson Yanuck responded to questions, and discussion took place, regarding the Wildlife Heritage Account. [Chairperson Walker recessed the meeting at 7:34 p.m. and reconvened at 7:38 p.m.]

8. ADVISORY BOARD TO MANAGE WILDLIFE CONSENT AGENDA. All matters listed under the Consent Agenda are agendized for the September 10 and 11, 2004 Wildlife Commission meeting and may be acted upon by the Advisory Board to Manage Wildlife with one action and without extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda and acted upon separately during this meeting (1-1818) - **Member Zuber moved to approve the consent agenda. Vice Chairperson Yanuck seconded the motion. Motion carried 5-0.**

8-A. ACTION REGARDING COMMISSION GENERAL REGULATION 327 - SANDY CANNING. Updating "Classification and Taking of Wildlife" section - definitions, species nomenclature, revisions to "Protected Species" list. *This item is agendized as part of an informational workshop on Friday, September 10th and for action on Saturday, September 11th.*

8-B. ACTION REGARDING COMMISSION GENERAL REGULATION 328 - PATTY WAGNER. The U.S. Coast Guard has a backlog for processing the necessary paperwork for boats that are to be documented. Without the documentation papers, boat owners who have applied for U.S. Coast Guard documentation cannot register with the Department of Wildlife. The proposed regulation would allow for a temporary operating permit to allow boat owners who have applied but not received the documentation paperwork to use their boats in the interim. *This item is agendized as part of an informational workshop on Friday, September 10th and for action on Saturday, September 11th.*

8-C. ACTION REGARDING COMMISSION GENERAL REGULATION 329 - ROB BUONAMICI. The purpose is to specify that the activity known as "teak surfing" would be specified as *prima facie* evidence of reckless operation. The activity consists of a persons holding onto the swim platform at the stern of the boat and being towed; they are subject to carbon monoxide poisoning possibly resulting in death, as well as bodily injury due to the impeller prop. *This item is agendized as part of an informational workshop on Friday, September 10th and for action on Saturday, September 11th.*

8-D. ACTION TO SELECT A SPONSORING ORGANIZATION FOR THE 2005 - 2007 NEVADA STATE TROUT STAMP ART CONTEST - MAUREEN ANGEL. The Commission will review the formal proposal submitted by the Southern Nevada Chapter of Trout Unlimited, potential sponsoring conservation organization for the 2005 - 2007 Nevada State Trout Art Contest. an official sponsor for a two-year period will be selected in conformance with Commission Policy 50.

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8-E. ACTION REGARDING LINCOLN COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT ACT - DOUG HUNT. The Commission will hear a report on the status of this federal legislation and may adopt a position statement or resolution.

8-F. ACTION REGARDING BIENNIAL BUDGET - SECRETARY CRAWFORTH. The draft Department budget for fiscal years 2006/2007 will be presented to the Commission for review and recommendation in accordance with NRS 501.337(6).

8-G. ACTION REGARDING LEGISLATIVE COMMITTEE - COMMISSIONER BRADLEY. The Commission will hear a report on the agency and Commission proposed legislation and may take a position in support or opposition.

8-H. ACTION REGARDING PETITION OF JIM CURRAN REGARDING BOBCAT SEALING. The Nevada Trapper's Association has petitioned to amend Commission Regulation 04-15 to add February 5, 2005 in Ely to the list of required sealing dates. The Commission may accept the petition and initiate policy action or deny the petition.

8-I. ACTION REGARDING FUTURE COMMISSION MEETINGS AND COMMITTEE ASSIGNMENTS - SECRETARY CRAWFORTH. The next Commission meeting is scheduled for November 5 and 6, 2004 in Reno, and the Commission will review potential agenda items and approve a schedule of meetings and locations for 2005. The Chairman may adjust committee assignments and create new committees.

9. DISCUSSION REGARDING INFORMATIONAL REPORTS TO BE PRESENTED AT THE SEPTEMBER 10 AND 11, 2004 WILDLIFE COMMISSION MEETING. A report and additional detail on each of the following informational items will be provided by a Nevada Department of Wildlife representative or a Wildlife Commissioner at the upcoming Commission meeting.

9-A. SECRETARY'S REPORT - SECRETARY TERRY CRAWFORTH

9-B. LITIGATION REPORT - DEPUTY ATTORNEY GENERAL WAYNE HOWLE

9-C. LINCOLN COUNTY ELK SUB-PLAN - COMMISSIONER CLINT BENTLEY

9-D. WHITE PINE COUNTY ELK SUB-PLAN - COMMISSIONER MIKE RIORDAN

9-E. GOVERNOR'S SAGE GROUSE TEAM - COMMISSIONER McNINCH

9-F. MULE DEER SPECIES POLICY PLAN COMMITTEE - COMMISSIONER MacKENZIE

9-G. NEVADA WILDLIFE DATA SYSTEM UPDATE - PATTY WAGNER

9-H. BASSETT LAKE - CHRIS CROOKSHANKS AND DAN PAPEZ

9-I. LAW ENFORCEMENT BOAT RAMP CHECK OVERVIEW - ROB BUONAMICI

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9-J. STEPTOE VALLEY WILDLIFE MANAGEMENT AREA - RON MILLS

9-K. SAGEBRUSH DIE-OFF - DOUG HUNT AND SANDY CANNING (1-1850) - In response to a question, Member Clyde advised that NDOW staff had received a request for information from the Utah Department of Fish and Game. Vice Chairperson Yanuck offered to provide a copy of the Sage Grouse Conservation Plan to Mr. Baily for his review.

9-L. WILD HORSE MANAGEMENT - BUREAU OF LAND MANAGEMENT (1-1886) -

In response to a question, Vice Chairperson Yanuck reviewed the BLM's responsibility for wild horse management in Nevada, and discussed the limited funding resources available for proper management. Following pressure by the Governor, the Commission, and NDOW representatives, funding was reprogrammed within the BLM to support additional wild horse gathers in Nevada. Vice Chairperson Yanuck discussed wild horse damage to habitat, the loss or damage of wild horse habitat due to fire, drought, encroachment, etc., the cost of gathers, and long-term solutions to the problem. Member Zuber advised that the State Director of the BLM has committed to reducing the wild horse population in Nevada to proper management levels by 2006. He explained that each horse management area has a population range, and that gathers are conducted accordingly.

10. REPORT ON GOVERNOR'S SAGE GROUSE CONSERVATION PLAN (1-2036) - Vice Chairperson Yanuck advised of the new name, "the Sage Grouse Conservation Team." He further advised that the Cooperative Extension meeting facilitator contract has expired. A few of the facilitators have agreed to continue outside the contract, and Vice Chairperson Yanuck discussed the importance of continuing the process to implement the plan. He advised of a reception at the Governor's Mansion scheduled for September 14th.

11. REPORT REGARDING THE FY 2004/2005 CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE BUDGET (1-2125) - Vice Chairperson Yanuck advised that the Board's budget was augmented to \$4,000. He offered to provide additional copies of the Expense Report to the Board members.

12. DISCUSSION AND POSSIBLE ACTION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO UPCOMING WILDLIFE COMMISSION MEETINGS (1-2178) - Vice Chairperson Yanuck acknowledged that the Commission will establish their 2005 meeting calendar at the upcoming meeting. He suggested that the Board members review the draft meeting schedule included in the Commission agenda materials and begin planning for attendance at the 2005 Commission meetings.

13. DISCUSSION AND ACTION TO SCHEDULE NEXT CCABMW MEETING. The next Wildlife Commission meeting is scheduled for November 5 and 6, 2004 in Reno (1-2268) - Consensus of the Board was to schedule the next meeting for Monday, November 1st.

14. COMMENTS AND STATUS REPORTS FROM STAFF (1-2300) - In response to a question, Chairperson Walker provided an overview of his discussion with Internal Auditor Steve Wolkomir, who contacted him in the course of conducting his boards, commissions, and committees audit. Ms. King acknowledged that the audit report was presented to the Board of Supervisors at their meeting held earlier in the day. She provided background information on the audit, and discussion took place regarding the Advisory Board's function within City government, the purpose of the audit, and possible results. In

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response to an earlier comment, Ms. King advised that she will ensure the Board of Supervisors receives copies of the Board's agenda materials and minutes. In response to a question with regard to forwarding the Board's minutes to NDOW, consensus of the Board was not to do so at this time.

15. DISCUSSION ONLY REGARDING FUTURE AGENDA ITEMS (1-2694) - Vice Chairperson Yanuck advised that he is awaiting a reply from Don Sefton regarding an invitation to attend a future Board meeting.

16. ACTION ON ADJOURNMENT (1-2708) - Member Yanuck moved to adjourn the meeting at 8:12 p.m. Member Clyde seconded the motion. Motion carried 5-0.

The Minutes of the September 2, 2004 meeting of the Carson City Advisory Board to Manage Wildlife are so approved this 4th day of November, 2004.

STEVEN R. WALKER, Chair