

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the January 27, 2003 Meeting

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A meeting of the Carson City Advisory Board to Manage Wildlife was scheduled for 6:00 p.m. on Monday, January 27, 2003 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

PRESENT: Vice Chairperson Steve Walker

Gil Yanuck

Stan Zuber

STAFF: Kathleen King, Recording Secretary

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

1. CALL TO ORDER, DETERMINATION OF QUORUM (1-0019) - Vice Chairperson Walker called the meeting to order at 6:00 p.m. A quorum was present. Chairperson Pedersen was absent.

2. ACTION ON APPROVAL OF MINUTES - December 2, 2002 and December 9, 2002 (1-0022)
- Member Yanuck moved to accept the minutes, as written. Member Zuber seconded the motion. Motion carried 3-0.

3. MODIFICATIONS TO THE AGENDA (1-0028) - None.

4. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0032) - C.K. Baily advised of a breakfast scheduled for March 13th from 7:00 to 9:00 a.m. at the Legislative Counsel Bureau. He provided a copy of the notice to the Vice Chairperson.

5. DISCLOSURES (1-0059) - None.

6. PRESENTATION BY NDOW STAFF GAME WARDEN ROB BUONAMICI ON OPERATION GAME THIEF; DISCUSSION TO FOLLOW (1-0060) - Mr. Buonamici introduced himself for the record, and provided background information on his experience with wildlife and range conservation. He advised of his current position as Deputy Chief of Law Enforcement at NDOW and provided an overview of Law Enforcement Division personnel, their purview and responsibilities. He narrated a slide presentation of a big game poaching case, and responded to questions regarding details of the investigation. He relayed details of an interview with an individual formerly involved in a poaching ring.

In response to a question, Mr. Buonamici advised that the NDOW Law Enforcement Division is supportive of the proposal to amend the statute to impose a class E felony charge for poaching. Discussion took place with regard to the same. In response to a comment, Mr. Buonamici advised that most poaching is not done for the purpose of "putting food on the table." He discussed the extensive costs involved in poaching, and the relative simplicity with which most people could obtain food stamps and welfare benefits. Mr. Buonamici acknowledged that poaching is on the rise, but advised there is no way to quantify the numbers in Nevada. He circulated documentation on poaching, and responded to questions with regard to reporting statistics. He advised that Nevada is perhaps the only state without a dedicated investigations unit to free up patrol wardens to work in the field. He further advised that over 95% of poachers are caught because

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of the public's help. He acknowledged that poachers know where to find big game, and advised that they have an intricate communication system and are wealthy enough to afford high caliber legal counsel. He expressed the opinion that the premeditation involved elevates the crime to felony status. Discussion took place regarding the Law Enforcement Division's definition of poaching, tactics used by poachers to apply for multiple tags, the possibility of cross-referencing tag applicants, and procedures for routine stops. Mr. Buonamici commented that elevating the charge to a felony will be move in the right direction.

Mr. Buonamici discussed the importance of involving elected officials and citizens in the cause of Operation Game Thief. Vice Chairperson Walker provided information on the presentation by Tom Wilson of proposed amendments to NRS 501.376, and the Board's decision to support the amendments. Vice Chairperson Walker expressed an interest in publishing more information on the activities of the Law Enforcement Division and the success of Operation Game Thief. Mr. Buonamici advised that donations to Operation Game Thief have decreased, and that he recently informed NDOW Administrator Terry Crawforth, in writing, of the importance of having a "product" to show the public.

(1-1462) Mr. Baily disagreed with an earlier comment by Mr. Buonamici that one fish over the limit is not considered poaching.

Mr. Buonamici relayed an example of poaching fish at the Hobart Reservoir. In response to a question, he advised that fines for poaching fish are allocated to the state school fund. Civil penalties associated with the unlawful killing or possession of big game animals, not having a license, or over limit of fish are allocated to NDOW and Operation Game Thief. In response to a question, Mr. Buonamici clarified that civil penalties are assessed during criminal hearings. In response to a further question, Mr. Buonamici advised that a portion of Operation Game Thief donations are allocated to fund his salary. His position is the only in the country which is funded by Operation Game Thief donations, and he discussed the difficulties created by this situation, including officer safety. Vice Chairperson Walker thanked Mr. Buonamici for his presentation. He recessed the meeting at 7:26 p.m. and reconvened at 7:31 p.m.

7. UPDATE, DISCUSSION, AND POSSIBLE ACTION TO PREPARE PETITION TO PERMIT RESIDENTS AND NON-RESIDENTS IN THE SAME HUNT APPLICATION (1-1723) - Member Yanuck referred to the draft petition included in the agenda materials, and requested input with regard to suggested revisions. He discussed the benefits of the proposed petition, including increased revenue for NDOW, and responded to questions regarding the tag allocation procedure. Member Zuber expressed support for the petition and discussed the increase in the interest of out of state hunters to hunt in Nevada. Member Yanuck relayed comments by NDOW staff and several of the Commissioners with regard to the proposal. Discussion took place regarding the mechanism for permitting residents and non-residents in the same application. Vice Chairperson Walker expressed support for the petition, and discussion took place with regard to having NDOW staff and a few Commissioners review the petition prior to formally submitting it.

(1-2002) Thomas Hall, a resident of Carson City and a member of the Carson River Advisory Committee, expressed support for the proposed petition. In response to a question, Member Yanuck explained the tag allocation process for a resident/non-resident party hunt. He advised that the proposed petition will not affect the overall number of tags issued. Mr. Hall reiterated his support for the petition.

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(1-2084) Gary Carsten expressed support for the concept, and discussed an annual family hunting trip which would benefit if the proposal is implemented. Member Yanuck provided background information on development of the petition.

(1-2120) C.K. Baily commended Member Yanuck on the draft petition. In response to a question, Member Yanuck advised that Don Sefton informed him the program will cost \$5,000 to implement. Mr. Baily expressed support for the petition.

Consensus of the Board was to request Vice Chairperson Walker to discuss the petition with one or two Commissioners during the February 7 and 8, 2003 Commission meeting in Las Vegas.

8. REPORT ON GOVERNOR'S SAGE GROUSE CONSERVATION PLAN - GIL YANUCK

(1-2212) - Member Yanuck referred to the letters included in the agenda materials and provided an overview of recent meetings. He reviewed the February meeting schedule, which includes meetings on February 5 and 13. He advised that a draft plan was required to be submitted by December 31, 2002. He circulated a draft of the bi-state management plan, and advised that there are six local area planning groups throughout the State of Nevada. The Bi-State Planning Group was the only group to have submitted the draft plan on time. Member Yanuck provided an overview of discussions which took place at the Governor's Team Meeting held two weeks ago to review the various plans submitted. He commented that the Bi-State Planning Group has the largest amount of public participation in attendance at meetings and on field trips. He discussed plans for submittal of the final plan to the Governor, the emergency listing request submitted by an Oregon-based conservation group for sage grouse in the Mono County area, and the economic impact of listing a species. He advised that Bureau of Land Management ("BLM") representatives are working closely with California agency representatives. California Department of Fish and Game representatives are working closely with NDOW, U.S. Forest Service, and BLM representatives in both California and Nevada. U.S. Fish and Wildlife Service representatives have also been very supportive of the process. A science committee is being formed to verify the technical content of the planning groups' submittals. He explained that implementation of the plans will be an additional goal of the plan. He discussed development of a 501(c)(3) corporation which will receive donations to fund the programs. Vice Chairperson Walker thanked Member Yanuck for his report.

(1-2471) Member Yanuck acknowledged that the subspecies of the greater sage grouse is that which is being considered for listing. Mr. Carsten expressed opposition to the Endangered Species Act "because it is an abused piece of legislation." He advised of attending many public land use meetings, and expressed the opinion that the Act is a tool being used by environmentalists to close off more land. He expressed difficulty with the legitimacy of the Act. Member Yanuck advised that the U.S. Fish and Wildlife Service is "backlogged" to 2004 with requests to emergency list species. He discussed the process for reviewing an emergency listing request.

(1-2543) Mr. Baily expressed agreement with Mr. Carsten's comments.

In response to a question, Member Yanuck discussed the Bi-State Planning Group's efforts to evaluate and consider rebuilding habitat. Vice Chairperson Walker thanked Member Yanuck for his dedication to this process.

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9. DISCUSSION AND POSSIBLE ACTION REGARDING DESIGNATION OF A BACK UP REPRESENTATIVE TO ATTEND WILDLIFE COMMISSION MEETINGS IN THE EVENT THE DESIGNATED BOARD REPRESENTATIVE IS UNABLE TO ATTEND (1-2604) - Member Yanuck commented that an alternate representative is "an absolute necessity." He pointed out that funds are allocated for a representative to make the trip. Unexpected or emergency situations should not prevent the Board from being represented at the Commission meetings. Vice Chairperson Walker advised of Bill Allyn's resignation from the Board due to work commitments, and reviewed the terms of the remaining Board members. Member Zuber agreed with appointing an alternate representative, and discussed the importance of ensuring the Board is represented at the Commission meetings. Vice Chairperson Walker read Chairperson Pedersen's written comments into the record. Member Yanuck volunteered to serve as the alternate Board representative in the event Vice Chairperson Walker is unable to attend the February 7 and 8, 2002 Commission meeting in Las Vegas.

10. DISCUSSION AND ACTION TO ELECT NEW OFFICERS (1-2722) - Following discussion, consensus of the Board was to defer action on this item until the next meeting.

11. DISCUSSION AND POSSIBLE ACTION TO MOVE REGULAR MEETING DATE TO THURSDAYS (1-2933) - Following discussion, consensus of the Board was to defer action on this item until the next meeting.

12. DISCUSSION ONLY REGARDING FUTURE AGENDA ITEMS (1-3020) - Vice Chairperson Walker advised of the presentation by NDOW biologists regarding biennial 2003-2004 big game season recommendations scheduled for the February 3, 2003 meeting. He commented on the preliminary 2002 big game harvest data published by NDOW, and discussed costs associated with having to mail a final version at a later date. Discussion took place with regard to the same. Member Zuber discussed a joint meeting between the Carson City Board of Supervisors and the Douglas County Commissioners, and concerns expressed at the December Wildlife Commission meeting regarding use of off-road vehicles during hunting season. He suggested requesting a BLM representative to present information on the Pinenut Mountains Plan Amendment.

13. ACTION ON ADJOURNMENT (1-3532) - Member Yanuck moved to adjourn the meeting at 8:37 p.m. Member Zuber seconded the motion. Motion carried 3-0.

The Minutes of the January 27, 2003 meeting of the Carson City Advisory Board to Manage Wildlife are so approved this 10th day of March, 2003.

NORMAN W. PEDERSEN, Chair