

CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE

Minutes of the February 1, 2010 Meeting

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A regular meeting of the Carson City Advisory Board to Manage Wildlife was scheduled for 5:30 p.m. on Monday, February 1, 2010 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

PRESENT: Chairman Gil Yanuck
Vice Chairman Stan Zuber
Member Wes Clyde
Member Doug Martin
Member John Valley

STAFF: Jano Barnhurst, Recording Secretary

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 are available for review during regular business hours.

1. CALL TO ORDER, DETERMINATION OF QUORUM. (1-0022) - Chairman Yanuck called the meeting to order at 5:30 p.m. A quorum was present.

2. ACTION ON APPROVAL OF MINUTES. (1-0032) - **Member Martin moved to approve the minutes of the November 30, 2009 meeting as presented. Member Valley seconded the motion. Motion carried 5-0.**

3. MODIFICATIONS TO THE AGENDA. (1-0047) - Member Martin requested that items 6 and 7 be reversed.

4. PUBLIC COMMENT ON NON-AGENDIZED ITEMS. (1-0051) - None.

5. DISCLOSURES. (1-0080) - Chairman Yanuck advised of a response from the Forest Service regarding gate closures between Spooner Summit and Kingsbury Grade and read a portion of the letter which is incorporated into the record. Member Martin advised that he and Bob Cook of the Douglas County WAB have been talking with Mike Ruber who advised that they are considering an alternative closure at a later date, moving the closure gate, and installing a seasonal closure gate. He pointed out the locations while referencing the Spooner/Kingsbury Forest Service Road map, noting a mid-level gate which would allow the road to be open until November 30. He discussed the conversation with Mr. Ruber and advised that they would like to move the south gate .4 miles north. He suggested a joint letter with Douglas County WAB be sent to the Forest Service to be agendized for the next meeting.

6. PRESENTATION BY BLM ON WILD HORSE ROUNDUP - WILD HORSE AND BURRO SPECIALIST JOHN AXTELL AND WILDLIFE BIOLOGIST PILAR ZIEGLER. (1-0254) - Chairman Yanuck introduced the item, Mr. Axtell and Ms. Ziegler. He suggested an update on the wild horse roundup and BLM's plans on the Wine-Cup Ranch issue. Member Martin requested a refresher on the Wild Horse and Burro Act (WHBA), how management strategies have been developed, and an update on Calico. John Axtell gave an extensive historical background of the WHBA, explaining that 30,000 horses are being fed in long term holding facilities in the Midwest. He advised that the WHBA provides for BLM to "destroy or euthanize horses if adoption demand doesn't exist." He explained that the budget for the horse program is \$60 million, most of which feeds the horses in the Midwest. In response to a comment, he advised that the perfect scenario would be a reversible sterilization vaccine and also suggested sterilizing a percentage of the mares. Chairman Yanuck commented that due to economic conditions, fewer people are willing to take on the costs of adoption. In response to a series of questions, Mr. Axtell

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explained how livestock can be managed but most allotments aren't year round. He explained that horses spread out more than cows and BLM tries to determine the percentage of bunch grasses that can be utilized. He added that if horses are being managed correctly, they should come off still fat and as long as water is available, they will keep coming back to it. He explained that horses are somewhat territorial to water but have been known to chase pronghorn away. He advised that when first captured, horses are under stress and may not eat or drink the first few days, but usually recover fairly quickly. He added that emaciated horses are started on high quality food and will fatten up in six to eight weeks. He explained that the majority of horses were established when ranchers began using trucks and turned their horses loose. He estimated that most are common saddle breeds that have been out for 100-150 years. He explained that herds are exceeding capacity and are ideally removed before exceeding 55 percent use on the grass. He advised that the Desatoya herd is increasing 15-20 percent a year. Member Martin inquired how the board can help be part of the solution to which Mr. Axtell reiterated the need for a good infertility drug. Member Martin commented that horse herds in the Toiyabes are astronomical and sees a conflict between the horse and deer herds. Chairman Yanuck expressed agreement in offering support and opined that funding may be the only immediate solution.

Jeremy Drew, President of the Northern Nevada Chapter Safari Club, advised that they have written letters in support of Secretary Salazar's initiative and suggested the board could help by also supporting it. He explained that Calico is 400 percent over AML but horse advocates want a moratorium on gathers until a new strategy is implemented. He recommended supporting the initiative which would also call attention to problems in the district. Member Martin suggested that the board send a letter of appreciation to BLM "for applying sound science to horse management and recommend they continue removing horses." Chairman Yanuck opined that the majority of the public has no idea of the damage that horses do to the habitat and giving it more time makes things worse for the environment. He expressed support in doing anything which keeps it moving forward. Mr. Baily opined that education is the key. In response to a comment, Mr. Axtell replied that BLM "does a bad job of getting information out." In response to a question, Mr. Drew advised that the Wine-Cup Ranch proposal consists of converting livestock grazing permits to horse permits for a federally subsidized wild horse sanctuary. He explained that there isn't enough land to generate feed through the winter, so the horses have to be fed which is expensive. Member Martin reiterated supporting BLM in removing horses but not supporting a moratorium to which Chairman Yanuck agreed. Member Martin added that the board should support euthanization as the cost of maintaining herds is higher than removing them. He opined that Secretary Salazar's proposal needs to be considered. Mr. Drew recommended supporting Secretary Salazar's proposal, the GAO recommendations, and the WHB Advisory Board's recommendations. Member Clyde suggested supporting the initiative and taking it to the Commission along with an opposition to Wine-Cup. Chairman Yanuck advised that it could be addressed under item 10-A. Member Martin expressed appreciation to Mr. Axtell and Ms. Ziegler for attending the meeting.

7. DISCUSSION AND POSSIBLE ACTION REGARDING MAKING RECOMMENDATION FOR WAYS TO IMPROVE THE NEVADA DEER HERD RESTORATION EFFORTS. *Discussion to include but is not limited to establishing a joint effort with the Douglas County Advisory Board, establishing a sub-committee to make recommendations to the Carson City Advisory Board and reviewing efforts of the Nevada Department of Wildlife. Public participation is welcomed and encouraged.* (1-1665) - Chairman Yanuck introduced the item and gave background information. He introduced Bob Cook from the Douglas County WAB. Mr. Cook advised that their board is interested in participating in a joint subcommittee for a mule deer plan. In response to a comment, Member Martin explained that the Carson City and Douglas County boards would each have two members sit on an occasional planning session to focus on adjacent areas. Chairman Yanuck expressed support for the matter. Member Martin advised that

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a joint working committee with less than a quorum would not violate open meeting laws. **Member Martin moved to create an ad hoc committee with representatives from both boards to work on management strategies to improve mule deer habitats.** In response to a question, he replied that the function of the committee is to keep each board informed and take more informed recommendations to the Department and Commission. **Member Clyde seconded the motion. Motion carried 5-0.** Chairman Yanuck expressed his understanding of the intent of the subcommittee. Mr. Cook suggested keeping the item as a permanent item on the agenda and adding Washoe County into the mix. Wildlife Commissioner Tom Cavin commented that the Commission is trying to get the CAB's more engaged and proactive. Chairman Yanuck suggested contacting Storey County as well.

8. DISCUSSION AND POSSIBLE ACTION ON INCREASING THE ANNUAL PERCENTAGE OF FUNDS BEING RELEASED FROM THE HERITAGE FUND. (1-2090) - Chairman Yanuck introduced the item and gave background information adding that the Heritage Committee is recommending increasing the amount to be expended annually from 75 to 90 percent. He stated his personal opposition in an e-mail to the Committee, a copy of which is incorporated into the record. He expressed concern that it was increased to 75 percent last year and opined they should "see how well a job they can do managing 75 percent before jumping to 90 percent." He indicated that the funds are earmarked for certain wildlife projects and not as a general fund source. Commissioner Cavin reminded the board that the item is a bill draft that would go to the legislature for approval if cleared by the Commission. Member Martin clarified that the amount that can be spent is 90 percent of what was deposited the previous year, along with the interest earned, and the fund must maintain a \$1 million balance. He advised that it has a current balance of \$5.6 million adding that if passed it would become effective in July 2011. In response to a question, Commissioner Cavin advised that the Heritage Committee reviews the proposals and makes recommendations to the Commission. In response to another question, he replied that they have never disbursed the entire amount available and when the fund first started, it was allocated within the Department. Chairman Yanuck expressed his agitation with spending money on poorly managed projects. In response to a question, Commissioner Cavin replied that whoever is awarded the project manages the money. Member Martin opined that Chairman Yanuck's issue should be raised in a separate manner. Chairman Yanuck replied that spending 75 or 90 percent is different from spending the money efficiently and opined that it isn't effectively managed.

Mr. Drew opined that the 2011 legislative session isn't "a good session to raise the flag that we're sitting on \$5.6 million of Heritage money." Mr. Baily opined "to let a sleeping dog lie." Commissioner Cavin advised that numbers are down and agreed that bringing it up now may not be a good idea. In response to a comment, he advised that Heritage Funds cannot be used for general funds unless the law is changed and read a section of the law into the record. He continued that they can't take a pool of money away and replace it with Heritage Funds. Mr. Drew opined that the matter could be opened to use for operational spending. Chairman Yanuck expressed concern on how funds could be used which began an extensive discussion. He then entertained a motion in support of the item but none was forthcoming.

9. REPORT AND DISCUSSION OF POINTS OF INTEREST FROM THE DECEMBER 4-5, 2009 WILDLIFE COMMISSION MEETING. () - None.

10. ADVISORY BOARD TO MANAGE WILDLIFE CONSENT AGENDA. *All matters listed under the Consent Agenda are agendized for the February 5-6, 2010 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.* (1-2835) - Chairman Yanuck entertained requests to hear items

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separate from the consent agenda. Items 10-A, 10-C, and 10-I were pulled. **Member Clyde moved to accept all items with the exception of items 10-A, 10-C, and 10-I. Member Valley seconded the motion. Motion carried 5-0.**

10-A. ACTION REGARDING WINE-CUP RANCH PROPOSAL FOR WILD HORSE MANAGEMENT - CHIEF OF HABITAT DAVE PULLIAM. *The Commission is being asked to review and approve a draft letter to the Secretary of Interior stating the Commission's opposition to the proposal to manage surplus wild horses on the public and private portions of the Wine-Cup Ranch. (1-2867) - Chairperson Yanuck introduced the item. Member Clyde moved to support the Commission's position on the Wine-Cup Ranch regarding not changing the use; supporting Salazar's proposed action for management of wild horses; supporting BLM for continuing their efforts in removing horses; and not supporting a moratorium. Member Martin seconded the motion. Motion carried 5-0.*

10-B. INFORMATION REGARDING COMMISSION GENERAL REGULATION 374 - LCB FILE NO. R114-09 - CHIEF GAME WARDEN BUONAMICI. *The Commission may adopt a regulation requiring a person who wounds or otherwise injures any wildlife while hunting to make a reasonable effort to take that wildlife; authorizing the use of an arrow with an illuminatednock; prohibiting the use of certain other arrows; and providing other matters properly relating thereto.*

10-C. ACTION REGARDING COMMISSION GENERAL REGULATION 374 - LCB FILE NO. R114-09 - CHIEF GAME WARDEN BUONAMICI. *The Commission may adopt a regulation requiring a person who wounds or otherwise injures any wildlife while hunting to make a reasonable effort to take that wildlife; authorizing the use of an arrow with an illuminatednock; prohibiting the use of certain other arrows; and providing other matters properly relating thereto. (1-2942) - Chairperson Yanuck introduced the item. Member Valley expressed concern about the word "reasonable" not being defined. Member Martin read a section of the regulation into the record and opined that everyone should take every reasonable effort, but it's not defined. Member Valley reiterated that reasonable should be defined. Discussion ensued on what could be considered a reasonable effort. Member Valley moved to accept item 10-C as presented. Member Clyde seconded the motion. Commissioner Cavin inquired about the other changes and discussion was held about lightednock arrows. Motion carried 5-0.*

10-D. INFORMATION REGARDING COMMISSION GENERAL REGULATION 377 - LCB FILE NO. R138-09 - MANAGEMENT ANALYST III KIM JOLLY. *The Commission may adopt a regulation authorizing the Department of Wildlife to issue a scope permit to a person with a visual disability under certain circumstances; and providing other matters properly relating thereto.*

10-E. ACTION REGARDING COMMISSION GENERAL REGULATION 377 - LCB FILE NO. R138-09 - MANAGEMENT ANALYST III KIM JOLLY. *The Commission may adopt a regulation authorizing the Department of Wildlife to issue a scope permit to a person with a visual disability under certain circumstances; and providing other matters properly relating thereto.*

10-F. ACTION REGARDING HERITAGE COMMITTEE - CHAIRMAN GERALD LENT. *The Commission will hear a report on the Heritage Account's interest and principal from Deputy Director Patrick Cates. Chairman Lent will report to the full Commission on the Heritage Committee's meeting that occurred on January 7, 2010, and may ask that the Commission take action on the Committee's recommendation for harvest control for Heritage and Partnership in Wildlife tags in big game units.*

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10-G. ACTION REGARDING LEGISLATIVE COMMITTEE - COMMISSIONER DARYL CAPURRO. *Commissioner Capurro will report to the full Commission on the Legislative Committee that occurred on January 7, 2010, and may ask that the Commission take action on the Committee's recommendations for the Department's legislation for the 2011 Legislative Session and the Legislative Committee's agenda item to amend the Heritage NRS to permit use of more than 75 percent of Heritage funds.*

10-H. ACTION REGARDING COMMISSION REGULATION 10 - 01 2011 HERITAGE TAG QUOTA AND SEASONS - BIG GAME BIOLOGIST MIKE COX. *The Commission will adopt the Heritage tag species, seasons, and quotas for the 2011 season.*

10-I. ACTION REGARDING COMMISSION REGULATION 09 - 05 AMENDMENT #1 BIG GAME SEASON DATES - BIG GAME BIOLOGIST MIKE COX. *The Commission will consider revisions and adjustments to the 2010 bighorn, pronghorn, and elk hunting seasons, Partner in Wildlife (PIW) hunts, and bighorn sheep indoctrination dates. (1-3150) - Member Valley noted that Non-Resident Nelson Bighorn Sheep hunters get an extra day over the Resident hunters and requested a reason. Commissioner Cavin opined that it was a typo. Member Valley noted that the amendment contained the same information. Discussion ensued about whether it was a typo. **Member Valley moved to accept the item but Resident and Non-Resident should be the same. Member Martin seconded the motion. Motion carried 5-0.***

11. DISCUSSION REGARDING INFORMATIONAL REPORTS TO BE PRESENTED AT THE FEBRUARY 5-6, 2010 WILDLIFE COMMISSION MEETING. *A report 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.*

11-A. CORRESPONDENCE - CHAIRMAN GERALD A. LENT. *The Commission will review and may discuss written items sent or received by the Commission since the last regular meeting and provide copies for the exhibit file.*

11-B. WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES MID-WINTER CONFERENCE - VICE CHAIRMAN SCOTT RAINE AND SECRETARY KEN MAYER.

11-C. CABMW REPORT ON MULE DEER OVERVIEW EFFORTS WITHIN EACH COUNTY - CABMW MEMBERS.

11-D. FINANCE COMMITTEE REPORT - COMMISSIONER CHARLIE HOWELL.

11-E. NEVADA DEPARTMENT OF WILDLIFE BUDGET UPDATE - DEPUTY DIRECTOR PATRICK CATES.

11-F. TRAIL CAMERA USAGE, EDIBLE PORTIONS OF GAME, AND WATER DEVELOPMENT BARRIERS - CHIEF GAME WARDEN ROB BUONAMICI. (1-3256) - In response to a question, Commissioner Cavin advised that to his knowledge, it's not law in any state but a trail camera can be used if it can be accessed remotely. Discussion ensued regarding the item. Commissioner Cavin added that it's a bigger issue because someone was bragging about having a camera on every water hole and is selling information to tag bidders. He opined that it's a "black eye" for the public.

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11-G. LITIGATION REPORT - DEPUTY ATTORNEY GENERAL NHU NGUYEN.

11-H. DEPARTMENT ACTIVITIES/LEADERSHIP TEAM NOTES - SECRETARY KEN MAYER.

12. ACTION REGARDING FUTURE COMMISSION MEETING - DIRECTOR KEN MAYER.

The next Commission meeting is scheduled for March 19-20, 2010, in Las Vegas; and the Commission will review potential agenda items for that meeting. The chairman may designate and adjust committee assignments as necessary at this meeting. (2-0025) - Chairman Yanuck advised that the next meeting is March 19-20 in Las Vegas.

13. REPORT ON NEVADA SAGE GROUSE CONSERVATION TEAM - GIL YANUCK. (2-0029) - Chairman Yanuck advised that the team is compiling a report on infrastructure regarding renewable resources. He referred to a handout and advised that NDOW has a website link where the report can be found.

14. DISCUSSION AND POSSIBLE ACTION REGARDING THE CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE BUDGET. (2-0064) - Chairman Yanuck advised of a new budget which will be presented at the next meeting.

15. DISCUSSION AND POSSIBLE ACTION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO UPCOMING WILDLIFE COMMISSION MEETINGS.

16. DISCUSSION AND ACTION TO SCHEDULE NEXT CCABMW MEETING. *The next meeting of the Wildlife Commission is scheduled for March 19-20, 2010, in Las Vegas. The next meeting of the Carson City Advisory Board to Manage Wildlife is tentatively scheduled for Monday, March 15, 2010.* (2-0077) - Chairman Yanuck advised that the next meeting is scheduled for March 15 at 5:30 p.m.

17. STATUS REPORTS FROM STAFF. (2-0085) - None.

18. FUTURE AGENDA ITEMS. (2-0086) - Chairman Yanuck advised of the standard agenda item for deer herd restoration.

19. ACTION ON ADJOURNMENT. (2-0092) - Member Clyde moved to adjourn the meeting at 8:00 p.m. Member Valley seconded the motion and it carried unanimously.

The Minutes of the February 1, 2010 meeting of the Carson City Advisory Board to Manage Wildlife are approved this 15th day of March, 2010.

GIL YANUCK, Chairman