

**DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE**  
**Minutes of the April 26, 2022 Meeting**

The Douglas County Advisory Board to Manage Wildlife meeting was scheduled for 5:00 pm on Tuesday, April 26, 2022, in the Douglas County Community Center, Ceramics Room, 1329 Waterloo Lane, Gardnerville, Nevada.

**MEMBERS PRESENT:**

Craig Burnside, Chairman  
JT Chevallier, Vice Chairman  
Mike Porter  
Kevin Kjer

**OTHERS PRESENT:**

Carl Lackey, Nevada Department of Wildlife Biologist

**CALL TO ORDER**

Chairman Burnside called the meeting to order at 5:25 pm and determined a quorum was present.

**PLEDGE OF ALLEGIANCE** – Member Porter led the Pledge of Allegiance.

**ROLL CALL AND INTRODUCTIONS**

Chairman Burnside noted all members were present as well as Carl Lackey, Nevada Department of Wildlife Biologist.

**PUBLIC COMMENT**

There was no public comment.

**FOR POSSIBLE ACTION. APPROVAL OF AGENDA**

No public comment.

MOTION by Chevallier/Kjer to approve the agenda as presented; carried unanimously.

**FOR POSSIBLE ACTION. APPROVAL OF MINUTES:**

- **March 22, 2022**

No public comment.

MOTION by Kjer/Porter to approve the minutes as presented; carried with Chevallier abstaining.

- 1. DISCUSSION ON THE RESULTS OF THE JANUARY 28 & 29, 2022 AND MARCH 25 & 26, 2022 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS. There will be no action taken.**

Vice Chairman Chevallier reported on the results of the January 28 and 29, 2022 meeting as:

- He submitted written public comment on the lackluster performance of the new Nevada Department of Wildlife website.
- He submitted written public comment on extending the bear hunt into the Tahoe Basin.
- There was discussion on the first come first serve tag allocations and potential abuse and possible mitigation measures.
- There is a decline in tag allocations across all species due to challenging environmental factors.

As no one was able to attend the March meetings, no report was provided.

## **2. DISCUSSION AND UPDATE ON THE ACTIVITIES AND ACTIONS OF THE MULE DEER ENHANCEMENT PROGRAM SUBCOMMITTEE.**

While the group has not met, Carl Lackey, Nevada Department of Wildlife Biologist, indicated a desire to schedule a meeting once the cost of the signage for the Jacks Valley Wildlife Management Area project is determined. The Forest Service has committed \$5000 to the project but the cost could be upward of \$30,000 so additional funding will need to be secured.

This was a discussion only.

## **3. FOR POSSIBLE ACTION. PRESENTATION AND DISCUSSION BY CARL LACKEY, BIOLOGIST, NEVADA DEPARTMENT OF WILDLIFE, ON PROVIDING THE OPTION OF USING BEAR PROOF TRASH RECEPTACLES WITHIN THE TOWNS OF MINDEN AND GARDNERVILLE.** Due to the increasing presence of bears in residential areas within the Towns of Minden and Gardnerville, the Towns may want to plan for the possible optional use of bear proof trash containers, including but not limited to ensuring the refuse collection trucks could accommodate them. The Department will discuss the benefits of having this option ready and available in the event human-bear conflicts increase. The Douglas County Advisory Board to Manage Wildlife may take action to support, not support, or take no position on this concept.

Carl Lackey, Nevada Department of Wildlife Biologist, explained that the 2001 Douglas County ordinance does not include the Towns of Minden or Gardnerville. However, bears have been a common occurrence in both Chichester and Winhaven so he would like to proactively work with the Towns to ensure the disposal trucks can pick up bear proof trash cans if the time comes that they are needed. This discussion will not be about changing the ordinance; it will be about outfitting the trucks to have the ability to service these types of trash containers. This may end up costing the end user a bit more per month or per quarter.

Some brands of these containers are more labor intensive than others. Some require the trash collection person to get out of the truck, push a button, open the lid, and get back in the truck to dump it. Kodiak containers are slightly more expensive but are sturdier and open when tipped at a 45° angle.

Vice Chairman Chevallier asked if Douglas Disposal has any type of incentive program for bear proof trash cans.

Mr. Lackey answered discussions have taken place about securing grants to help residents with the purchase of these containers but there is currently no incentive in place.

The counties bordering Lake Tahoe have ordinances similar to what Douglas County has as far as violations. He added that compliance in Douglas County is handled by Code Enforcement as the Department of Wildlife has no authority over trash. Carson City's ordinance covers all of Carson City and the enforcement mechanism is Environmental Health.

Vice Chairman Chevallier pointed out there is a need for bear proof receptacles in Genoa and a presentation like this may be helpful to the Town and its residents.

Mr. Lackey indicated he would be happy to do a presentation on bears and bear management for them.

No public comment.

MOTION by Burnside/Chevallier to support Carl Lackey taking this item to the Towns of Minden and Gardnerville and urging the refuse arms of those two entities to follow the County ordinance and start requiring residents to get bear resistant containers when they have had a continued problem with bears getting into the trash; carried unanimously.

- 4. The following items, 4a through 4r, are items that will be heard before the Nevada Board of Wildlife Commissioners at the next meetings, May 6 & 7, 2022, at the Washoe County Chambers, 1001 E. Ninth Street, Building A, Reno, Nevada. The Douglas County Advisory Board to Manage Wildlife may take the following action, or a variation thereof, on each item: support the item, not support the item or not take a position on the item. Public Comment will be allowed on each item.**

**4a–4r. DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER THE DOUGLAS COUNTY ADVISORY BOARD SHOULD TAKE A POSITION ON:**

**4a. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON COMMISSION POLICY 3 - APPEALS.** The Commission will have a first reading of Commission Policy 3, Appeals, and may make any necessary changes and may decide to move it to a second reading. (*Wildlife Commission Agenda Item 8A*)

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support of Commission Policy 3 – Appeals as presented; carried unanimously.

**4b. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE FIRST READING OF COMMISSION POLICY 4 – PETITION PROCESS AND ADOPTION OF REGULATIONS.** The Commission will have a first reading of Commission

**Policy 4, Petition Process and Adoption of Regulations, and may make any necessary changes and may decide to move it to a second reading. (Wildlife Commission Agenda Item 8B)**

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support the first reading of Commission Policy 4 – Petition Process and Adoption of Regulations as presented; carried unanimously.

**4c. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE FIRST READING OF COMMISSION POLICY 21 – GAME AND FURBEARER MANAGEMENT PLANS.** The Commission will have a first reading of Commission Policy 21, Game and Furbearer Management, and may make any necessary changes and may decide to move it to a second reading. *(Wildlife Commission Agenda Item 8C)*

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support of the first reading of Commission Policy 21 – Game and Fur Bearer Management Plans as presented; carried unanimously.

**4d. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE INTRODUCTION OF COMMISSION POLICY 22 – INTRODUCTION, TRANSPLANTING, AND EXPORTATION OF WILDLIFE.** The Commission will have a first reading of Commission Policy 22, Introduction, Transplanting, and Exportation of Wildlife, and may make any necessary changes and may decide to move it to a second reading. *(Wildlife Commission Agenda Item 8D)*

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support of the introduction of Commission Policy 22 – Introduction, Transplanting, and Exportation of Wildlife as presented; carried unanimously.

**4e. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE FIRST READING OF COMMISSION POLICY 25 – WILDLIFE DAMAGE MANAGEMENT.** The Commission will have a first reading of Commission Policy 25, Wildlife Damage Management, and may make any necessary changes and may decide to move it to a second reading. *(Wildlife Commission Agenda Item 8E)*

Member Kjer cited the proposed language changes and noticed the shift from the Department of Wildlife to US Department of Agriculture, Animal and Plant Health Inspection Service and the changes to reporting.

No public comment.

MOTION by Porter/Kjer to recommend support of the first reading of Commission Policy 25 – Wildlife Damage Management as presented; carried unanimously.

**4f. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE FIRST READING OF COMMISSION POLICY 26 - MANAGING ROCKY MOUNTAIN ELK POPULATION.** The Commission will have a first reading of Commission Policy 26, Managing Rocky Mountain Elk Populations, and may make any necessary changes and may decide to move it to a second reading. *(Wildlife Commission Agenda Item 8F)*

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support of the first reading of Commission Policy 26 – Managing Rocky Mountain Elk Population as presented; carried unanimously.

**4g. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE FIRST READING OF COMMISSION POLICY 27 – PROTECTION OF WILDLIFE.** The Commission will have a first reading of Commission Policy 27, Protection of Wildlife, and may make any necessary changes and may decide to move it to a second reading. *(Wildlife Commission Agenda Item 8G)*

Member Porter pointed to the language change “supporting the management of wolves if they are determined to be negatively impacting other wildlife species” instead of their past stance of opposing a population of wolves.

No public comment.

MOTION by Porter/Kjer to recommend support of the first reading of Commission Policy 27 – Protection of Wildlife as presented; carried unanimously.

**4h. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE FIRST READING OF COMMISSION POLICY 28 – TRANSPARENCY ON QUOTA SETTING.** The Commission will have a first reading of Commission Policy 28, Transparency on Quota Setting, and may make any necessary changes and may decide to move it to a second reading. *(Wildlife Commission Agenda Item 8H)*

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support of the first reading of Commission Policy 28 – Transparency on Quota Setting as presented; carried unanimously.

**4I. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE FIRST READING OF COMMISSION POLICY 29 – ELK ARBITRATION.** The Commission will have a first reading of Commission Policy 29, Elk Arbitration, and may make any necessary changes and may decide to move it to a second reading. *(Wildlife Commission Agenda Item 8I)*

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support of the first reading of Commission Policy 29 – Elk Arbitration as presented; carried unanimously.

**4j. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE SECOND READING OF COMMISSION POLICY 40 – STATEWIDE BOATING SAFETY.** The Commission will have a second reading of Commission Policy 40, Statewide Boating Safety, and may make any necessary changes and may decide to repeal, revise or adopt the policy. *(Wildlife Commission Agenda Item 8J)*

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support of the second reading of Commission Policy 40 – Statewide Boating Safety as presented; carried unanimously.

**4k. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE FIRST READING OF COMMISSION POLICY 51 – WAYNE E. KIRCH CONSERVATION AWARD.** The Commission will have a first reading of Commission Policy 51, Wayne E. Kirch Conservation Award, and may make any necessary changes and may decide to move it to a second reading. *(Wildlife Commission Agenda Item 8K)*

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support of the first reading of Commission Policy 51 – Wayne E. Kirch Conservation Award as presented; carried unanimously.

**4l. FOR POSSIBLE ACTION. DISCUSSION ON THE ADMINISTRATIVE PROCEDURES, REGULATIONS AND POLICY (APRP) COMMITTEE REPORT ON THE THIRD READING OF COMMISSION POLICY 63 – PROTECTING WILDLIFE FROM TOXIC PONDS.** The Commission will have a third reading of Commission Policy 63, Protecting Wildlife from Toxic Ponds, and may take action to repeal, revise or adopt the policy. *(Wildlife Commission Agenda Item 8L)*

The members reviewed the item and no questions were raised.

No public comment.

MOTION by Porter/Kjer to recommend support of the third reading of Commission Policy 63 – Protecting Wildlife from Toxic Ponds as presented; carried unanimously.

**4m. FOR POSSIBLE ACTION. DISCUSSION ON THE FINAL FISCAL YEAR 2023 PREDATION MANAGEMENT PLAN.** The Commission will review the final draft of the Fiscal Year 2023 Draft Predation Management Plan with the Department. The Commission may take action to modify or endorse the plan. *(Wildlife Commission Agenda Item 9)*

The members reviewed the projects and expressed support for them. They touched on the percentage of revenue allocated to predator projects.

A brief discussion was held on feral horses and the amount of biomass they contain compared to the combined total of all native ungulates in the State. There was agreement among the members that the horses need to be managed to the appropriate management levels established in the 1970s.

Ranchers are required to manage their livestock and the Department of Wildlife is required to manage wildlife and the same should hold true for the feral horses.

No public comment.

MOTION by Chevallier/Porter to recommend support of the Final Fiscal Year 2023 Predation Management Plan as presented: carried unanimously.

**4n. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 501, NEVADA ADMINISTRATIVE CODE 502.385, TAG TRANSFER.** The Commission will hold a workshop to consider amending Nevada Administrative Code (NAC) 502.385 that would allow the transfer of a game tag to a non-profit organization and determine the status of the tag if the Department is notified of the tag holder's death. This regulation was created after the passage of Assembly Bill 89 of the 81<sup>st</sup> Legislative Session. *(This item is agendized as a workshop on the Nevada Board of Wildlife Commissioners' Meeting) (Wildlife Commission Agenda Item 16A)*

Vice Chairman Chevallier supports the ability to transfer a tag to a nonprofit, as long as the nonprofit organization qualifies and administers the tag in a fashion that fits the regulations of the Nevada Department of Wildlife.

Recognizing the intent to align with Assembly Bill 89, the members reviewed the criteria for a qualified non-profit organization.

No public comment.

MOTION by Chevallier/Kjer to recommend support of Commission General Regulation 501, Nevada Administrative Code 502.385, Tag Transfer as presented; carried unanimously.

**4o. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 505, NEVADA ADMINISTRATIVE CODE 502.4215, FIRST COME FIRST SERVED PREVENTION OF UNFAIR ADVANTAGES.** The Commission will hold a workshop to consider amending NAC 502.4215 that would allow for the suspension of a person from the First Come First Served program for attempting to create an unfair advantage to obtain a big game tag. *(This item is agendized as a workshop on the Nevada Board of Wildlife Commissioners' Meeting) (Wildlife Commission Agenda Item 16B)*

The members talked about using bots to manipulate the system to create an unfair advantage. This has occurred in other states and putting protections in place for Nevada will be a benefit.

No public comment.

MOTION by Chevallier/Kjer to recommend support of Commission General Regulation 505, Nevada Administrative Code 502.4215, First Come First Served Prevention of Unfair Advantages as presented; carried unanimously.

**4p. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 507, LEGISLATIVE COUNSEL BUREAU FILE NO. R045-22 – PETITION PROCESS.** The Commission will consider adopting changes to NAC 501.195 recommended by the Administrative Procedures, Regulations and Policy Committee. The regulation was approved by the Committee at their March meeting and will be considered by the Commission for the first workshop. *(This item is agendized as a workshop on the Nevada Board of Wildlife Commissioners' Meeting) (Wildlife Commission Agenda Item 16C)*

Vice Chairman Chevallier reviewed the proposed language highlighting the scheduling of the hearing on the petition.

No public comment.

MOTION by Chevallier/Kjer to recommend support of Commission General Regulation 507, Legislative Counsel Bureau No. R045-22, Petition Process as presented; carried unanimously.

**4q. FOR POSSIBLE ACTION. DISCUSSION ON THE POSSIBLE ADOPTION OF COMMISSION REGULATION 22-11, BIG GAME QUOTAS FOR THE 2022-2023 SEASON.** The Commission will establish regulations for the numbers of tags to be issued for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goats for the 2022 - 2023 seasons. *(Wildlife Commission Agenda Item 17A)*

Vice Chairman Chevallier pointed to the 10-20% decrease in tag allocations across the board, mostly due to drought conditions, with the exception of a couple of species of antelope. He noted Black Bear stayed the same. He reviewed the Department recommendations for elk and mule deer and said the larger reductions are focused on the female population.

Carl Lackey, Nevada Department of Wildlife Biologist, stated the recommendations for Unit 192 are the same as last year due to the demand/success ratio but the point class has been declining. He pointed out that hunter success is not based on point class. When point class declines, it indicates the age structure of the deer is dropping so holding back tags would let the age structure increase a little bit. Declining point class can also be affected by the buck ratio. He stated the recommendations for Unit 291 are about the same or a little higher than what was approved last year.

Recommending a reduction in tags for Unit 192 would not be unwarranted because the point class has been declining.

He talked about the low numbers of deer encountered during the fall survey and how that affects the ability to model.

No public comment.

MOTION by Chevallier/Porter to recommend support for the possible adoption of Commission Regulation 22-11, Big Game Quotas for the 2022-2023 Season; carried unanimously.

**4r. FOR POSSIBLE ACTION. DISCUSSION ON THE POSSIBLE ADOPTION OF COMMISSION REGULATION 22-019, AMENDMENT #1, 2022 BLACK BEAR QUOTAS AND HARVEST LIMITS.** The Commission will consider adopting the 2022 hunting season dates, open management units, hunting hours, quotas, harvest limits, special regulations, animal sex, legal requirements, hunt boundary restrictions, and dates and times for indoctrination courses for black bear. *(Wildlife Commission Agenda Item 17B)*

Vice Chairman Chevallier reviewed the recommendations.

Carl Lackey, Nevada Department of Wildlife Biologist, indicated no changes to the recommendations from 2021. There are estimated to be 600-700 bears in western Nevada and we are managing by harvesting less than 2% of the population. Most states that manage bears use their harvest to manage populations for 10-15%. When this hunt began in 2011, there was only a female harvest limit. That lasted about a year and was later brought back by the Commission, not the Department.

Chairman Burnside stated there is a desire by some to eliminate the use of dogs to hunt bears. Dogs often aid by treeing the bear making it easier to identify the sex. Not allowing the use of dogs could result in more females being taken, which could end the hunt quicker.

Mr. Lackey agreed. He provided statistics on the bear hunt to date. They are:



- Since the start of the bear hunt 153 have been killed.
- 91% of the people save the meat.
- 74% used hounds.
- 50% are taken in the Pine Nuts.
- When using dogs, 27% have been females. When dogs are not used, 41% are females.

Chairman Burnside said hounds are no longer allowed in California.

Mr. Lackey added California is trying to do away with the bear hunt completely.

Vice Chairman Chevallier said California's bear hunt quota is 1500 and is not a sex-based quota.

Chairman Burnside added we had 300-350 bears and California had 28,000-30,000 bears 12-15 years ago.

Mr. Lackey said California now has over 40,000 bears. Nevada's bear population has increased 30%. At one point there were no bears in the Pine Nuts and 26 pairs in the Carson Range. Last year, 46 bears were killed by cars; there were 74 mortalities with 60 being non-hunt mortalities.

No public comment.

MOTION by Chevallier/Kjer to recommend support for the possible adoption of Commission Regulation 22-019, Amendment #1, 2022 Black Bear Quotas and Harvest Limits; carried unanimously.

**5. FOR DISCUSSION ONLY. CORRESPONDENCE OR COMMUNICATIONS BOARD MEMBERS HAVE RECEIVED.**

The members did not receive any reportable correspondence.

**6. FOR DISCUSSION ONLY. DISCUSSION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO ATTEND UPCOMING WILDLIFE COMMISSION MEETINGS AND TO REPRESENT THE FINDINGS OF THE DOUGLAS COUNTY WILDLIFE ADVISORY BOARD. ONE MEMBER WILL BE DESIGNATED AS A SPOKESMAN FOR THE DOUGLAS COUNTY ADVISORY BOARD.**

Member Kjer will try to attend Friday's meeting.

Chairman Burnside will attend Saturday's meeting.

**7. FOR DISCUSSION ONLY. DISCUSSION TO SCHEDULE THE NEXT DOUGLAS COUNTY WILDLIFE ADVISORY BOARD MEETING.** The next Commission meeting is scheduled for June 24 and 25, 2022. The Commission will review and discuss potential agenda items for that meeting. The Commission may change the date, time, and meeting location at this time. The chairwoman may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

The next Douglas County Advisory Board to Manage Wildlife meeting is tentatively scheduled for Tuesday, June 21, 2022.

**8. FOR DISCUSSION ONLY. FUTURE AGENDA ITEMS.**

- Improvements to Seman Pond in the Town of Minden.
- Douglas County Advisory Board to Manage Wildlife budget submission.

**CLOSING PUBLIC COMMENT.**

There was no closing public comment.

**ADJOURNMENT.**

There being no further business to come before the Douglas County Advisory Board to Manage Wildlife, the meeting adjourned at 7:00 p.m.

The minutes of the April 26, 2022 meeting of the Douglas County Advisory Board to Manage Wildlife are so approved this 21st day of June 2022.

Respectfully submitted:

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Craig Burnside, Chairman