



JIM GIBBONS  
*Governor*

STATE OF NEVADA

## DEPARTMENT OF WILDLIFE

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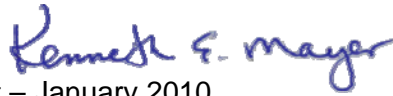
KENNETH E. MAYER  
*Director*

RICHARD L. HASKINS II  
PATRICK CATES  
*Deputy Directors*

### MEMORANDUM

**DATE:** February 5, 2010

**TO:** Board of Wildlife Commissioners; Governor's Office;  
County Advisory Boards to Manage Wildlife Members;  
Department of Wildlife Employees

**FROM:** Kenneth E. Mayer, Director 

**SUBJECT:** Department Activities Report – January 2010

### Director's Office

Director Mayer said that the chairman of the Wildlife Commission advised him that he agreed that the changes to Policy #22 for this year may hamper the Department's capture and transplant schedule. He provided Director Mayer with a letter encouraging the Department to proceed with January captures and catch-up with predator control after the releases. Also, Wildlife Service's was unable to conduct the pre predator control work on some of the scheduled releases.

Director Mayer attended the Western Association of Fish and Wildlife Agencies (WAFWA) mid-winter conference. At WAFWA the directors discussed U.S. Fish and Wildlife Service (USFWS) Landscape Conservation Centers (LCC) and how states would participate. WAFWA will draft a letter on the wild horse issue for Secretary Salazar; discussed Endangered Species Act (ESA) issues and how it effects state operations; state and federal agency relationships; and aircraft safety as a result of the helicopter accidents in California and Idaho. And finally, the Department was granted intervener status in the Bureau of Land Management Calico Wild Horse roundup lawsuit.

Deputy Director Haskins reported that two Commission committees met, Heritage and Administrative Procedures and Regulations Committee, and the Finance Committee will meet on Feb. 5, 2010, prior to the Commission meeting. Agenda items are due for the February Commission meeting so that the draft agenda can be mailed. Agenda items are due for the February meeting with staff preparing a Department letter on wild horses and the Winecup-Gambel issue and a separate letter for the Commission to sign. Staff said the Reserve Account analysis is ready for review by Director's Office. Deputy Director said office moves are planned for this month with Operations Chief Haughian directing the moves.

Deputy Director Cates said staff are finalizing next round of 10 percent budget cuts and the agency is taking advantage of salary savings, and State Wildlife Grants. Legislative Counsel Bureau asked for an analysis if the Department will lose federal funds due to lack of state general funds.

Deputy Director Haskins along with Director Mayer attended the Colorado River Fish and Wildlife Council meeting. And Director Mayer attended the Shot Show in Las Vegas. He also visited the Southern Region and met with staff; attended the Safari Club International Convention, and the NDOW retirees luncheon.

### **Conservation Education**

The Conservation Education chief attended the Governor's Sage Grouse Conservation Team meeting. San Stiver gave an update on the North American Sagebrush Ecosystem Conservation Act. The initial bill draft is due out in three weeks. The Ruby Pipeline and its impacts to sage grouse were discussed. FERC EIS is now out, BLM is working on authorization, and a Conservation Agreement for Pygmy Rabbit and Sage Grouse is in draft right now, but USFWS has said they will not be a signatory to the CA. It appears the proponents will be requesting exemptions to the requirements, and that compensation will be offered in lieu of mitigation. Team said they have concerns about how to mitigate impacts to one of the premium sage grouse areas in the state. The team discussed final edits to the Energy and Infrastructure Development Standards for Conserve Greater Sage-Grouse Populations and their Habitats in Nevada. Natural Resource Conservation Service is rolling out a special sage grouse initiative with \$600,000 for EQUIP (private lands) and WHIP (public lands), to be announced in March.

USFWS held a conference call to discuss a plan to provide funds to USFWS and the states for quagga mussel monitoring, in particular an Idaho senator wants to monitor quagga mussels at Wild Horse Reservoir.

The Conservation Education chief attended the Legislative Committee on Public Lands meeting. Jeannie Higgins from Wisconsin will replace Ed Monnig as Humboldt-Toiyabe Forest Supervisor. Bureau of Land Management currently has 30 solar and 30 wind projects being considered in Southern Nevada. Four solar Environmental Impact Statements (EIS) and one wind EIS are under development. Southern Nevada Public Lands Management Act recently approved Round 10 of funding, funding is down, sales are flat, and are usually tied to adjacent development.

Off-Highway vehicle (OHV) implementation: Clark County has offered to pay the Department of Motor Vehicles (DMV) the necessary \$500,000 to start up the OHV program. Clark County will get credit with the USFWS under the Multiple Species Habitat Conservation Plan (MSHCP), as establishing the program will

provide mitigation to impacts to desert tortoise. Clark County also is looking amend their MSHCP and wants 215,000 more acres for development for the next 30-50 years. The OHV Commission is not yet established as the governor is to appoint the 11 member committee (includes Ken Mayer's recommendation for a sportsman) by July 1, 2010. Startup accounts have been established at DMV with the \$500,000 to be transferred soon.

National Archery in the Schools Program will hold the first state tournament in Las Vegas at the Rivera Casino on Feb. 18. Eight schools are expected to participate.

Conservation Education chief will be in Las Vegas to meet with potential partners about funding exhibits for the Overton Interpretive Center.

The 2010 Fishing Seasons and Regulations publication is being shipped to NDOW offices and license agents. Layout and design has started for the 2010 Big Game Application Brochure with the first draft sent to license office and law enforcement for review.

For the second week in a row the Las Vegas Review-Journal has not published in its Sunday edition the Outdoor & Travel section. For years this section of the paper has been a weekly mainstay for Southern Region public affairs efforts. If the decision has been made to do away with this section, it will have an impact on the agency's ability to communicate with our publics. At this point the Review-Journal continues to publish NDOW material in the online version of the paper.

The Outdoor Education Coordinator (OEC) attended the Shooting, Hunting and Outdoor Trade (SHOT) show in Las Vegas. Highlights included attending a Clark County Shooting Park (CCSP) dedication/appreciation event held for Clark Co. Commissioners by the National Shooting Sports Foundation (NSSF) and conducting a tour of CCSP for Federal Aid officials. Contacts were also made with numerous manufacturers and organizations that may partner with and/or support NDOW Hunter Education and youth programs.

The Shooting Hunting & Outdoor Trade (SHOT) Show returned to Las Vegas last week. Game wardens can expect to see an increase in the number of hunters using firearms based on military designs like the AR-15. Most of these firearms are now available in the traditional hunting calibers and nearly all of the big name manufacturers are offering products in this category.

The last Western Region Outdoor Education Appreciation dinner was held in Winnemucca at the Martin hotel with over 30 instructors and guests were in attendance.

## **Fisheries Division**

In the Eastern Region the Question 1 proposal for the Jiggs Reservoir improvement project was approved and signed. Presently, the BLM is saying that they don't own the dam (which is located on BLM land and supports their recreation area). They (BLM) have requested that the Division of Water Resources research ownership of the dam. This most likely won't stall or stop the project, but it does cause a delay in getting the project started. At this point we don't know who owns the dam (BLM or the water rights holder – Gund Ranch), but the Gund Ranch is on board with the project.

In the Southern Region (SR), staff compiled and analyzed data for the winter reservoir trout stocking and angler response numbers, which are up significantly for the 2009-10 winter so far compared to past years. Trout specific anglers comprised 20 percent of all Lake Mead creel contacts in November/December, which is a significant increase; even allowing for some bias as NDOW targeted response to trout releases (that same bias was there in previous years where for example, trout preference anglers were 13.5 percent in winter 08-09). Reasons for this are unclear, if it's more shore angling rather than boaters proportionally because of the economy or quagga/boat concerns that might be a factor.

SR Staff are working closely with USFWS to help them finish the 12-month review on the listing petition for Amargosa Toad. This should be completed soon and we are reasonably hopeful that the finding will be that listing is not warranted, but we shall see.

In the Western Region, an additional \$10,000 has been awarded NDOW to establish and maintain a fish barrier data base including mapping. Work on the project is scheduled to begin immediately.

The annual Lahontan cutthroat recovery meeting was held with federal and state agencies presentations on recovery projects and progress from Reno to Elko. The group also discussed future direction for the recovery process.

Trout Unlimited (TU) purchased \$4,000 worth of floy tags to be used to mark Lahontan cutthroat trout in Marlette Lake as part of a study to determine age and growth.

Chief of Fisheries met with Tom Smith to discuss the Nevada salmon project. Mr. Smith was recently appointed president of the project by Senator Reid with Larry Johnson as the vice president and Wildlife Commissioner Pete Mori on their board. Their goal is a put-and-take salmon fishery in Nevada. They have plans to develop a website and promise to maintain contact with NDOW as they continue to push for salmon in Nevada.

Habitat personnel are meeting with fisheries personnel later this week to discuss a proposed Question 1 project for \$95,000 to repair the dam at Jiggs Reservoir in 2010. Habitat money has been used to deepen and line the bottom with clay. Removed material from the reservoir bottom will be used to strengthen and rebuild the existing dam. Jiggs Reservoir is located 30 miles south of Elko along State Route 228. The reservoir has provided excellent largemouth bass and rainbow trout fishing in the past.

An attempt to find someone to complete the fish passage database continues. The position will be temporary and an agreement with the USFWS has provided \$10,000 to complete the project which involves mapping all known barriers onto a master map covering the western United States.

A candidate for the fisheries endemic fish position will be travel from Virginia to Reno for three days to investigate the possibility of filling that position.

The fisheries/habitat study position on Lake Mohave has been announced.

NDOW has received the Preliminary Administrative Draft EIS for the Southern Nevada Water Authority (SNWA) Groundwater Project and is in the process of reviewing it. The multiple CD's of the document and appendices have been provided to various Habitat, Game, Diversity and Fisheries staff in the regions to assist with the review and to develop comments. Comments are due to Bureau of Land Management (BLM) Jan. 29 and there is a conference call with BLM scheduled to discuss the document.

In the Southern Region the rotenone treatment of Muddy River South Fork in December to remove tilapia appears successful. Follow-up monitoring by the Department and SNWA has to date only found a few mosquito fish in one of the tributary springs, and they will be dealt with later this week.

### **Habitat Division**

Staff sent out requests for Level B projects for 4458 funding.

Staff is working on a statewide water development coordination meeting between Habitat and Game Divisions.

An offer has been made and accepted by Lee Turner, the new Habitat Staff Specialist for Habitat Restoration and Mr. Turner began working on Feb. 8.

Chief will be attending Western Governors Association meeting in Phoenix.

## **Law Enforcement**

Law Enforcement coordination training held with in-service training scheduled for the end of this month in Southern Nevada.

Chief Game Warden attended Legislative Committee meeting and will need to break out NRS changes and may drop wanton waste and revision for child section where child involved requires mandatory arrest, set guidelines for juveniles for poaching game; invasive species (pike, etc...) make that a felony for pike, piranha and snakehead; statute with regards to collection of mammal semen may be addressed in regulation; misdemeanor for any wildlife fish and game violation max \$500 and make \$1,000 as rest of state; mini-Lacey Act if wildlife taken or possessed in another state or country and brought in, illegal to possess in Nevada; philosophy in LE to simplify hunting and boating laws and are looking at simplifying 30 feet of rope attached to Type IV flotation device and conceptually a good idea, but is not working in real life and have not been able to enforce; federal law requires boat accident to be reported \$2,000 and state law is \$500 and would like to make the law the same for state and federal. Finder's keeper's law did not come up at this meeting but expect the issue to surface at another meeting, basically makes poaching legal, and probably will surface at a later meeting.

## **Operations**

Chief of Operations said no space heaters as they are not authorized for use in state buildings and he suggested calling Buildings and Grounds to determine the grounds for an exemption.

Meeting date for Question 1 and maintenance projects, email will be forthcoming.

## **Wildlife Diversity**

Division field staff assisted the National Park Service with the National Bald Eagle Survey on Lake Mead. This was covered by the Las Vegas Review Journal through an article on the surveys as well as web accessible video interviews and background information on the bald eagle. This year was the highest count of bald eagles at 163. The previous high was 116 in 2009 among Lake Mead and Lake Mohave. In addition, winter raptor surveys are ongoing throughout the region.

Staff met with our new GIS specialist on Jan. 15 to review datasets and improvements of those where needed. Habitat Division staff attended a portion of the meeting.

Staff assisted with the development and planning of training for the 2010, "Herpetofauna Inventory and Monitoring and Habitat Management in the Southwest." Staff has worked with AFWA and numerous state wildlife agencies to finalize the report, "State of the Union: Legal Authority over the Use of Native Amphibians and Reptiles in the U.S."

Staff also attended the Biological Resource Team (BRT) January meetings to continue to work on the Biological Monitoring Plan and chapter development for Delamar, Dry Lake and Cave Valley (DDC) and Eastern Nevada water project. Next meetings are in Las Vegas Feb. 4 - 5, 2010.

Division staff provided several comments to the Administrative Draft of the Groundwater Environmental Impact Statement (EIS). This is a huge document and has tremendous consequences for wildlife and fish communities in eastern Nevada. Staff also attended the Virgin River Conservation Program meeting and commented on the Warm Springs Natural Area Management Plan.

Division staff continues to meet with USFWS, Clark County, San Diego Zoo and the Tortoise Group on the unwanted pet desert tortoise issue.

Staff continued working on annual job progress reports due to Reno staff by the end of January. Staff assisted with bighorn sheep check-ins and the sheep capture in the River Mountains.

Division personnel attended a two day workshop hosted by Nevada Natural Heritage Program to gather expert opinion on a new index to assess the vulnerability of species to climate change. The tool will use distribution and natural history information for species across Nevada to rapidly estimate the relative risk of local extirpation. Results will assist us as we revise the Wildlife Action Plan.

Division personnel, together with staff from the BLM, Forest Service, National Parks Service, Nevada Division of Minerals, and the Nevada Test Site, met in Reno to coordinate survey efforts, closures, and current mine-gate lists. Presentations on bat biology, including documentation of red bat maternity roost behavior, were given. The Fallon area biologist will co-chair the group in 2010. Southern Region staff also participated in a conference call on White Nose Syndrome (WNS). WNS has not been detected in Nevada's bat population but has decimated eastern US populations. Strict handling protocols are now in place to minimize the potential spread of the disease.

Biologists compiled 2009 field survey data and uploaded it into the GIS Section databases. Time was also spent analyzing data and preparing annual Job Progress Reports.

Southern Region personnel worked with the USFWS and other partners on next steps for the desert tortoise pick up service, assessed other states' regulations regarding captive desert tortoises and adoptions, potential modifications to existing state regulations and the adoption program, and developed potential solutions to address the overabundance of unwanted captive desert tortoises in Southern Nevada.

Southern Region personnel attended the Clark County Desert Conservation Program (DCP) meeting. Things are getting pretty interesting as the County tries to modify (reduce) their covered species list while considering more land and take acreages for development. Staff also attended the Biological Resource Team (BRT) December meetings to continue to work on the Biological Monitoring Plan and Chapter development for Delamar, Dry Lake and Cave Valley (DDC) and Eastern Nevada water project.

Tonopah personnel conducted pocket gopher trapping and specimen preparation as well as preparing an initial draft of the spotted frog species management plan for the Toiyabe subpopulation.

Eastern Region personnel reviewed and provided comment to the Habitat Division on the Spring Valley Wind Project preliminary draft Environmental Assessment published by the Ely District BLM.

Eastern Region personnel conducted Christmas Bird Counts at Ruby Lake National Wildlife Refuge and in Elko.

Winnemucca personnel collaborated with USFWS personnel on a joint poster that will be given at the Western Section of the Wildlife Society meeting. The poster will present findings of previously unknown low-elevation populations of American pika on the Sheldon National Wildlife Refuge.

Within the Tahoe Basin, the winter field season of the East Shore Furbearer Project saw three new remote camera stations being set up. The cameras will be retrieved in late spring 2010, depending on snow pack and access.

Personnel continue to provide input on the Ruby Pipeline Project. Comment on the Sage Grouse and Pygmy Rabbit Conservation Plan as well as the Plan of Development (POD) have been provided.

Meeting on desert tortoise pickup service in Clark County and chief will conference call in.

Chief is participating on interviews for state land agent and staff is surveying regions on GIS needs and software updates.

Cable property owner is pushing for Feb. 1 and USFWS has money in escrow. USFWS is putting up \$900,000, the state \$200,000 and will be a good deal for the state to add onto a Wildlife Management Area.

Chief will be attending AFWA meeting in Austin, Texas.