

STATE OF NEVADA BOARD OF WILDLIFE COMMISSIONERS
COMMISSION POLICIES
As of 12-2009

Purpose

Commission Policies exist to provide direction and leadership and, to describe the desired outcome on broad issues by articulating the Commission's 10,000 foot viewpoint to an agency. While the results or consequences of policy leadership do take time and effort to be realized, policy-level guidance can resolve a whole class of issues that would otherwise return again and again for Commission action.

Organization of Policies

Board of Wildlife Commission Policies are numbered so that each policy corresponds to certain areas/topics:

- ADMINISTRATIVE AND GENERAL (Policies 1-10) Begins with a 0 or 1.
- GAME AND NONGAME (Policies 21-25) Begins with a 2.
- FISHERIES (Policies 31-33) Begins with a 3.
- LAW ENFORCEMENT (Policy 40) Begins with a 4.
- CONSERVATION EDUCATION (Policies 50-51) Begins with a 5.
- HABITAT (Policies 60-66) Begins with a 6.

Policy Review

Each state agency is required to review its rules of practice within its regulations every three years, per NRS 233B.050(1)(d); and to review its regulations every ten years, per NRS 233B.050(1)(e).

Although the periodic review is not required of policies because they are not regulations, Commission Policies are reviewed and revised on a regular basis.

As a matter of good practice the public is also included in the revision process, as outlined in Commission Policy 1- General Guidelines for the Commission. Per Commission Policy 1 (also known as P-1), there are a minimum of two readings of the proposed policy in public meetings before the Wildlife Commission takes action to adopt, amend, repeal, or disapprove a Commission Policy.

Notation: The effective date is the date the policy was created. If changes are deemed necessary, the effective date remains and an amended date is added. A reviewed date may be added when no changes are made yet to reflect that it has undergone review and is still timely.

Index as of 12-2009

POLICY TOPICS	POLICY NUMBER	POLICY TITLE	YEAR APPROVED/ AMENDED/REVIEWED BY COMMISSION
ADMINISTRATIVE AND GENERAL (Begins with a 0 or 1)	1	General Guidelines for the Commission	(2009)
	2	Guidelines for Department Sales of Documents and Papers	(2009)
	3	Appeals	(2009)
	4	Petition Process and Adoption of Regulations	(2009)
	9	Americans with Disabilities Act (ADA)	(2005)
	10	Wildlife Heritage Tags and Vendors	(2006)
GAME AND NONGAME (Begins with a 2)	21	Game and Fur-bearer Management (formerly titled Big Game Hunting Seasons)	(2009)
	22	Introduction, Transplants, and Exportation of Wildlife	(2009)
	24	Hunting Opportunities Among Weapons and Hunter Groups	(2006)
	25	Wildlife Damage Management	(2007)
FISHERIES (Begins with a 3)	31	Lahontan Cutthroat Trout Management Guidelines	(2002)
	33	Fisheries Management Program	(2002)
LAW ENFORCEMENT (Begins with a 4)	40	Statewide Boating Safety	(2002)
CONSERVATION EDUCATION (Begins with a 5)	50	Duck Stamp Procedure	(2009)
	51	Wayne E. Kirch Nevada Wildlife Conservation Award	(2009)
HABITAT (Begins with a 6)	60	Water Application Guidelines	(2002)
	61	Water Rights	(2002)
	62	Mitigation Policy	(2002)
	63	Policy for Protecting Wildlife from Toxic Ponds	(2002)
	64	Policy Attendant to Department input on Land, Sales, Transfers and Exchanges	(2002)
	65	Designation of Wildlife Management Areas	(2002)
	66	Use of Lands and Waters on State Owned Areas Administered by the Department of Wildlife	(2002)

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 1

Number: **P-1**
Title: General Guidelines for the
Commission
Reference: NRS 501, NRS 241
NRS 501.356 (4), NRS 502.253 (3)
Effective Date: February 15, 1980
Amended Dates: September 22, 2007
August 15, 2009

POLICY

It is the policy of the Board of Wildlife Commissioners to conduct the business matters of the Board according to the official duties and authority granted by the State laws and regulations.

PURPOSE

To guide the Commission in the transaction of business including selection and terms of a chair and vice chair, conduct of meetings, preparation of meeting schedules and agendas, definition of official duties, adoption of Commission Policies, and to ensure that the Commission formally recognizes individuals and entities that provide any gifts, grants, donations, or bequests to NDOW.

PROCEDURE

1. **Selection of Chair and Vice Chair: Terms of Office**

During its first regularly scheduled meeting following July 1 of each year, the first order of business will be election of officers. The Commission shall select a chair and vice chair from among its members who will continue to serve until the new election in the following year. In case of the temporary absence of the chair, powers and duties shall devolve upon the vice chair. A Commissioner cannot serve more than two consecutive terms as chair.

2. **Meetings**

In conformance with NRS 501.177, the Commission may hold not more than nine regular meetings every year, but may hold special meetings at such times and places if necessary. A meeting calendar for the next year will be developed at the regularly scheduled meeting closest to October 1 of each year. To the extent possible, the Commission will make efforts to adhere to the following guidelines for its regularly scheduled meetings:

Month	Action Items
June	Set/Revise Upland Game and Furbearer Seasons and Limits
August	Set/Revise Waterfowl Seasons and Limits, Fisheries Regulations. Temporary and Permanent
November	Policy, Regulations, and Program Reports
February	Set/Revise Big Game Seasons and Regulations
May	Set/Revise Big Game Quotas

The Commission in its discretion may choose to not follow the above guidelines and consider any above matter in a month that is different from the above guidelines. If the Commission, in its discretion, decides to not adhere to the above guidelines, it will provide notice to the public of the change pursuant to NRS 241.020. Meeting dates and places will not be changed from those listed on the meeting calendar unless there is a majority vote of the Commission to do so. Any change to the schedule must be done in sufficient time to allow legal noticing of the meeting according to the Nevada Open Meeting Law, NRS 241. All meetings will be noticed and conducted in compliance with the Nevada Open Meeting Law.

3. Agendas

A draft agenda will be developed by the Secretary to the Commission and approved by the Chair four weeks prior to the scheduled meetings. A final agenda will be approved by the Chair, and distributed to Commissioners, county advisory board members, interested individuals or groups and staff with support material two weeks prior to the meeting. The agenda will be posted according to NRS 241.020.

4. Conduct of Meetings

“Robert’s Rules of Order, Revised Edition,” shall guide the Chair in the conduct of all meetings; however, the Chair may vote on all actions requiring a vote.

5. Compensation of Members: Official Duties

As provided in NRS 501.179, members of the Commission are entitled to receive compensation while attending Commission meetings, and may receive per diem for official duties if elected to be received by the Commissioner and reviewed by the Chair. Reimbursement is not allowed while in travel status, except for regular travel per diem.

a. Official duties are:

- (1) Attend regularly scheduled or special meetings of the Commission;
- (2) Committee work established by the Commission or delegated by the

Chair;

- (3) Assignments by the Chair between meetings;
- (4) Special events designated by a vote of the Commission to be official duties or assigned by the Chair.

b. Method of Compensation:

- (1) The Secretary to the Commission will process payment based upon a compensation form signed by the Chair of the Commission. The form will be prepared for the Chair by the Recording Secretary at each regularly scheduled meeting and will include any interim approval activities.
- (2) Reimbursement for transportation shall be by the most economical means considering total cost and time spent in transit. The allowance for private conveyance will be at the rate prescribed in the State Administrative Manual, Chapter 0200 Travel. Air coach service must be used if travel is by commercial airline.
- (3) Reimbursement for mileage will be based on the mileage chart shown on the official Nevada State Map when between two communities.
- (4) Per diem claims will be completed on the Travel Expense Reimbursement Claim form at the rates prescribed in the State Administrative Manual.

6. Adoption of Commission Policies

- a. Proposed policies, amendments, or requests to repeal policies shall be mailed to the Commission, county advisory boards to manage wildlife, and interest groups. The Commission will have a minimum of two readings of the proposed policy in public meetings before the Commission takes action to adopt, amend, repeal, or disapprove the policy, unless the policy is declared an emergency in which case the Commission may read, amend, and adopt the policy in one reading.
- b. The effective date of the policy shall be recorded as part of the policy.
- c. An individual may request the Commission to adopt, amend, or repeal a policy by submitting a letter addressed to the Chair at the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512. The letter must contain the policy number and title for an existing policy, the intent or purpose of a new or revised policy, and the suggested language. Such

requests for a new, revised, or repealed policy will be placed on the agenda for the next regularly scheduled Commission meeting according to subsection 6. a. of this section.

7. Acceptance of Gifts, Grants, Donations and Bequests

NRS 501.356 (4) provides that any matching money received by the Department from any source must be accounted for separately and must be used only for the management of wildlife. It also states that the Commission has guidance over monies from the sale or issuance of a license, permit or tag (other than the PIW, Heritage, or Silver State) which are deposited in the Wildlife Account, pursuant to subsection 2 of NRS 501.181. (AB516, 75th Session)

NRS 502.253 (3) states that the Commission has guidance over any program developed or wildlife management activity or research conducted from monies collected by the \$3 predator fee pursuant to subsection 2 of NRS 501.181. (AB362, 75th Session)

All gifts, grants, donations, and bequests made to the Nevada Department of Wildlife, or any Division thereof, will be presented to the Commission in a public meeting for recognition. The Commission may offer input on which programs monetary gifts should be allocated if not so designated by the individual, group, or corporation donating, granting, bequeathing or gifting. The Commission shall ensure that gifts, grants, donations, and bequests are used for their intended purposes. State grants, federal grants, PIW donations, and Operation Game Thief donations are specifically excluded from the requirements of this section of policy.

The policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, August 15, 2009.



Chairman Dr. Gerald A. Lent, O.D.
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 2

Number: **P-2**
Title: Guidelines for Department
Sales of Published Wildlife Journals and
Other Official Publications
Reference: NRS 501.343, 239.010,
239.030
Effective Date: March 28, 1980
Amended Dates: June 24, 2005,
June 26, 2009

POLICY

It is the policy of the Commission to promote the Department's publication of wildlife journals and other official publications that provide education, information, and benefit the people of the State regarding wildlife, boating, and the programs administered by the Department.

PURPOSE

To guide the Department in handling requests from the public for the sale of Department published Wildlife Journals and other official publications.

PROCEDURE

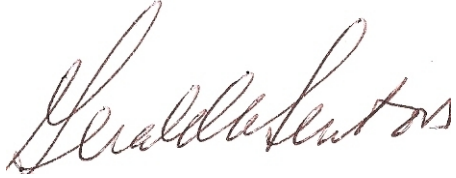
1. Biological bulletins, technical reports, and other informational booklets, periodicals or maps will be sold at a fee established by the Department on the basis of the cost of handling, printing, and mailing, rounded to the nearest dollar. The Department will provide copies free of charge to the members of each county wildlife advisory board to manage wildlife, presidents of organized sportsman clubs in Nevada, and cooperating agencies and public officials when possible. The Department will develop a list of reports, bulletins, books, etc., including the fee for each. The charge of these documents may be waived or modified at the discretion of the Director or his designee when they will be used in a manner which is of benefit to the Department.
2. The procedure to account for fees collected and the accountability of documents shall be addressed in Department policy and procedure.

The policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, June 26,

2009

Chairman Dr. Gerald A. Lent, O.D.
Board of Wildlife Commissioners

A handwritten signature in cursive script, reading "Gerald A. Lent". The signature is written in dark ink and is positioned below the printed name and title.

SUPPLEMENT TO COMMISSION POLICY 2 - LIST OF PUBLICATIONS

For the most up to date list, see the website <http://www.ndow.org>.

NDOW PUBLICATIONS AVAILABLE FOR SALE

Nevada Water Development Atlas (Guzzler GPS coordinates sold separately for \$10)	\$40.00
Nevada Duck Stamp – Collector Stamp	\$10.00

OUTSIDE PUBLICATIONS AVAILABLE FOR SALE

Nevada Atlas & Gazetteer, when available	\$15.00
Nevada Record Book, when available	\$55.00
Nevada Record Book Notebook	\$30.00
Federal Duck Stamp	\$16.00

AVAILABLE FREE OF CHARGE IN OFFICES

Fishable Waters Map: Western, Eastern and Southern Region Maps
Nevada Bats: Our Aerial Allies - brochure
Birding Check Lists: Western, Eastern and Southern Region Checklists
How To Fish Nevada - guide
Living with Wildlife in Nevada-brochure
Living with Bears in Nevada- brochure
Living with Mountain Lions in Nevada– brochure
Backyard Birds – brochure
Mason Valley WMA – brochure
Key Pittman WMA – brochure
Humboldt WMA – brochure
Overton WMA – brochure
Steptoe WMA – brochure
Wayne E. Kirch WMA –brochure
Experience Nevada's Wildlife – brochure
Landowner Incentive Program – brochure
Handbook of Nevada Boating Laws
Operation Game Thief – brochure
Angler Information Guides – individual sheets
Sportsman's Journal

REGULATIONS:

Big Game Seasons and Application Regulations
Upland Game Seasons & Regulations
Migratory Bird and Waterfowl Seasons & Regulations
Nevada Hunt Book
Fishing Regulations
Spring Wild Turkey Seasons & Regulations
Fall Wild Turkey Seasons & Regulations
Furbearers Seasons & Limits
Junior Upland Game Seasons & Regulations

AVAILABLE ONLINE ONLY:

Nevada Wildlife Action Plan
Nevada's Black Bear Ecology and Conservation of a Charismatic Omnivore -report
Directory of Sportsmen and Conservation Organizations
Shooting Range Directory
Big Game Status Book
Upland and Migratory Game Bird, Rabbit and Furbearing Mammals Harvest Data and Population Status Reports
Nevada's Mule Deer – Population Dynamics: Issues & Influences
Nevada's Pronghorn Antelope Ecology, Management and Conservation
The Chukar Partridge – It's Introduction, Life History, and Management
Greater Sandhill Crane Colt Survival in Northeastern Nevada
Bull Trout Species Management Plan for the Nevada Portion of the Jarbidge River Drainage Basin
Columbia Spotted Frog – Toiyabe Sub-Population Conservation Plan
Columbia Spotted Frog – Northeast Sub-Population Conservation Plan
Gila Monsters Status- Identification and Reporting Protocol for Observations
Lahontan Cutthroat Trout Species Management Plan for the Upper Humboldt River Drainage Basin
Lincoln County Elk Management Plan
Mule Deer Management Plan
Nevada Bat Conservation Plan
Nevada Elk Species Management Plan
Nevada Sage Grouse Conservation Plan 2008 Predation Management Plan
Relic Leopard Frog Conservation Agreement and Rangewide Conservation Assessment and Strategy
Conservation Practices for Birds in Nevada: Agricultural Lands, Lowland Riparian, Mahogany, Mesquite and Catclaw, Mojave Desert, Sagebrush
Prowl Volunteer Handbook
Game Wardens Protecting Nevada
Comprehensive Strategic Plan 2004-2009
NDOW Biennial Report July 1, 2007
Winter Bird Feeding – brochure
Venomous Reptiles of Nevada – brochure

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 3

Number: **P- 3**
Title: Appeals Policy
Reference: NAC 501.140 through 501.190
NRS 501, 502, 503
Effective Date: August 15, 2009

POLICY

It is the policy of the Board of Wildlife Commissioners to follow the procedures prescribed in NAC 501.140 through 501.190 for conducting appeal hearings.

PURPOSE

To guide the Commission in the appeals process and the conduct of hearings.

PROCEDURE

The Commission is acting in its quasi-judicial capacity and will determine appeals within their authority based on information presented for the hearing only and as prescribed in statute and regulation.

Commissioners will not engage in discussion with the appellant, or about the appeal with anyone, Department personnel or any other person regarding the facts or circumstances associated with said appeal. Commissioners will decide an appeal based solely on information presented at the hearing including any pleadings or other documents submitted by the parties, and as prescribed in statute and regulation.

Information about appeals will only be distributed to the Commission and appellant prior to the hearing. All non-confidential information will be available to the public at the hearing.

The Commission will not take public comment on appeals. CABMW members will not communicate with the Commission members concerning appeals.

The policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners. BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, August 15, 2009.



Chairman Dr. Gerald A. Lent, O.D.
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 4

Number: **P-4**
Title: Petition Process and Adoption of
Regulations Policy
Reference: NRS 233B.100, NRS 501
NAC 501.195
Effective Date: August 15, 2009

POLICY

It is the policy of the Board of Wildlife Commissioners to accept input on proposed regulations, seasons and bags.

PURPOSE

To guide the Commission and inform all parties of their responsibilities and opportunities for input on proposed regulations, seasons, and bags; their opportunities to comment on proposed regulations; and opportunities for new regulations.

PROCEDURE

1. **Input on Proposed Seasons and Bags (also known as Commission Regulations or CR's)**

County Advisory Boards to Manage Wildlife (CABMWs) or members of the public may provide input to proposed seasons and bags via letter, email, fax, phone, or in person at a Commission meeting.

Since NRS 501.260 to 501.325, inclusive, establishes a process for county advisory boards to manage wildlife to solicit and evaluate local opinion for wildlife management and to submit recommendations to the Commission for seasons, bag limits, hours, and regulations, individuals are encouraged to initiate requested changes or make recommendations through their local CABMW.

Letters should be addressed to the Chair in care of (c/o) Secretary of Board of Wildlife Commissioners, Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512. Contact by phone: 775-688-1500, or fax: 775-688-1207.

The input must contain the Commission regulation number for an existing regulation, the intent or purpose of a new or amended regulation, and the suggested seasons, bag limits, or language for the special regulations. Such requests for a new or amended Commission regulation will be placed on the agenda for the next regularly scheduled Commission meeting for discussion but may not receive final action to adopt or deny until the regularly scheduled meeting for that type of season, bag limit, or special regulation. To be considered for the upcoming hunting season, the suggestions must be sent prior to the

season-setting meeting. The input must contain the author's name, address, and phone number, at a minimum.

2. Input on Proposed Permanent Regulations (also known as Commission General Regulations or CGRs)

NRS also permits CABMWs or members of the public to provide input on proposed regulations (in conjunction with a current rulemaking process) via letter, email, fax, phone, or in person at the Commission meeting. Input should be in the same format as stated above, and must contain the same identification information as above. Individuals are encouraged to initiate these changes through the county in which they reside.

3. Suggesting Changes to Regulations Not in Conjunction with Current Rulemaking

NRS 233B.100 permits any individual to petition the Commission for filing, amending, or repealing a permanent regulation by submitting a completed petition form developed by the agency and following the agency's prescribed process. A petition is required to change or amend permanent regulations that are not in conjunction with a current rulemaking process. If accepted by the Commission, the rulemaking process will begin, legal entities will assist in drafting proposed language, which then will be placed on future agendas for workshop and then a vote (on separate days). This is a lengthy process.

Petitioner Responsibilities

The petition form must be complete, conforming to NAC 501.195 and petitioners should be prepared to submit complete documentation in support of the rule changes that are being proposed. If the petition form is not substantially complete, it may be returned to the petitioner indicating the deficiencies, and not placed on a Commission agenda. The petitioner may resubmit a revised form that completely answers the questions.

Petitioners should contact staff in the pertinent Division for assistance with the process or clarification related to the information that is suggested.

The petitioner should attend the Commission meeting and make a presentation with background material. Petitioners should be aware that the following requests generally are disfavored absent compelling new information: reconsideration of regulations that have been amended in the preceding 5 years, or reconsideration of rules that have been petitioned and denied in the preceding 5 years.

Staff Responsibilities

Division staff shall provide background information and pros and cons pertaining to the petition, during the hearing process.

CABMWs and Public Input

CABMW members and the public will have full opportunity to provide input before a vote is taken by the Commission, during the public comment period after the petitioner and staff presentations. Due to the nature of a live hearing, CABWMs will not receive sufficient information before the hearing on the petition to make a recommendation. CABMWs and public will have opportunity for input after a petition is accepted but before any action takes place to implement the request.

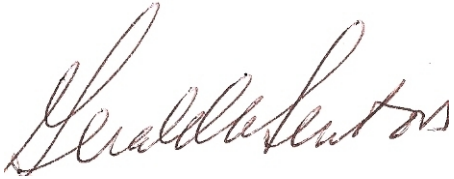
Commission Decision-Making

With petitions, the question for the Commission is solely whether to begin a rulemaking process.

Any decision to accept, deny, or modify the petition will be made based upon all of the information placed in the record at the time of the hearing; that includes the information presented by the petitioner, staff analysis, and public comment. The Commission must follow procedures for petitions outlined in NAC 501.195.

The policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION,
August 15, 2009.

A handwritten signature in cursive script, appearing to read "Gerald A. Lent".

Chairman Dr. Gerald A. Lent, O.D.
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 9

Number: **P9**
Title: Americans with Disabilities Act (ADA)
Reference: Title II of ADA
Effective Date: March 27, 1993
Amended Date: June 24, 2005

POLICY

It is the policy of the Board of Wildlife Commissioners to make reasonable accommodation for all interested persons at each meeting of the Board.

PURPOSE

To guide the Commission in the compliance with Title II of the Americans with Disabilities Act with regard to its services, policies and practices.

PROCEDURE

1. All Board of Wildlife Commissioners meeting locations will be accessible to individuals with disabilities.
2. On behalf of the Commission, the Nevada Department of Wildlife will include Commission meeting locations in all future facility surveys that they conduct/arrange; especially those where persons with disabilities (or their representatives) desire to be involved.
3. All agendas for meetings of the Board of Wildlife Commissioners and its subcommittees will include advice for the hearing impaired as to the Nevada Department of Wildlife telecommunications device for the deaf (TDD) at 775-688-1550 and for those who require special disabled services other than for hearing impaired, to request them one week prior to the meeting at 775-688-1599.

The policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION,
June 24, 2005.

Chairman Tommy A. Ford
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 10

Number: **P-10**
Title: Wildlife Heritage Tags and Vendors
Reference: NRS 502.250
Effective Date: April 1, 2006

POLICY

It is the policy of the Commission to provide guidelines for the equitable distribution of wildlife heritage tags to vendors to be auctioned at fundraisers for the benefit of game species.

The intent of offering Wildlife Heritage Tags is to provide for a unique hunting opportunity and for generating revenue in the Wildlife Heritage Trust Account. This will be accomplished without deleterious impacts to Nevada's big game or wild turkey populations. To this end, it is the Commission's intention to integrate public comment with sound biological practices in the authorization of seasons and special regulations for Wildlife Heritage Tags annually.

PURPOSE

To inform the public and guide the Department of Wildlife in administering the disbursement, through an auction or sealed bid process, of not more than 15 big game tags and 5 wild turkey tags, to be known as "Wildlife Heritage Tags," annually as authorized by NRS 502.250.

"Wildlife Heritage Tag" is defined to mean a big game or wild turkey tag auctioned for the purpose of providing a unique hunting opportunity and for generating revenue to be deposited in the Wildlife Heritage Trust Account.

PROCEDURE

1. The State Board of Wildlife Commissioners, at the meeting which establishes big game seasons or the February Commission meeting which ever occurs first, may authorize seasons, quotas, and special regulations, including regulations that outline procedures for the auctioning or sealed bidding of the Wildlife Heritage Tags.
2. Except for applicable administrative costs, license, habitat conservation, application, *predator*, and tag fees, all monies derived from Wildlife Heritage Tags will be deposited into the Wildlife Heritage Trust Account.
3. By the first Monday in March, the Department will mail vendor solicitation packets which will include the species season, vendor proposal requirements, and proposal deadline information.

4. Proposals will be considered which are submitted to the Department by the third Monday in April of each year. Proposals received after the deadline will be ineligible for consideration for award of Wildlife Heritage Tags. A vendor proposal to auction Wildlife Heritage Tag(s) must provide the following information:
 - (a) Date, time and place of auction. If the proposed date, time and place of the auction changes due to circumstances beyond the organization's control, it is the vendor's responsibility to notify the Department in order to post the updated information.
 - (b) Type of function (banquet, convention, etc.)
 - (c) Estimated attendance.
 - (d) Proposed advertising and marketing strategy.
 - (e) An explanation of any "packaging" of the game hunt; i.e., other services to be provided in addition to the authorized tag, such as guide or taxidermy services, etc.
 - (f) Except for subsection (a), no changes or alterations may occur to the proposal after the deadline for receipt of the proposals.
5. The Commission will review all proposals and select vendors to auction the respective tags. If no proposals are received, the Commission may authorize other organizations within or outside Nevada to auction the tag. If no acceptable organization can be found to administer an auction, the tag may be sold by sealed bid.
6. The Commission reserves the right to refuse any proposal received for auctioning Wildlife Heritage Tags annually.
7. All vendors who submit proposals will be notified in writing of the results by the Department.
8. By the deadline established in annual regulation, all vendors must provide the successful bidder information on an application provided by the Department and the Wildlife Heritage donation.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION,
APRIL 1, 2006.

Chris MacKenzie, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
NEVADA BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number P-21

Title: Game and Fur-bearer
Management (formerly titled Big
Game Hunting Seasons.)
Reference: NRS 501.181,
Effective Date: 2007
Amended Date: June 26, 2009

PURPOSE

The Board of Wildlife Commissioners is charged in Nevada Revised Statute to provide broad level policy guidance to programs within the Department of Wildlife. This Policy is designed to provide that broad policy for the development of big game, upland game, waterfowl, and fur-bearer management plans.

JUSTIFICATION

Nevada Revised Statute (NRS) 501.181 states that: "The Commission shall establish broad policies for the protection, propagation, restoration, transplanting, introduction, and management of wildlife in this State". In addition, NRS 501.181 indicates that the Commission shall: "Establish policies for areas of interest including the management of big and small game mammals, upland and migratory game birds, fur-bearing mammals...the control of wildlife deprecations...and the introduction, transplanting, or exporting of wildlife". Further, the statute requires the Commission to: "Establish regulations necessary to carry out the provisions of this title and of chapter 488 of NRS, including: (a) seasons for hunting big game mammals and game birds, for hunting or trapping fur-bearing mammal the manner and means of taking wildlife, including, but not limited to, the sex, size, or other physical differentiation for each species, and when necessary for management purposes, the emergency closing or extending of a season, reducing or increasing of the bag or possession limits of a species, or the closing of any area to hunting, fishing, or trapping. The regulations must be established after first considering the recommendations of the Department, the county advisory boards to manage wildlife and others who wish to present their views at an open meeting. Any regulations relating to the closure of a season must be based on scientific data concerning the management of wildlife. The data on which the regulations are based must be collected or developed by the Department".

BACKGROUND

Game and fur-bearer species are important to the State of Nevada. Hunting and viewing activities related to these species are economically vital to rural areas, and the sale of licenses, tags, permits, and other hunting and trapping related fees are principle sources of income to the Department. More broadly, game animals and fur-bearers are capstone species and the population health of these species is a key indicator of the integrity of Nevada's diverse ecosystems under changing climatic regimes.

The Game Division of the Department is charged with the management of big game, small game, waterfowl, and fur-bearers and for the development and implementation of management plans for these species. This policy is intended to provide Division and other departmental personnel with guidance to be followed in the development of such plans.

POLICY

The Nevada Board of Wildlife Commissioners develops broad policies related to the conservation, restoration, maintenance, and utilization of Nevada's game populations. This guidance serves as the basis for species-specific management plans developed by the Game Division in cooperation with other departmental personnel. Management plans shall contain elements that:

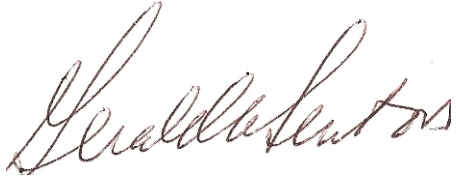
- (a) document available information on each species and their critical seasonal habitats and implement efficient, accurate, and objective programs to obtain herd and habitat inventory information;
- (b) outline strategies to assess the current status of big game habitat and the use of that habitat, identify challenges to habitat and habitat use, and prescribe management actions and research that benefit game and fur-bearer populations;
- (c) recognize that game and fur-bearers may come into conflict with other land uses such as agriculture and develop strategies to eliminate or minimize conflicts. If impacts are unavoidable, develop appropriate mitigations;
- (d) provide a range of biologically feasible alternatives for the management of habitat, herd size, and harvest strategies for game and fur-bearer species, as well as the preferred alternatives on the basis of the best available science;
- (e) maintain, and whenever possible, increase the quality of critical seasonal habitats in cooperation with private landowners, federal land management agencies, and other entities;
- (f) implement predator control to reduce mortalities and increase recruitment whenever predation may have negative impacts on meeting game and fur-bearer population objectives;
- (g) Document wildlife disease impacts and outline mitigation strategies to reduce those impacts whenever and wherever feasible.

Management plans will be regularly reviewed by the Commission and departmental personnel will apprise the Commission of successes, shortcoming, and changes in direction. The Division will apprise the Commission of the best biological information available, any social, economic, or political impacts that management strategies are likely to have, and shall advise the Commission of alternatives that might address these impacts. Whenever Division recommendations are based on considerations other than biological data, those considerations will be fully explained to the Commission. If management plans conflict with federal, other state, or local planning efforts or policies, and if these conflicts are likely to have adverse impacts on game resources, the Division will notify the Commission at the earliest possible date as to the herds affected. The

Department also will outline any alternative remedial measures available to the Commission and the Department which might be taken to minimize or eliminate these impacts.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, June 26, 2009.

A handwritten signature in cursive script, appearing to read "Gerald A. Lent".

**Chairman Dr. Gerald A. Lent, O.D.
Board of Wildlife Commissioners**

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 22

Number: P-22

Title: Introduction, Transplanting
and Exportation of Wildlife

Reference: NRS 501.181

Effective Date: February 20, 1981

Amended Dates: October 21, 2000
June 26, 2009
December 5, 2009

PURPOSE

To establish policy on the introduction, transplanting, or release and re-establishment of wildlife into the State and exportation of same out of the State as guided by NRS 501.181.

DEFINITIONS

Exotic Wildlife: Includes all species of mammals, birds, reptiles, or their progeny or eggs, not historically found in the 48 contiguous states and Alaska, and normally found in a wild state.

Endemic Species: Those species presently or historically occurring naturally within the 48 contiguous states and/or Alaska, and normally found in a wild state.

- a. Native Wildlife: Endemic wildlife species historically found in Nevada.
- b. Non-Native Wildlife: Endemic wildlife species not historically found within Nevada. For example, ruffed grouse are an endemic non-native species in Nevada.

Introduction: The act of releasing exotic or endemic non-native wildlife for the purpose or intent of increasing self-sustaining populations in the wild state.

Re-establishment: The act of releasing native wildlife into habitat formerly occupied by that species for the purpose or intent of creating self-sustaining populations in a wildlife state.

Release: The act of releasing any wildlife species for the purpose or intent of creating self-sustaining populations in the wild state.

Transplant: The act of releasing endemic wildlife species into habitat not currently occupied by the species for the purpose or intent of creating self-sustaining populations in the wild state.

Stocking: The act of releasing any wildlife for “put and take” purposes.

Exportation: The act of removing any live wildlife from the State of Nevada.

Augmentation: The act of supplementing existing wildlife populations of terrestrial wildlife species.

PROCEDURE

1. Due to the relative low densities of terrestrial wildlife populations and limited diversity of faunal species in Nevada, the Department shall administer sound wildlife management and restoration programs by:
 - a. Re-establishing: Native wildlife onto former or historic areas of distribution within the State, when the habitat requirements of such species are again provided in such areas and a vacancy exists.
 - b. Introduction: Endemic non-native wildlife where suitable vacant habitat may exist, and where conflicts with native or existing endemic non-native wildlife would not occur or have only a minimal effect.
 - c. Releasing, Transplanting or Augmenting: Native endemic, non-native, or exotic wildlife when it is determined that a vacancy exists in suitable habitat and a self-sustaining population can be established, or in the event of recurring natural die-offs, transplants can be made to speed the recovery of a population.
 - d. Stocking: Native, endemic non-native and exotic terrestrial wildlife species for the appropriate use and aesthetic enjoyment of the people of the state if conflicts with existing native or endemic non-native would not occur or have only a minimal effect.
2. The Department shall prepare a two-year plan to coincide with biennial work program periods for big game re-establishment, introductions, and augmentations. This plan shall be prepared in close cooperation with the appropriate land management agencies. This plan will be presented to the Commission for approval.
3. The Department shall prepare a two-year plan to coincide with biennial work program periods for upland game, migratory game birds, or furbearer re-establishment, introductions, or augmentations. This plan will be presented to the Commission for approval.
4. Once approved by the Commission, big game releases will occur as soon as practical considering budget, manpower and animal availability. Sites will not be

re-submitted for public review and Commission approval unless the Commission specifically finds that compelling circumstances have arisen and requests that the site be re-submitted to it, or unless a release has not been accomplished after two biennial periods (four years).

5. Once approved by the Commission, any material changes in the Big Game Release Plan must be presented to and approved by the Wildlife Commission.
6. The Big Game Release plan must include proposed source population of animals to be released, and the Commission must be advised of necessary or substantial changes.
7. To give transplanted or translocated animals a better chance of establishment, predator control must be accomplished by Wildlife Services or another appropriate entity before and after any transplants or translocations can occur.
8. The Department will seek concurrence of the appropriate land management agency when necessary and may enter into a cooperative agreement to define the action to be taken.
9. The Department will cooperate with other states and countries, within federal and state constraints, to meet their objectives or re-establishment and introduction of wildlife by providing stock for export whenever it is in the best interest of the resource and the people of the State.
10. The Department will comply with all existing importation regulations.
11. Any introduction, release, stocking, or transplanting of wildlife into, or exportation of wildlife from Nevada by persons or entities, public or private, other than the Department shall comply with Commission regulations and must receive the written consent and approval by the Department prior to the attempt.

This policy shall remain in effect until amended, modified, or repealed.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION December 5, 2009.

Chairman. Dr. Gerald A. Lent, O.D.
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 24

Number: **P24**
Title: **Hunting Opportunities Among
Weapons and Hunter Groups**
Reference: **NRS 501.105, 501.181**
Effective Date: May 13, 2006

PURPOSE

To establish hunting opportunities for the various weapons and hunter groups.

POLICY

It is the policy of the Board of Wildlife Commissioners to approve the harvest levels for big game species based on the weapons and hunter groups' relative demand for hunting opportunity and their hunter success rates.

FINDINGS

After due deliberation and consideration of the relevant information presented to it, the Commission makes the following findings:

1. The Commission has a duty to provide reasonable hunting opportunity to Nevada's citizens.
2. Hunting in Nevada is an important activity for its citizens for many reasons, including but not limited to the following values that it supplies:
 - Providing a healthy food source;
 - Promoting family and other social interaction;
 - Maintaining a link to Nevada's outdoor history, culture and traditions;
 - Supplying connection with Nevada's natural and scenic landscape;
 - Providing a source of physical exercise important for maintaining health and fitness;
 - Encouraging appreciation for the natural habitat, which is a major component of Nevada's quality of life;
 - Engendering public support for Nevada's superior wildlife management programs; and
 - Providing one of the principal sources of wildlife management funding in Nevada.
3. The Commission takes administrative notice of Nevada's wildlife-limiting climatic and habitat conditions. These include precipitation averages that make Nevada the driest state in the nation, and Great Basin and Mojave Desert vegetation and geography types that provide limited forage and cover. These limiting conditions prevent Nevada's wildlife populations from reaching numbers comparable to those of other states, including other western states.

4. Due to Nevada's relatively low wildlife numbers and its increasing human population, it is necessary to ration big game hunting opportunities in the State. Consequently, Nevada is unique as the only state in the nation whose resident big game hunting opportunities are entirely rationed by a tag draw system, pursuant to which hunters must successfully draw a tag in order to be able to hunt a big game animal. An applicant who is unsuccessful in the tag drawing for any given year cannot hunt big game that year. In all other states, resident hunters either have statistically better odds in their respective states' tag draws, or have opportunities to purchase big game tags across the counter. Consequently, all other states' residents have better home-state opportunities to hunt than Nevada residents despite Nevada's limits on nonresident tags.
5. Nevada's already-limited resident hunting opportunities would be significantly lowered if nonresidents competed equally with residents for big game tags or were given a greater advantage. Such a change would be against the public interest.
6. Given the physical constraints of Nevada's natural environment, the Commission—with the support of both resident and nonresident hunters—has elected over the past thirty years to emphasize a sustained quality hunting experience rather than attempt to match the quantity of hunting opportunities available in other states. In order to do so, the Commission has consistently applied a strategy that, compared to other states, maintains a high male to female ratio among big game populations. Elimination of nonresident restrictions could require lowering the quality of the hunting experience to mitigate the impact of increased nonresident tags on resident opportunity. Such change would be contrary to the public interest and the interest of all hunters, including nonresident hunters.
7. In order to maintain the quality of big game hunting opportunities for all hunters in Nevada and also maintain reasonable resident opportunities, it may be necessary to apply restrictions upon nonresident big game tag applicants that takes into consideration the opportunity of the nonresident hunters in their home states.

TERMS OR DEFINITIONS

Big Game: For the purpose of this policy, big game means all big game mammals except mountain lion.

Branch-antlered elk: An elk having at least one antler with more than one discernable point.

Buck: Antlered deer and antelope with horns longer than their ears.

Bull: Antlered elk.

Demand: Measure of interest that a particular hunter group has in attaining a big game tag based on the previous year's resident first choice applications or previous year's tag sales for a given hunter group.

Expand: Taking a projected number of harvested animals and dividing by the expected hunter success rate to generate a tag allocation.

Hunter Groups: Residents of Nevada, juniors, and nonresidents.

Harvest Objectives: The numbers of male and female big game animals that the Department has determined can be safely removed from a population through harvest without causing detrimental impacts to that population.

Hunter Success: Percentage of tag holders harvesting a big game animal. Hunter success will be primarily based on the previous three-year average hunter success rate for a given hunter group and unit group using both resident and nonresident hunters. A long-term or statewide average may be used to moderate erratic variations in hunter success rates.

Junior: In accordance with NAC 502.063, generally a person between 12 years and 16 years.

Projected Male (bull or buck) Harvest: A projected number of males reported to be harvested that will result in a desired post-hunt male to female ratio objective (i.e., buck or bull ratio).

Projected Female (antlerless deer, antlerless elk, antelope with horns shorter than their ears, or ewe) Harvest: A projected number of females reported to be harvested to achieve various management objectives; maintaining population numbers in balance with habitat conditions, optimal levels for a given species, or below a level set in local management plans; optimum sustained yield during periods of average to exceptional environmental conditions; and/or providing for recreational opportunity.

Reasonable Harvest Levels: Means the same as the projected male and female harvest. Harvest levels that meet or accomplish management objectives.

Unit Groups: A defined geographic area within Nevada within which separate or conjoined population assessments, harvest objectives, and other management actions are applied.

Weapons Groups: Any legal weapon, muzzleloader and archery.

GENERAL RULES—ALL SPECIES

Population estimates of males and females (one year-old or older) for each unit group at the pre-hunt period (late summer) will be the basis for determining projected harvest levels for each species class.

The Commission approves the projected male (bull or buck) and female (antlerless deer and elk, short-horned antelope, or ewe) harvest levels among those weapons and hunter groups that are identified for each unit group through the public scoping process involving the county advisory boards to manage wildlife and approved by the Board of Wildlife Commissioners.

Weapon and Hunter Groups and Animal Classes

Hunting opportunity may be allocated among the following weapon and hunter groups and class:

	DEER			ANTELOPE		ELK		DESERT BHS	CA BHS	ROCKY MTN BHS	GOAT
	Antlered	Antlerless	Either	Horns Long	Horns Short	Antlered	Anterless	Any Ram	Any Ram	Any Ram	Either
Res Any Legal Weapon	X	X		X	X	X	X	X	X	X	X
NR Any Legal Weapon	X	X ⁽¹⁾		X		X	X	X	X	X	X
NR Restricted Deer	X										
Res Jr Any Legal Weapon ⁽²⁾			X								
Res Muzzleloader	X					X	X				
NR Muzzleloader	X					X	X				
Res Archery	X			X		X	X				
NR Archery	X			X		X	X				

(1) Second draw only.

(2) Weapon appropriate for the season.

Hunting Opportunity Formula

For determining reasonable resident and nonresident hunting opportunity, the nonresident tag quotas will fluctuate with resident opportunity. This formula establishes a minimum level of resident opportunity and corresponding nonresident quotas. The Commission will establish a goal of 50 percent resident opportunity and a minimum quota of 10 percent for all ungulates as follows:

Resident Opportunity	Nonresident Quota Percentage of Total Tags
Less or equal to 50%	10%
51-55%	11%
56-60%	12%
61-65%	13%
66-70%	14%
71 or greater	15%

SPECIFIC RULES—BY SPECIES

MULE DEER

Allocation of Projected Harvest by Weapon Group

Determining hunting opportunity for the junior hunter group will involve using a percentage of last year’s statewide resident junior deer tag sales and apportioning this number into unit groups based on the proportion that the group’s any legal weapon buck tag sales is of the statewide

any legal weapon tag sales. Prior to determining the big game hunting opportunity each year, the Board of Wildlife Commissioners will determine what percentage of the previous year's statewide junior tag sales to apply for the coming year.

Archery, muzzleloader and any legal weapon buck opportunities will be taken from the projected buck harvest remaining after the junior hunting opportunity has been subtracted. The remaining projected buck harvest will be divided among archery, muzzleloader and any legal weapon groups by their percent demand and then expanded to quotas based on hunter success.

Projected antlerless harvest (less the projected junior antlerless harvest) will simply be expanded based on hunter success for the any legal weapon group quota.

ELK

Allocation of Projected Harvest by Weapon Group

The projected bull (less projected elk incentive tag harvest), antlerless, and spike harvest will be divided among the various weapon groups identified for a given elk class and unit group. The projected harvest, once divided among the weapon groups, will be expanded to determine hunting opportunities.

ANTELOPE

Allocation of Projected Harvest by Weapon Group

The projected buck harvest will be divided among the various weapon groups identified for a given antelope class and unit group. The projected harvest, once divided among the weapon groups, will be expanded to hunting opportunities.

BIGHORN SHEEP

Weapon and Hunter Groups and Animal Classes

Bighorn ram and ewe hunting opportunities will only involve a single weapon group, any legal weapon.

Allocation of Projected Harvest by Hunter Group

Hunter success rates will not be used to expand either the projected ram or ewe harvest.

MOUNTAIN GOAT

Weapon and Hunter Groups and Animal Classes

Mountain goat hunting opportunities consists of a single class, any mountain goat (male or female), and a single weapon group, any legal weapon.

Allocation of Projected Harvest by Hunter Group

Hunter success rates will not be used to expand the projected mountain goat harvest.

This policy shall remain in effect until amended, repealed or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, May 13, 2006.

Chairman Chris MacKenzie
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 25

Number: **P-25**

Title: Wildlife Damage Management

Reference: NRS 501.105, 501.110,
503.470, 503.595, 567.010-567.090,
CGR No. 1(8) and No. 4 (2)

Effective Date: September 19, 1980

Amended Date: 2002

PURPOSE

To inform the public and guide the Department of Wildlife in actions relating to Wildlife Damage Management.

In accordance with NRS 501.181, the Board of Wildlife Commissioners shall establish policies for the protection, propagation, restoration, transplanting, introduction and management of wildlife in this state. Further, the Commission shall establish policies for areas of interest including wildlife damage management.

POLICY

1. Wildlife damage management shall be undertaken to minimize wildlife related losses to private or natural resources without endangering the existence or natural role of offending wildlife species in the ecosystem.
2. Extension and educational efforts will be encouraged to assist private citizens in animal husbandry practices, property protection or human activities to minimize the vulnerability of loss, damage, or injury to livestock, pets, private property, or human health and safety.
3. The Commission supports continued federal leadership in wildlife damage management because of the national need for development and use of more efficient and humane control methods.
4. The Commission recognizes the U. S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, as the authority for predatory and nuisance wildlife damage management under cooperative agreement with the Department of Wildlife, where the Department of Wildlife is an active participant in documenting the need for wildlife damage management programs, in planning and execution of those programs, and in enhancing public understanding of those programs.

The Department shall prepare an annual wildlife damage management plan outlining proposed actions needed for the management of wildlife and, upon

approval of the Commission, recommend that a sufficient amount of funding annually be forwarded from the Wildlife Account in the State General Fund to the state predator animal and rodent committee (PARC) for wildlife damage management work as provided in Chapter 567 of NRS.

5. The Department shall conduct an evaluation of the potential needs for wildlife damage management activities in conjunction with preparing release proposal for big game, upland game, and migratory birds. Those evaluations shall be included in each site-specific release proposal in the draft biennial big game and upland game-migratory bird release plans.
6. Initiate wildlife damage management efforts using the best scientific and biological information available.
7. Direct wildlife damage management efforts including sport hunting and trapping, whenever possible, to prevent damage to resources or threats to human health and safety before it occurs in specific areas known to be recurring problem areas, or to alleviate damage as soon as possible after it occurs.
8. Direct wildlife damage management efforts at the offending animal or localized offending species population insofar as possible, and feasible.
9. Wildlife damage management of major mammalian predators including coyotes, bobcats, mountain lion, and black bears, shall be directed towards specific geographic areas of the state where a predation problem has been documented by the Department of Wildlife or Wildlife Services. Within those documented areas, management and control efforts shall be undertaken to minimize livestock, pets, or natural resource losses that may or are about to occur through predation. In the event that any of the aforementioned major mammalian predators poses a legitimate immediate threat to human health and safety, based on the professional judgment of Department of Wildlife or Wildlife Services personnel, those animals shall be killed.
10. Employ wildlife damage management methods which are selected on the basis of the species involved, utilizing currently approved methods in the proper mix according to the needs. These methods may include aerial hunting, M-44 devices, trapping, snares, denning and registered pesticides.
 - a. Pesticides must be federally and state registered, applied on y by certified applicators, and should only be used in those proactive or reactive preventative damage management operations where its use and delivery system represent a selective, effective and efficient method of control.
 - b. Aerial hunting will be conducted only under authorization of the Department of Wildlife through issuance of an aerial depredation permit, limited to bobcats, coyotes and ravens. Such permits shall be

issued only to Wildlife Services or to landowners or tenants land or property that are being damaged by wildlife.

11. Department, upon issuance of a depredation permit and with the aid and cooperation of the complainant, may take all available professional and economically feasible measures to alleviate or lessen the depredation or safety problem.

PROCEDURE

NRS 503.595 provides that after the owner or tenant of any land or property has made a report to the Department indicating that such land or property is being damaged or destroyed, or is in danger of being damaged or destroyed, by wildlife, the Department may, after thorough investigation and pursuant to such regulations as the Commission may promulgate, cause such action to be taken as it may deem necessary, desirable and practical to prevent or alleviate such damage or threatened damage to such land or property.

The Commission has adopted regulations authorizing the Director or his designee to issue wildlife depredation permits. Specific permit programs include:

1. An annual wildlife depredation permit may be issued to the State Supervisor, U. S. Department of Agriculture Wildlife Services, to kill mountain lion, black bear and/or bobcat causing or potentially causing a loss of private property, natural resources, or representing a threat to human health and safety.
 - a. Any report of natural resource, livestock, or pet loss, or threat to human health or safety received by the Department shall be forwarded immediately to Wildlife Services for action in accordance with subsection (b) of this section.
 - b. Upon receipt of a report from a property owner or the Department indicating that a mountain lion, black bear, or bobcat is causing or about to cause damage to private property or oppose a threat to human health and safety, the permittee shall conduct an on-site investigation. If the results of the investigation support the complaint, the permittee may kill the animal. If the permittee cannot determine if the complaint is valid, he shall notify a representative of the Department, who shall conduct a joint investigation to make the final determination.
 - c. The permittee shall salvage and give the hide and skull of mountain lion, black bear or bobcat killed under the authority of a permit, to the Department within 72 hours.
2. An annual wildlife depredation permit may be issued to State Supervisor, Wildlife Services to kill the minimum number of game, furbearers, protected or unprotected wildlife species as necessary to control threat or damage to and property or to human health and safety.

3. Upon receipt of a valid mountain lion, black bear or bobcat complaint from an individual landowner or tenant, the Department may issue a limited permit to the owner to pursue and kill an animal that is in the act of killing his livestock.
 - a. The permittee shall notify a Department representative within 72 hours after killing a mountain lion, black bear or bobcat and shall salvage the hide and skull and give same to the Department of Wildlife.
4. The Department may issue permits authorizing the hunting or killing of coyotes and bobcats from an aircraft.
5. Furbearers may be taken or killed at any time in any manner, provided an individual or entity first obtains a permit from the Department. The Department or their agents are authorized to enter upon the lands of a landowner and remove beaver or otter for the relief of other landowners and the protection of the public welfare.
6. The Department may issue permits consistent with federal law to take bald eagles, golden eagles, ravens, or other birds protected by the Migratory Bird Treaty Act, whenever it determines that they have become seriously injurious to wildlife or agriculture or other interests that the injury can only be abated by killing some of the offending birds.
7. The State Predatory Animal and Rodent Committee shall enter into agreements with the U. S. Department of Agriculture covering cooperative control of crop-destroying birds in addition to predatory animals and rodents to assure maximum protection against losses of livestock, poultry, game birds, animals and crops on a statewide basis. The State Department of Agriculture in accordance with NRS 555.010 and 555.021 responds to complaints involving vertebrate pests that are injurious to agriculture or public health.
8. The Department may issue a wildlife depredation permit to a landowner if needed for the prevention or alleviation of damage to standing or stored agriculture crops.

This policy shall remain in effect until amended, repealed or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, June 17, 2000.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 31

Number: **P-31**
Title: Lahontan Cutthroat Trout
Management Guidelines
Reference: NRS 501.105,
501.181
Effective Date: March 22, 1996
Reviewed Date: 2002

PURPOSE

The Board of Wildlife Commissioners establishes policies necessary to preserve, protect, manage, and restore wildlife and its habitat. The Lahontan cutthroat trout is one of five native salmonids currently found in Nevada. Historically, this fish existed in eleven lucustrine populations and an estimated 400 to 600 streams and rivers. Currently it exists in about 155 streams and 6 lakes and reservoirs in Nevada, California and Oregon. The Lahontan cutthroat trout was federally listed as “threatened” in 1975 under the Endangered Species Act. In Nevada, the Lahontan cutthroat trout is classified as a “game fish” by action of the Board of Wildlife Commissioners.

POLICY

The Board of Wildlife Commissioner does hereby establish the following policy to provide for the preservation, protection, management, and restoration of the Lahontan cutthroat trout.

1. The Lahontan Cutthroat Trout Recovery Plan approved in January 1990 by the U. S. Fish and Wildlife Service will be used as the guideline for the Nevada Department of Wildlife’s species management planning and implementation with the objective of recovery and delisting the species as rapidly as is biologically possible.
2. Distinguishable races of Lahontan cutthroat trout will be managed separately within the major drainage basins of historic Lake Lahontan. The three basin population segments include the Western Lahontan basin population segment, Northwestern Lahontan basin population segment, and the Humboldt River basin population segment.
3. In order to accomplish the recovery objectives, the Department will participate in cooperative efforts with the U. S. Fish and Wildlife Service, all land management agencies, other state agencies, willing private land owners and local governments that are working toward the

recovery of Lahontan cutthroat trout and their habitat.

4. Stream habitat restoration and management is a necessity on many waters before reintroductions can take place. On some streams, competing nonnative trout will have to be controlled or eliminated and/or physical barriers constructed to prevent competition or hybridization with Lahontan cutthroat trout.
5. Currently occupied and potential habitats as identified in the Lahontan Cutthroat Trout Recovery Plan are to be dedicated to cutthroat recovery efforts. No competing salmonids will be stocked in those waters.
6. Where deemed necessary to assist in the recovery of the species, specific waters or specific areas within individual waters may be closed to angling by the Wildlife Commission. In most cases, sportfishing for Lahontan cutthroat trout has no negative impact on the recovery program.
7. The Truckee, Carson, and Walker rivers are important salmonids recreational fisheries for rainbow and brown trout, both in Nevada and California. These streams support extensive angler use and are stocked annually with hatchery salmonids to support the high angler use and demand. Experimental releases of catchable size Lahontan cutthroat trout can be made to evaluate their contribution to the fishery.
8. Because of social, economic and environmental constraints, the Nevada Board of Wildlife Commissioners considers it impractical to reestablish in the near future, the Lahontan cutthroat trout in the main stems of the Truckee, Carson, and Walker River systems, thus annual stockings of other salmonids are authorized.
9. The Department of Wildlife will actively pursue solutions to maintaining suitable water levels and water quality in Walker Lake in order to enhance this important Lahontan cutthroat trout sport fishery. Only solutions consistent with the final decree entered in United States of America, Plaintiff vs. Walker River Irrigation District, et al., Defendants in the United States District Court for the District of Nevada (C-125) will be pursued. Any proposed redistribution of water shall be on a voluntary basis.
10. The Department of Wildlife will maintain brood stocks of pure strain Lahontan cutthroat trout both for use as recreational sport fish and, if needed, recovery stocks of selected races of cutthroat for reintroduction into recovery streams.
11. As the recovery objectives for maintenance of populations by basin

segments are met, the Department of Wildlife will petition the U. S. Fish and Wildlife Service for delisting of the species in that portion of its range.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN
REGULAR SESSION, MARCH 22, 1996.

B. Mahlon Brown, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 33

Number: **P-33**
Title: Fisheries Management Program
Reference: NRS 501.105,
501.181
Effective Date: July 24, 1999
Reviewed Date: 2002

PURPOSE

The Board of Wildlife Commissioners is charged in Nevada Revised Statute to provide broad level policy guidance to programs of the Department of Wildlife. This policy is designed to provide that broad policy for programs and projects of the Fisheries Bureau.

JUSTIFICATION

Nevada Revised Statute (NRS) 501.105 states that “the commission shall establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat.” NRS 501.181 further defines commission duties to “establish broad policies” for the “protection, propagation, restoration, transplanting, introduction and management of wildlife in this state.” In addition, the commission shall “establish policies for areas of interest including...the management of...game fish, and protected and unprotected...fish...and amphibians”, including “the introduction, transplanting or exporting of wildlife.”

BACKGROUND

Fish are important to the State of Nevada. They play a vital role in the economic stability of the State. Approximately, 200,000 people fish in Nevada, expending about two million angler days of effort each year. National surveys show each fisherman spends approximately \$776 each year to pursue their sport. A Department study in 1996 indicated that over \$211,000,000 is spent each year in Nevada by fishermen.

Fishermen are typically happy folks. A popular bumper ticker reminds us that “A bad day fishing is better than a good day at work!” The value of fishing as a psychological and sociological therapy has been documented in numerous studies, and the simple perusal of a group of anglers at a reservoir or a solitary fly fisherman on a quiet river will validate this assumption.

Fish in a desert environment are also a valuable indicator of ecological health. Their presence or absence portends the existing condition of aquatic resources as well as the long term trend. The Nevada landscape is home to 23 Endangered Species Act threatened and endangered fishes, more than any other state. Climatic changes as well

as human environmental impacts are seen in the extirpation of indigenous species, as the plight of Nevada's endemic fishes documents. The Commission supports programs to manage all fishes with the ultimate goals of species perpetuation, improvements in status leading to eventual delisting of federally protected species, and the prevention of future listing of species through proactive management strategies.

The management of Nevada's fishery resources, therefore, is a valuable endeavor, important to the State. This policy direction will help guide that undertaking.

POLICIES

Aquaculture

The propagation, cultivation, and harvest of aquatic organisms for commercial or private use is considered a legitimate and valuable use of Nevada's water. However, the paucity of water in the State limits the distribution of aquacultural pursuits, and quite often forces them to compete directly with native fauna and flora.

- Aquacultural activities will not be permitted where they will adversely affect native fauna and flora or nonnative fisheries of significant public value.
- Prohibited species and species of potential adverse impact will be permitted only in closed water systems.
- All aquaculture pursuits will conform to Commission fish disease policy.

Amphibians

There are approximately 19 species of amphibians distributed throughout Nevada (Nevada Natural Heritage Program, Feb. 1999). Amphibians are typically found associated with the aquatic resources of the State, and are considered important indicators of ecological health in those areas where they would normally be expected to occur. Bullfrogs are classified as a game amphibian with regulated harvest.

- The persistence of viable native amphibian populations will be considered in all aquatic resource management prescriptions and decisions.
- Commercial exploitation of amphibians shall be closely regulated, and only allowed when species viability, persistence, and maintenance of historic distribution are assured.

Angler Access

Even though approximately 87 percent of Nevada is public land, access to many, if not most, of the fishable waters of the State is controlled by private land. In addition many of the publicly assessable fishing waters of the State are in need of access facilities. To perpetuate the recreational, educational and aesthetic value of Nevada's water resources, a proactive program to guarantee access and improve access facilities is desirable.

- Angler access, including land acquisitions, easements, conservation pools, and access agreements will be sought from willing providers using Sport Fish Restoration, wildlife and special funds when appropriate.
- Angler access facilities will be developed at appropriate locations where public access is already assured when such facilities will enhance angler use and encourage the use of fishery resources. Locations owned or controlled by the State of Nevada will receive priority consideration for facility development and funding.
- Access to fishery resources will be actively publicized through signing, maps, the Internet, angler guides, and other Department outreach programs.
- All management prescriptions for fisheries controlled by private interests will be acceptable to affected landowners, maintaining a cooperative relationship as prescriptions are developed and implemented.

Biological Control of Aquatic Vegetation

The use of the triploid form of the grass carp, *Ctenopharyngodon idella*, also known as the white amur, as a biological method to control aquatic vegetation in specific, closed aquatic environments is a tested and proven technique. Other less prevalent methods of biological control of aquatic vegetation also deserve diligent scrutiny relative to potential impacts to the State's aquatic and fishery resources.

- Certified triploid grass carp may be approved for stocking only into waters where appropriate containment measures have been taken to prevent escapement or unauthorized removal and transfer of grass carp.
- Requests for importation or application of any aquatic vegetation control organisms will be allowed only when they will not harm existing aquatic or fishery resources.

Boating Access

The Sport Fish Restoration Program of Federal Aid requires the expenditure of at least 15 percent of the annual appropriation on boating access related facility development. The opportunities afforded by this program are great, if not challenging, due primarily to the limited water-based recreational opportunities in the state.

- Fifteen percent of the annual Sport Fish Restoration appropriation will be obligated and expended for development, maintenance, and repair of motorboat access facilities within the state.
- Close cooperation with the National Park Service at Lake Mead National Recreation Area and the Division of State Parks will be maintained to provide direct project support for development, repair and maintenance of boating facilities under their immediate administration.
- Department owned or administered boating access facilities will receive primary consideration for use of annual appropriations.

Fish Disease

Fish diseases, and the pathogens which cause them, have the potential to cause significant harm to the State's fishery resources. Many diseases, particularly those of viral origin, are untreatable. As the knowledge of the impact of diseases on indigenous fishes is insufficient, a conservative approach will be taken in protecting existing fisheries from disease impacts.

- Operational decisions made by the Department to preclude the introduction and spread of fish disease in the State will be guided by Program and Procedure relative to fish disease.
- The introduction or spread of fish disease pathogens which have been documented as having caused disastrous losses among cultured and/or wild fish populations, for which there is no known effective means of treatment, and which have never been, or are not currently, diagnosed as occurring in Nevada, will be prevented in the waters of the State of Nevada.

Fisheries Management Planning

Fisheries and Species Management Plans are a primary vehicle to make management prescriptions for Nevada's waters. Plans can present a logical and scientific argument for specific management direction, as well as serve as an informational document for the public.

- Management plans will be developed for major fisheries in the state, and species management plans will be developed for important sport fish species when disjunct populations can be managed collectively. Species management plans will also be developed for all threatened and endangered species.
- All planning processes and management prescriptions for waters of the State will give due consideration to the immediate and residual effects on resident native and endemic fishes, with special attention for protected species.
- Draft fisheries and species management plans will be subjected to extensive public review prior to being adopted, as outlined in the Fisheries Management Planning Program and Procedure.

Fishery Rehabilitation

The use of fish toxicants to control fish populations is a valid fisheries management tool to control an overabundance of undesirable fish, to remove exotic fish species, to reestablish displaced native fish species into historic habitat, and similar management needs. Nevada Revised Statutes prohibit anyone other than the Department of Wildlife from conducting fish eradication projects on waters of the State. Environmental concerns are addressable through adequate project planning and public information.

- An evaluation of environmental consequence which includes public scoping, will be completed for any proposed fishery rehabilitation project.

- Potential impacts to native aquatic species will be evaluated, justified and/or mitigated prior to any fishery rehabilitation project.
- Prior to a fishery rehabilitation project, the harvest of desirable fish species may be encouraged through liberalization of regulations.
- In compliance with NRS 445A.615, and as a public service, supervisory and technical assistance will be provided private and public entities desiring to complete fishery rehabilitation projects, however, project cost and regulatory compliance will remain the responsibility of the initiating party.

Fishing Regulations

A primary tool in fisheries management is the development of site specific regulations. Regulatory authority of the Board of Wildlife Commissioners extends to setting regular and special fishing seasons, daily and possession limits, manner and means of take, emergency closing or extending of a season, emergency reductions or increases of bag or possession limits, and area closures (NRS 501.181).

- Fishing regulation recommendations will be developed to meet specific goals and objectives for various management programs and will be closely coordinated with county advisory boards to manage wildlife.

Fish Stocking

Coldwater Game Fish: Most of the easily accessible fishable waters in Nevada have either insufficient or non-existent natural reproduction of trout to support current levels of angler use. Therefore, in order to maintain an acceptable fishing experience for the angling public as defined by the fisheries management planning process, the stocking of trout into many waters is a necessity.

- The stocking of coldwater game fish will be guided by the management objectives outlined in an approved management plan, as well as an evaluation of the most appropriate and beneficial use of hatchery trout.
- Hatchery trout will be stocked only in those waters where they will contribute to fishing by the general public. The stocking of private waters from state facilities may occur provided public access is allowed.
- The private stocking of trout into public waters may be authorized when the Department has determined that the release will be in the best public interest.
- Waters or reaches of waters managed as “wild” or “native” will not be stocked with hatchery trout.
- Stocking will not be conducted in waters which do not meet minimum habitat requirements for fish survival for at least as long as the stocked fish are expected to persist before anticipated angler harvest.

Warmwater Game Fish: About half of the fishing in Nevada is for warmwater species. Naturally reproducing populations, for the most part, support this demand. There are occasions, however, when the stocking of warmwater species is called for, including

introduction of a new species, augmentation of a declining population, reestablishment of a population after its loss, or maintenance of urban fishing programs.

- The stocking of warmwater game fish will be guided by the management objectives outlined in an approved management plan.
- Warmwater game fish may be introduced into waters where other game fish populations have not supported a viable fishery, or where a two-story fishery could be expected to develop.
- Warmwater game fish such as channel catfish may be stocked in selected waters to meet management objectives for urban fishery programs.
- Special liberal regulations, or other control measures, may be utilized to control expanding warmwater fish populations.
- Warmwater fish, especially more predaceous species such as black bass, may be used as a biological control in situations where excessive nongame fish populations are providing undue competition to primary game fish stocks. In this circumstance, special, more restrictive regulations to protect predatory fishes may be enacted.

Management of Native Nongame Fishes

Nevada's native fishes and other native aquatic organisms are important indicators of ecological health and are integral components of properly functioning aquatic ecosystems. They have also been severely impacted over time by modifications to and abuse of aquatic systems. NAC 503.065 and 503.067, CGR 1(8) and 3, and Commission Policy 19 recognize the need for special management emphasis for protected fish species. These management programs often require special funding sources, making their persistence tenuous at times.

- Program will be emphasized which assure the security of protected native fishes and preclude further listings.
- Native fish management plans will be developed for major drainage basins, species complexes, or individual species as appropriate.
- All planning processes and management prescriptions for waters of the State will insure the survival of resident native and endemic fishes, especially protected species.
- Due consideration will be given to the persistence of native crustaceans and mollusk in the development of management prescriptions for native and sport fish.

Native Trout Management

Six species of trout or char are native inhabitants of the State of Nevada: Bonneville cutthroat trout, bull trout, Lahontan cutthroat trout, mountain whitefish, redband trout and Yellowstone cutthroat trout. With the exception of Lahontan cutthroat trout, each has only a limited distribution in Nevada, but all are unique, and deserving of special management. In addition, most of these native species have received some degree of

attention from the Endangered Species Act of 1973 as amended. Threatened and endangered species need active long term species management programs implemented in accordance with the Comprehensive Management System.

- Native trout survival will receive priority in management prescriptions for any waters within historic distributions.
- Waters in historic ranges which support native trout populations, or have potential for reintroduction of native trout, should be designated and managed as “wild” or “native” fisheries.
- Waters or reaches or waters managed as “wild” or “native” will not be stocked with hatchery trout.
- The Commission may consider special regulatory protections such as harvest or gear restrictions for waters managed for native trout, if biological information indicates such actions would assure species viability.
- Species management planning and interagency cooperation will focus on proactive management strategies. The Commission supports programs to manage all native game fishes, with the ultimate goal of species perpetuation, improvements in status and eventual delisting of federally protected species, and the prevention of future listing of species through proactive management strategies.

Nuisance Aquatic Species

The introduction of undesirable, nuisance aquatic species has had a substantial negative impact on both sport fisheries and native fishes in Nevada. Additional invasive species introduced to North America, such as the zebra mussel, pose and continuing threat to Nevada’s fishes and aquatic ecosystems. The Commission supports programs to identify threats and to develop proactive strategies which will preclude introduction, or limit the impact of undesirable aquatic nuisance species.

- Potential nuisance aquatic species will be evaluated as they are identified and incorporated into existing prohibited or regulated species regulations.
- Local and regional strategies for prevention of nuisance aquatic species introductions, focusing on awareness and education for anglers, recreational boaters, and pet trade and aquaculture will be developed and implemented.
- The evaluation of live aquatic species importation requests for aquaculture and private pond stocking will incorporate consideration of potential nuisance aquatic species introductions.

EVALUATION

The Department of Wildlife Comprehensive Management System includes an ongoing process of evaluation as well as a final program evaluation of the attainment of goals and objectives. The Fisheries Program will be evaluated for attainment of program goals and objectives each year as the next year’s activities are charted. AT the culmination of the four-year planning cycle, a complete program review will be

accomplished in concert with revision of the Comprehensive Strategic Plan (1997) and the Fisheries Bureau Program Plan (1998).

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, JULY 24, 1999.

Bill Bradley, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 40

Number: **P-40**
Title: Statewide Boating Safety
Reference: Nevada Boating Act
Effective Date: January 23, 1981
Amended Date: December 2, 1995
Reviewed Date: 2002

PURPOSE

To guide the Department of Wildlife in the development and implementation of a statewide boating safety program.

POLICY

1. The boating safety program shall include public boating safety education, boating law enforcement, boating accident investigations, administration, access facilities, marine pollution prevention, navigational aids, registration and titling.
2. The State shall endeavor to conform its laws and regulations with Federal law to the extent practicable. Uniformity of laws and regulations with adjacent states is a priority, particularly on boundary waters.
3. Establishment of mutual assistance agreements between the state and other governmental agencies having some boating safety responsibility are encouraged and should be implemented when necessary to ensure the most efficient utilization of resources.
4. Collision with another vessel is the most reported type of accident. The vast majority of boating accidents are caused by the boat operator and not by the boat or environmental factors. Wearing life jackets could have saved the lives of the majority of Nevada boating fatalities. Alcohol involvement is estimated to contribute to many of Nevada's boating accidents and over half of the nation's fatalities. The timely and accurate identification of boating accident trends plays an important role in developing boating education, law enforcement work programs and budgets. Consequently, the Department must pursue public boating accident reporting and conduct investigations of all serious boating accidents.
5. The Department recognizes that boating safety education is essential. Further, that there exists a wide variety of needs from operating a yacht to safely handling a canoe. Nevertheless, some degree of uniformity is essential and boating safety education will be provided to as many persons as possible. This should

be accomplished by concentration on common factors such as respect for the marine environment, learning and observing rules of the road, knowing equipment requirements, and learning to share Nevada waters safely and courteously.

6. An effective vessel titling and registration system is a vital part of the boating program. The goal is to provide convenient, efficient service to the public while maintaining the absolute integrity of title and registration documents. Every effort should be made to minimize vessel theft.
7. Whenever possible and necessary for public safety, the Department should place and maintain appropriate aids to navigation.
8. Consideration will be given to the acquisition and development of public access sites in order to reduce congestion or other unsafe conditions. The Department will coordinate with other governmental agencies to secure such sites.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, JANUARY 20, 1999.

B. Mahlon Brown, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 50

Number: P-50

Title: Duck Stamp Procedure

Reference: NRS 502.035, 502.300
502.310, 502.322, 502.324

Effective Date: November 19, 1982

Amended Date: September 22, 2007
March 27, 2009

POLICY

It is the policy of the Commission to support and participate in the artist contest for the Nevada duck stamp since the stamps have collector interest. For the purpose of this policy, collector interest is when the collector stamp sales equal or exceed the sportsmen stamp sales.

PURPOSE

To establish a process for the artist contest, production, distribution, sale and disposal of Nevada duck stamps.

PROCEDURE

PRODUCTION

Nevada State Duck Stamp

Artwork to adorn each successive year's Nevada duck stamp will be chosen annually through a contest sponsored by a non-profit organization as sanctioned by Nevada Board of Wildlife Commissioners. The Department may receive proposals for sponsorship of the annual Nevada Duck Stamp Art Contest. A proposal for sponsorship must provide for the following:

1. A judging team of seven volunteers, consisting of two members of the Nevada Board of Wildlife Commissioners and five individuals with expertise in one or more of the following:
 - a. Wildlife art;
 - b. Waterfowl identification;
 - c. Previous art contest judging;
 - d. Other knowledge or expertise deemed suitable by the sponsoring organization.
2. Agreement to develop art contest rules jointly with the Department.
3. The sponsor understands that actual contest judging is not open to the public. The actual judging will be attended only by the judges and necessary Department personnel.

4. The sponsorship proposal may include a proposal for a public attended function totally organized and run by the sponsoring organization following the judging where the winning entry and nine runners-up are placed on public display. A proposal for a public attended function must provide the following:
 - a. Date, time and place of the function;
 - b. Type of function (banquet, barbecue, reception, etc.);
 - c. Estimated attendance;
 - d. Proposed advertising and publicity campaign;
 - e. Method of protection of the original paintings during display, and a written liability agreement to pay all replacement or repair costs should any painting be damaged while on display or in transit to or from the site.

As required by the Nevada Duck Stamp Art Contest rules, the sponsoring organization will receive up to 50 special "Conservation Edition" reproductions of the painting from the artist for fundraising activities and donation to other non-profit conservation and wildlife related organizations for fundraising purposes. The Department will receive an additional 25 special "Conservation Edition" reproductions for distribution to conservation groups. The sponsoring organization will receive "Conservation Edition" reproductions 2 through 51 of 75 prints. The Department will receive "Conservation Edition" reproduction number 1, which will be retained and publicly displayed, and "Conservation Edition" reproductions 52 through 75, which will also be distributed to conservation groups. The sponsoring organization's proposal for sponsorship must include a proposal detailing the organization's plan for use and disbursement of the donated reproductions, including:

1. A list of eligible recipient organizations;
2. Number to be distributed and number retained by the sponsoring organization;
3. Dispersal procedures and eligibility criteria of potential recipient organizations;
4. Method of informing potential recipient organizations of the availability of reproductions;
5. Accounting system, detailing actual dispersal, that is available to the Department and Commission upon request;
6. Name, address and telephone number of person or persons to be contacted concerning the donation of reproductions.

The Commission will review all proposals and select one organization to sponsor the Nevada Duck Stamp Art Contest for no longer than a two-year period. If no proposals are received, the Commission may solicit and authorize other organizations within the State to sponsor the contest. If no acceptable organization can be found, the Department will conduct the contest in accordance with the above procedure.

The Commission reserves the right to refuse any and all proposals received for sponsoring of the Nevada Duck Stamp Art Contest.

The Nevada Duck Stamp Art Contest judging will occur by November 30 of each year. The winning entry will be featured on the following year's Nevada duck stamp. The Department will be responsible for all facets of the contest not covered above, including solicitation, handling, processing and return of entries. Actual contest judging will occur at the Department headquarters, 1100 Valley Road, Reno. If the sponsor proposes that judging be held at an alternate site, the sponsor must submit a written liability agreement to the Department stating that the sponsor will pay in full any repair or replacement costs should any painting be damaged or lost during judging or during transit to or from the judging site. Actual replacement costs will be established by each artist on their entry forms.

Initially, a total of 35,000 stamps will be printed each year and each will be numbered consecutively, beginning with 00001 through 35,000. Stamps will be printed four to a page and incorporated into books, each containing five pages for a total of twenty stamps per book. A total of 1,750 books will be ordered. In the event the "mint stock" supply (the supply for collectors-see section on Handling and Distribution) is depleted before expiration of that current year's stamp (February 28 or 29), additional stock will be ordered and made available for sale as described in this policy. The printing of additional stock will constitute a continuation of that particular series, and will not constitute a new or special stamp series. Under no circumstances will any stamps carry duplicate numbers.

HANDLING AND DISTRIBUTION

Nevada Duck Stamp

Stamp numbers 00001-10,000, will be designated as "mint stock," for sale to collectors, companies, organizations or institutions involved in the secondary market sales of duck stamps. The remaining supply, stamp numbers 10,001- 35,000, will be designated as "license agent stock," and will only be distributed to the officially designated Department license agents for sale to the public.

Upon request, consecutively numbered stamps, beginning with number 00001-4,000 will be made available and sold for full face value to the winning artist of that year's Duck Stamp Art Contest.

SALE OF UN-EXPIRED AND EXPIRED NEVADA DUCK STAMPS

License Agent Stock

Un-expired license agent stamps will be sold only through officially designated Department license agents. Upon receipt from the Department, license agent stock will be sold at face value, with no limit placed on the number of stamps allowed to be purchased. Sales of un-expired license agent stock by the license agent will continue until recalled by the Department.

Mint Stock

Un-expired and expired mint stock duck stamps sales will only be conducted through the Department headquarters office. Upon receipt from the printer, mint duck stamps will be sold at face value, with no limit placed on the number of stamps allowed to be purchased. The sale of un-expired and expired duck stamps will continue until the entire supply is exhausted, but for no longer than two years after the expiration date.

DISPOSAL OF CERTAIN DUCK STAMPS

License Agent Stock

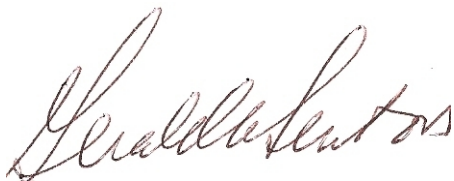
All license agent stock will be retained by the Department after expiration until reconciled for audit purposes, then will be destroyed in a secure manner, such as shredding, in the presence of two witnesses to verify destruction. There will be no further sales of these stamps under any circumstances.

Mint Stock

All mint stock will remain for sale for two years after the expiration date, at which time the remaining supply will be reconciled for audit purposes and then destroyed in a secure manner, such as shredding, in the presence of two witnesses to verify destruction.

This policy shall remain in effect until amended, repealed or superseded by the Board of Wildlife Commissioners.

BY THE ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, March 27, 2009



Chairman Gerald A. Lent, OD

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 51

Number: P-51

Title: Wayne E. Kirch Nevada Wildlife
Conservation Award

Reference: N/A

Effective Date: August 8, 2003

Amended Date: December 5, 2009

PURPOSE

To establish a policy for the administration of the Wayne E. Kirch Nevada Wildlife Conservation Award.

POLICY

1. The Wildlife Commission's Wayne E. Kirch Nevada Wildlife Conservation Award is presented annually to bestow a richly deserved honor on the individual, nonprofit organization, outdoor sports club or business that has shown outstanding achievement and significant results in the conservation, management or enhancement of wildlife in the State of Nevada during the calendar year preceding the award. Three Board of Wildlife Commissioners, to be named by the chairman, will be represented on the Kirch Award Committee.
2. Nominations Schedule: Nominations for the award will be printed each August and mailed out September 1 to all county advisory boards to manage wildlife, the agency's established sportsman's directory list, the wildlife commissioners, and all agency offices. A press release to announce the award will be sent out statewide. Nominations will be accepted until November 15 of the current year at 5 p.m., and judges will receive nominations for review by December 1.
3. Judging Panel: The recipient will be selected by a judging panel made up of three wildlife commissioners, one Department staff member, and Marlene Kirch, daughter of former commissioner Wayne E. Kirch. The award will be presented to the selected candidate at the next Wildlife Commission meeting held closest to the recipient's home, or at another Commission meeting agreed to by the recipient.
4. Judging Criteria: Selection of the award winner will be made solely from the official Conservation Award nomination form. The following criteria will be considered in evaluating nominees:

- a. Time and depth of commitment to conservation, management, or enhancement of wildlife in the State of Nevada during the current calendar year.
 - b. Influence of the person/project on the public and in presenting positive public relations in regard to wildlife conservation in Nevada.
 - c. Quantity and quality of measurable results for wildlife conservation.
 - d. Obstacles, difficulties and personal sacrifice involved in meeting wildlife conservation goals.
5. Type of Award: The perpetual award is a plaque made out of wood and bronze to which each year's recipient's name will be added. The perpetual award is permanently installed in the lobby of the Reno Office. In addition, each annual recipient will receive a smaller version to commemorate the award. The perpetual plaque and annual awards will be sponsored by Marlene Kirch, in her father's name, in perpetuity.
 6. Publicity: An announcement of the availability of nomination forms will be made each September. A statewide press release acknowledging the award recipient and their contributions on behalf of wildlife conservation will be prepared and sent out after the announcement of the award.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, DECEMBER 5, 2009.

A handwritten signature in cursive script, appearing to read "Gerald Lent".

Gerald Lent, Chairman
Nevada Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 60

Number: **P-60**
Title: Water Application Guidelines
Reference: NRS 501.105, 503.584,
503.589
Effective Date: March 28, 1980
Amended Date: December 2, 1995
Reviewed Date: 2002

PURPOSE

The Board of Wildlife Commissioners shall establish policies necessary for the preservation, protection, management and restoration of wildlife and its habitat and shall utilize its land management authority to carry out a program for conserving, protecting and propagating selected species of native fish, wildlife and other vertebrates and their habitats which are threatened with extinction and destruction.

POLICY

The Board of Wildlife Commissioners does hereby establish the following policy to provide for the preservation, protection, management and restoration of wildlife and its habitat:

1. The Director, Department of Wildlife, to the maximum extent practical, shall review water applications submitted to the State Engineer for the appropriation of waters to determine the impact of wildlife and its habitat.
2. If it is determined by the Director that granting the application would threaten or cause drastic modification or severe curtailment of wildlife and its habitat, the Director shall, within 30 days from the date of last publication of notice of applications, file with the State Engineer a written protest against granting the application, setting forth with reasonable certainty the grounds of such protest.
3. The Director shall advise the State Engineer and the applicant that such protest will be withdrawn if, in his opinion, adequate safeguards are provided for wildlife and its habitat.

The Board of Wildlife Commissioners recognizes the economic value and benefits of long established agricultural development resulting, in part, from the use of drilled wells and free-flowing artesian wells. The Board will endorse legislation to control the drilling and pumping of new wells that cause detrimental effects on existing wells and free-flowing springs that provide agricultural and wildlife benefits.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, DECEMBER 2, 1995.

B. Mahlon Brown, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 61

Number: **P-61**
Title: Water Rights
Reference: NRS 501.105, 503.584,
503.589
Effective Date: August 20, 1982
Amended Date: December 2, 1995
Reviewed Date: 2002

PURPOSE

The Board of Wildlife Commissioners shall establish policies necessary for the preservation, protection, management and restoration of wildlife and its habitat and shall utilize its land management authority to carry out a program for conserving, protecting and propagating wildlife and their habitats.

Water is essential for the existence and survival of fish and most species of wildlife, and in Nevada's arid climate, water is the key to the distribution and population abundance of the State's fish and wildlife resources.

The purpose of this policy is to guide the Department of Wildlife in securing water for the preservation, maintenance and enhancement of wildlife and their habitats. The provisions of this policy are in complete accord with Nevada water law, and will not impair any vested, permitted or certificated rights for the use of water.

POLICY

The Board of Wildlife Commissioners does hereby establish the following policy to provide for the preservation, protection, management and restoration of wildlife and its habitat:

1. **Instream Flow:**

It is the policy of the Commission to achieve, through all available means, adequate instream flows to maintain existing fish life and aquatic ecosystems. Whenever water becomes available, the Department shall, subject to a determination of need, and available manpower and money, apply for and/or purchase such waters for the benefit of fish and wildlife.

2. **Minimum Reservoir Pools:**

It is the policy of the Commission to achieve, through all available means, the maintenance of minimum reservoir pools necessary to support viable fish populations. The Department shall, whenever the opportunity arises, enter into negotiations with private reservoir owners to secure cooperative agreements for public fisherman access and minimum pools. The Department shall work

through the federal land management agency's permitting process to ensure permit stipulations for the maintenance of public access and minimum pools on all new reservoirs constructed wholly or partially on public lands.

3. Wetlands:

It is the policy of the Commission to maintain, through all available means, the maximum possible acreages of viable wetland habitats in Nevada. Whenever water becomes available, the Department shall, subject to available manpower and money, apply for and/or purchase such waters as are necessary to maintain existing wetlands for the benefit of fish and wildlife.

4. Springs and Seeps:

It is the policy of the Commission to ensure, through all available means, that wildlife have access to the water from springs and seeps necessary to maintain existing and anticipated distributions and population levels. The Department shall, subject to available manpower and money:

- a. File applications for permits to appropriate the necessary water to support existing and anticipated wildlife populations on all springs and seeps of significant value to wildlife and where unappropriated water is available.
- b. File joint applications, where appropriate, to obtain the amount of water needed for maintenance of wildlife populations.
- c. Develop procedures to implement the provisions of Chapter 533 of NRS to ensure wildlife access to appropriated waters.
- d. Work cooperatively with private water right holders and public land management agencies to ensure that sufficient water from springs and seeps is available for wildlife.
- e. File protests with the State Water Engineer on those applications for waters of significant value to wildlife and where the proposed use of the water will deny wildlife access thereto, and where all other avenues of ensuring wildlife access to such waters have been exhausted.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, DECEMBER 2, 1995.

B. Mahlon Brown, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 62

Number: **P-62**
Title: Mitigation Policy
Reference: NRS 501.105
Effective Date: January 23, 1987
Amended Date: December 1, 2001
Reviewed Date 2002

PURPOSE

The purpose of this policy is to guide the Department of Wildlife in mitigation of activities which have the potential to adversely impact fish and wildlife resources in Nevada.

BACKGROUND

The natural expansion of human populations in Nevada has resulted in increased demands on many of the natural resources of the state, which in numerous cases has had an adverse impact on fish and wildlife resources and their habitat. One only needs to look at the continued loss of wetland habitat in the Truckee Meadows, the loss of deer winter range along the Sierra front, the historical decrease in numbers and distribution patterns of bighorn sheep, and loss of their habitats, or the large scale conversions of natural shrub and grasslands to significantly degraded conditions. As some of these losses may be considered acceptable as the price paid for improving the quality of life and insuring the stability of economic development and diversification, it is important that we not take wildlife for granted in assuming that this important natural resource will always receive appropriate consideration.

The real challenge in fish, wildlife and habitat protection stems from the fact that most of man's activities affect these resource values in one way or another, either beneficially or detrimentally. The methods by which problems are addressed are further compounded in Nevada because of the large number of federal, state and local government agencies responsible for land use planning and associated project development. Each of these agencies has their own set of rules, regulations and policies governing individual actions or project proposals. An approach by our agency aimed at minimizing adverse impacts for a specific proposal may be acceptable to one agency, but unrealistic or unacceptable for another.

The basis for the development of this program and procedure lies in the Department's statutory charge that the protection of fish and wildlife values are in the public interest and that proper land use planning, including wildlife input and consideration, can result in positive protective measures. The overall objective of the Department and this policy is to guide or mitigate those activities which have the potential to adversely impact fish and wildlife resources in Nevada.

JUSTIFICATION

The Department's basic responsibility as a conservation agency is derived by state law which gives the Commission the authority to "...establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat." (NRS 501.105). Numerous other state laws outside of Title 45 also provide for the consideration and protection of wildlife in the state. Some of the more prominent state statutes are as follows:

NRS 321.5977 – "The public lands of Nevada must be administered in such a manner as to conserve and preserve natural resources, wildlife habitat, ...and to permit the development of compatible public uses for recreation, agriculture, ranching, mining..."

NRS 278.160 – As part of the master planning process, conservation plans are to be developed "For the conservation, development and utilization of natural resources, including water, ...fisheries, wildlife, ...and other natural resources."

NRS 278.020 – With respect to the improvement of land as regulated by cities and counties: "(2) Any such regulation, restriction and control shall take into account the potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment."

NRS 445.132 – The legislature declares that it is the policy of this state and the purpose of NRS 445.131 to 445.354 inclusive: "To maintain the quality of the waters of the state consistent with the public health and enjoyment, the propagation and protection of terrestrial and aquatic life, ..."

NRS 445.244 – "The water quality standards must reflect water quality criteria which define the conditions necessary to support, protect and allow the propagation of fish, shellfish and other wildlife and to provide for recreation in and on the water if these objectives are reasonably attainable."

NRS 528.053 – "No felling of trees, skidding, rigging or construction of tractor or truck lands or landings, or the operation of vehicles, may take place within 200 feet, measured on the slope, of the high water mark of any lake, reservoir, stream or other body of water unless a variance is first obtained from a committee composed of the state forester fire warden, the Director of the Department of Wildlife and the state engineer."

NRS 533.367 – "Before a person may obtain a right to the use of water from a spring or water which has seeped to the surface of the ground, he must ensure that wildlife which customarily uses the water will have access to it."

NRS 503.400 – "Every person who has erected, or who may hereafter erect, any dams, water weirs or other obstructions to the free passage of fish in the rivers, streams, lakes, or other waters of the State of Nevada shall construct and keep in repair to the

satisfaction of the Department fishways or fish ladders at all such dams, water weirs or other obstructions so that at all seasons of the year fish may ascend above such dams, water weirs or other obstruction to deposit their spawn.”

In an effort to recognize the importance of mitigation as a tool in minimizing wildlife losses, the policy plan which was adopted by the Commission on December 9, 1983 and endorsed by the Governor on August 20, 1984 identified the following Department goals:

“Recommend alternative approaches in federal, state or private projects to prevent or minimize degradation of fishery habitat or seek mitigation.”

“Maintain close coordination and cooperation with user groups and land managers, seeking the most favorable land use alternatives for big game and emphasizing mitigative measures to replace irrevocable losses.”

Since approximately 87% of the land in Nevada is public domain administered by several different agencies of the federal government, and because these lands provide diverse habitat types supporting a wide variation of wildlife species, it is important that federal law pertaining to state agency involvement be reviewed. These federal regulations also provide opportunities for state involvement in potential mitigation matters involving federal lands or the use of federal funds which may or may not be applicable to private lands. In addition to the public trust doctrine which is founded in common law, a few of the more important regulations pertaining to mitigation include the following:

Fish and Wildlife Coordination Act authorized ...state agencies responsible for fish and wildlife resources to investigate all proposed federal undertakings and nonfederal actions needing a federal permit or license which would impound, divert, deepen, or otherwise control or modify a stream or other body of water and to make mitigation and enhancement recommendations to the involved federal agency.

National Environmental Policy Act (NEPA) gives all governmental agencies in addition to private citizens an opportunity for greater involvement for all federal projects and private projects involving federal funds or federal land. One of the primary purposes of NEPA as listed in section 2 is “To promote efforts which will prevent or eliminate damage to the environment.”

POLICIES

1. It is the policy of the Commission that the Department will continue to emphasize a program of wildlife data collection and dissemination so that wildlife values can be fully and accurately considered in the land use decision making process.

In order to insure that wildlife resources are adequately considered in various planning processes at the local, state and federal levels, the Department will continue to provide

all available data in a useable form. Emphasis in this arena will be toward the development of a standard report format describing resource values within geographic areas of the state and will include economic considerations. These data will be made available for a reasonable fee, where appropriate to government agencies, private consultants, and others where it is determined that information is needed in the land use planning and/or decision making process and for individual project proposals on an as needed basis.

2. It is the policy of the Commission that the Department will provide recommendations for mitigation, enhancement and/or replacement as appropriate for individual project proposals where without such actions significant adverse impacts to the wildlife resources are expected to occur, recognizing that mitigation can not always equally replace loss.

The approach of the Department relative to mitigation matters takes into account the public need for fish and wildlife habitat protection measures while at the same time recognizing other public needs for sometimes conflicting activities. The program is further intended to provide recommendations or guidance for project development which will help to decrease or minimize adverse impacts rather than being used as a tool to stop proposed projects.

3. It is the policy of the Commission that costs associated with mitigation are all normal costs of land or water development projects and therefore should be borne by the developers and/or beneficiaries of the project.
4. It is the policy of the Commission that cash payments or donations may only be accepted: 1) to support projects designed to directly offset potential resource losses related to the development of the project; or 2) for deposit into a special habitat mitigation account. Monies from this account are to be used for habitat restoration, enhancement, or acquisition projects as determined by the development of a cooperative mitigation agreement between the project proponent and the Nevada Department of Wildlife.

PROCEDURES

The Department will implement the above listed policies in accordance with the definitions as described in the National Environmental Policy Act and as promulgated in the federal regulations under 40 CFR 1508.20. Mitigation will include in order of priority implementation:

1. Avoiding the impact altogether by not taking a certain action or parts of an action

The Department's major program emphasis will be directed toward providing wildlife input and associated recommendations which avoid or divert conflicting land uses with an overall objective of maintaining as much existing natural habitat as possible. This approach is particularly important for projects conflicting with threatened or endangered species and in areas of critical environmental concern

or key habitat types. Emphasis on the preservation of wetlands should also fall under this category because of the limited nature and resultant importance of these habitat types. In accomplishing this objective, it is important that the Department provide sufficient supporting information to the decision makers as a means of justifying the need for protection. Recommendations in this arena would normally be for a no action alternative or for relocation of the proposed action into a less sensitive area.

2. Minimizing impacts by limiting the degree or magnitude of the action or its implementation

This mitigative approach to habitat management is directed at making any impacts less severe or to minimize potential losses. Minimal habitat disruptions often may be achieved through permit stipulations and/or alterations in project design. Necessary activity in the vicinity of a deer winter range, for example, might be less disruptive if confined to the summer months. Although habitat and associated animals might be stressed temporarily, this approach assumes that recovery will take place through natural processes within a reasonable time frame.

3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment

The primary objective of this measure is to restore the same functions in an affected area to pre-disturbance conditions. Since many proposed activities create temporary disruptions, it is often possible to mitigate adverse impacts by restoring or even improving conditions. Examples of such activities might include revegetation of temporary roads needed for exploratory purposes or streambank stabilization after completion of a bridge project. Although the Department recognizes there may be situations where complete rehabilitation is not possible or feasible, it should be a consideration in the review process and implementation of other mitigation (compensation) evaluated as an alternative to the loss of habitat.

4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action

The primary objective of this measure is to offset potential losses by project design which may require operation and maintenance obligations. The use of a fence to protect wildlife species from cyanide ponds used in mining operations, for example, not only needs to be designed to accomplish specified objectives but also needs to be maintained during the life of the project to insure continued protection.

5. Compensating for the impact by replacing or providing substitute resources or environments

It should be noted that compensation or replacement for habitat losses affecting wildlife resources under the normal multiple use concept of federal land management is not a requirement of the land managing agencies. Requests for recommendations for this type of mitigation where significant or irrevocable damage is likely to occur, however, is a reasonable approach and may be used as a viable alternative to protect the public interest. Compensation must necessarily be addressed through negotiation since all parties should be in agreement with the type and amount of compensation necessary for each proposed action. This form of mitigative action is the least desirable since it accepts the loss of natural habitat values at the outset and oftentimes cannot result in total reparation for those losses. It can be a viable method of offsetting losses, however, for those actions which will occur regardless of other natural resource values. Since compensation may be a highly sensitive subject and has the potential for considerable controversy, the following specific procedures will be in effect:

- a. The Department will accept monetary contributions or donations as mitigation which are tied to programs or activities designed to offset potential resource losses or for mitigation banking for habitat restoration, enhancement, and/or acquisition projects provided that an appropriate and cooperatively developed mitigation agreement has been finalized between the project proponent and the Nevada Department of Wildlife.
- b. Compensation or replacement mitigation should be oriented within or adjacent to the project area and designed to rectify the same functions, habitat types and species being impacted wherever possible. Off-site compensation should be considered when mitigative measures cannot be applied to adjacent areas or to benefit the same species that are impacted.
- c. All final actions associated with compensation mitigation will be approved by the Director to insure that agreements are consistent with Commission policy and program direction. This measure is not intended to preclude Bureau personnel, under appropriate program and procedures, from negotiations but it is directed at insuring a uniform statewide approach to wildlife mitigation.

This policy shall remain in effect until amended, modified or repealed by the Board of Wildlife Commissioners

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, DECEMBER 1, 2001.

John T. Moran, Jr., Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 63

Number: **P-63**

Title: Protecting Wildlife from Toxic Ponds

Reference: NRS 501.181

Effective Date: September 22, 1989

Amended Date: December 2, 1995

Reviewed Date: 2002

POLICY

Policy Statement pertaining to programs necessary to insure the protection of wildlife from industrial operations using or creating chemicals or other potentially lethal substances.

AUTHORITY

NRS 501.181 provides that the Commission shall adopt regulations governing the provisions for a permit which is required for any person who develops or maintains an artificial or man-made body of water, other than a body of water maintained for agricultural or recreational purposes, containing chemicals or substances in quantities which, with the normal use of the body of water, causes the death of any wildlife.

INTENT

The statute referenced above was developed by the Department of Wildlife in cooperation with the Nevada Mining Association and other permitting agencies to address and solve, in part, those problems associated with the development and maintenance of heap leach solution ponds and mill tailing impoundments which contain cyanide or other chemicals potentially lethal or otherwise harmful to wildlife. The intent of the legislation was and will continue to be focused specifically on the development and implementation of protective measures needed to insure that wildlife mortalities do not occur as a result of cyanide or other substance poisoning. The legislation was not intended to address other equally important environmental matters or to replace or usurp the legislative authorities of other agencies.

BACKGROUND

The advancement of mining technology coupled with favorable economic conditions during the early 1980's have created problems of a significant magnitude relating to direct wildlife loss caused by cyanide poisoning. In order to address this problem, the Department initiated a program and accompanying procedures which were designed to provide direction for agency employees and provide solutions for mining related problems. The program established a permitting process and relied heavily on the voluntary reporting of wildlife losses by the industry. The basic intent of this cooperative effort was to document site specific problems and then apply remedies on a case by case basis. Since little experience was available in Nevada relative to this issue, many of the protective measures tested were not totally successful.

Based on the experience garnered between 1984 and 1989 which includes the accumulation of much diversified data, the solutions to many of the past problems are now well known and documented.

The Department is ready to move forward under the legislatively authorized regulatory process to insure that wildlife receive adequate protection in Nevada.

POLICIES

In order to insure that the Commission's role and direction in developing regulations pertaining to this issue are fully understood, the following policies are hereby established:

1. It shall be the policy that the Commission to maintain a zero mortality objective by implementing protective measures based on the latest technology; recognizing, however, that incidental mortality may occur notwithstanding this objective.
2. It shall be the policy of the Commission to implement necessary wildlife protective measures through the regulation process in a reasonable and prudent and yet prompt and effective manner.
3. It shall be the continuing policy of the Board of Wildlife Commissioners to work cooperatively with industry and environmental interest groups as a means of identifying and resolving problems relating to wildlife which are of mutual interest and concern.
4. It shall be the policy of the Commission to continue working in a cooperative fashion with other regulatory agencies as a means of avoiding duplication of efforts and to insure that permit requirements are consistent among individual permits.
5. It shall be the policy of the Commission to support agency efforts in distributing information and acting as a clearinghouse for wildlife mortality data, success of protective measures used, technology transfer, and other matters pertaining to this issue.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION,
DECEMBER 2, 1995.

B. Mahlon Brown, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 64

Number: **P-64**
Title: Input on Land, Sales, Transfers,
and Exchanges
Reference: NRS 501.181
Effective Date: March 23, 1990
Amended Date: December 2, 1995
Reviewed Date: 2002

PURPOSE

The purpose of this policy is to guide the Department of Wildlife in matters relating to the sale, transfer and/or exchange of public lands in Nevada

BACKGROUND

Although the Federal Land Policy and Management Act of 1976 specifically states that "The Congress declares that it is the policy of the United States that (1) The public lands be retained in Federal ownership...", there are numerous Congressional Acts and attendant Federal programs that provide for land transaction activities. These land transactions often have implications for resident wildlife species and attendant public use. Examples of such activities include direct land sales, land withdrawals, land exchanges, desert land entries, land acquired for recreation and public purposes, land attendant to the Mining Law of 1872, and easements as provided for in the Food Securities Act of 1985. State agency involvement in these activities is provided for under the 1969 National Environmental Policy Act (NEPA) and attendant land use planning processes.

Since Nevada is comprised of some 87% Federal land, much of which supports a wide variety of wildlife and attendant outdoor public recreational use, and in view of the Commission's responsibilities under state law to establish policies for the acquisition of lands, water rights and easements and other property for the management, propagation, protection and restoration of wildlife...this policy is intended to provide policy guidance to the Department for commenting on public land transactions through the NEPA process.

POLICY

It shall be the policy of the Board of Wildlife Commissioners to support those land transactions or other activities attendant to public land which will either directly or indirectly preserve, protect and/or enhance wildlife habitat in addition to maintaining and/or improving public access to the public lands. In order to accomplish these objectives, the Department should consider the following listed criteria in providing written or verbal comment on public land transactions:

1. Public lands providing high wildlife values should remain in public ownership to insure the future protection of these values unless higher values for wildlife can be attained through a sale, transfer, or exchange.
2. Land exchanges should be supported only when the wildlife values on selected lands are equal to or greater than those wildlife values or potential wildlife values on offered lands.
3. In put on all public land transactions should consider the need for public access to and through both the offered and selected lands.
4. All land transactions must be in the public interest from a wildlife habitat protection and wildlife use standpoint.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, DECEMBER 2, 1995.

B. Mahlon Brown, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 65

Number: **P-65**
Title: Designation of Wildlife
Management Areas
Reference: NRS 504.140 and 504.143
Effective Date: March 28, 1980
Amended Date: July 29, 2000
Reviewed Date: 2002

PURPOSE

To establish guidelines for the designation of cooperative wildlife management areas and state-owned or controlled wildlife management areas and to list same.

POLICY

Cooperative Wildlife Management Areas

Any area shall be so designated when the Department, subject to the approval by the Commission, enters into an agreement to establish areas and to enforce regulations thereby providing a greater opportunity for the public to hunt, fish, camp, boat or participate in other compatible recreational activity on private lands and to protect the landowner or lessee from damage due to trespass or excessive pressure. The following areas have been designated:

1. Fort Churchill Cooling Pond Cooperative Wildlife Management Area.

Wildlife Management Areas

Any areas shall be designated when the Commission acquires lands and waters to effectuate a coordinated and balanced program resulting in the maximum revival of fish and wildlife and in the maximum recreational advantages to the people of the State. The following areas have been so designated and are identified by NDOW administrative region:

Western Region

1. Mason Valley Wildlife Management Area.
2. Scripps Wildlife Management Area.
3. Fernley Wildlife Management Area.
4. Humboldt Wildlife Management Area.
5. Alkali Lake Wildlife Management Area.
6. Truckee River Wildlife Management Area.

Eastern Region

1. Kingston Canyon Wildlife Management Area (including the Birch Creek Unit).
2. Cave Lake Wildlife Management Area (including the Willow Creek Unit).
3. Franklin Lake Wildlife Management Area.
4. Bruneau River Wildlife Management Area.
5. Steptoe Valley Wildlife Management Area.

Southern Region

1. Overton Wildlife Management Area.
2. Wayne E. Kirch Wildlife Management Area.
3. Key Pittman Wildlife Management Area.
4. Schroeder Reservoir Wildlife Management Area.
5. Eagle Valley Reservoir Wildlife Management Area.
6. Railroad Valley Wildlife Management Area.

The lands and waters designated as wildlife management areas under the provisions of this policy are subject to any Commission regulations established pursuant to Chapter 504 of the Nevada Revised Statutes.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, DECEMBER 2, 1995.

B. Mahlon Brown, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 66

Number: **P-66**
Title: Management and Use of Wildlife
Management Areas
Reference: NRS 501.105, 501.181
Effective Date: March 28, 1980
Amended Date: August 15, 1998
Reviewed Date: 2002

PURPOSE

The primary purpose of this document is to provide policy-level guidance to the Department of Wildlife in the development of site specific operational plans for all the individual wildlife management areas (WMAs) in the State of Nevada.

JUSTIFICATION

In accordance with the provisions of NRS 501.105, the Board of Wildlife Commissioners is responsible for establishing policies and adopting regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat. These duties are further refined in NRS 501.181, which allows the Commission to establish policies for areas of interest including the acquisition of lands, water rights and easements and other property, including the entry, access to, and occupancy and use of such property, including leases of grazing rights, and sales or agricultural products.

BACKGROUND

Nevada not only has the distinction of being the driest state in the nation, but also continues to be one of the fastest growing from a human population perspective. The increased demands for the limited water resources has escalated the importance of maintaining viable and functioning wetlands, and other water-related habitats, upon which a variety of game, nongame, and sensitive species of fish and wildlife depend. It has been estimated that 85 percent of the historic wetlands in the western part of the State, and 52 percent of the wetlands statewide have been lost. The desire to acquire and maintain wetlands in public ownership was also identified as a priority initiative in the recently adopted Comprehensive Management (CMS) planning process.

Nevada also has an inherent obligation from a national and international perspective to participate in efforts to insure the future well being of migratory birds, a majority of which utilize the wetlands and other habitats of Nevada for only a part of their life cycle. The wildlife management areas of this State are an extremely important component of the North American Waterfowl Plan, the National Shorebird Conservation Plan, and the Partners in Flight Bird Conservation Plan, a plan which considers the needs of neotropical migratory birds.

The State of Nevada through the Department of Wildlife currently owns in fee title, and/or maintains long-term leases for over 120,000 acres of real property, including attendant water rights in some cases. A vast majority of this land was acquired for the primary purpose of protecting wetlands, inclusive of maintaining public shooting grounds. Opportunities continue to exist for acquiring additional wetlands and other critical habitats for fish and wildlife through the Park and Wildlife Bond Bill program, use of the Federal Aid in Sport Fish and Wildlife Restoration projects, and other funding initiatives.

Planning the future of Nevada's wildlife management areas is essential due to the increased and sometimes conflicting demands being placed upon these limited resources. The adoption of broad policies and attendant long-range plans can therefore assist in meeting the present and future use demands, help maintain and enhance the resource, and resolve the problems of the conflicting resource uses.

POLICIES

In order to address the current and future needs of the fish and wildlife resources, and the publics that utilize these resources, the Board of Wildlife Commissioners does hereby establish the following policies to provide for the preservation, protection, management and restoration of wildlife and its habitats on State owned or controlled wildlife management areas (WMAs):

Priority Uses: The primary objectives governing the management and use of WMAs must necessarily be linked to the purposes for which the areas were purchased, particularly from a Federal Aid or other funding source perspective. Based upon this premise, priority management for the following listed WMAs will be directed toward wetland development and waterfowl activities, including the use of these areas as public shooting grounds, with all other uses being secondary: Stillwater, Mason Valley, Scripps, Fernley, Humboldt, Alkali Lake, Franklin Lake, Overton, Key Pittman, Railroad Valley, and Wayne E. Kirch.

Using similar justification and rationale as described above, the following listed areas will receive priority management for fisheries-related programs: Kingston Canyon, Birch Creek, Cave Lake, Bruneau River, Schroeder Reservoir and Eagle Valley Reservoir. It is the intent of this policy to maximize available opportunities for all consumptive and nonconsumptive fish and wildlife uses within the WMA system, after consideration of the primary uses described above and within limits posed by provisions of the Endangered Species Act, Section 404 of the Clean Water Act, and other similar state and federal legislative mandates.

Multiple Uses: Because of the limited availability and subsequent high demand for wetland-related resources in Nevada, all WMAs purchased with Federal Aid in Wildlife Restoration funds shall be developed, maintained and managed primarily for wetland values. In the same manner, all WMAs purchased with Federal Aid in Sport Fish Restoration funds shall be developed, maintained and managed primarily for fisheries-

related values. The maximum recreational or other public use will be pursued whenever and wherever feasible, but with the limits posed by the above reference priorities, within habitat capabilities, and as may be limited by budget constraints or regulations applicable to lands purchased using Federal Aid.

Consumptive Uses: Hunters and anglers benefit fish and wildlife by funding most of the WMA programs in the State of Nevada. Therefore, the hunting and fishing public shall continue to have priority standing in establishing the direction for future management and use of all the WMA system properties, when such lands were purchased with consumptive user derived funds. Hunting and fishing shall also be allowed where appropriate on lands purchased with the Park and Wildlife Bond Bill program or with other general public funds. On some WMAs, the scope of activities and the number of hunters and/or hunter days may be limited to protect natural resources, to maintain an optimum recreational experience and to provide for public safety.

Nonconsumptive Uses: The WMA system will be made available for educational, scientific, aesthetic and other nonconsumptive uses, whenever these activities can be accommodated without interfering with the primary purposes for which the areas were established, and without decreasing the opportunity or experience for consumptive users. Because of the many opportunities these areas provide for the general public, nonconsumptive uses associated with the fish and wildlife resources such as bird watching, nature trails, educational pursuits, scientific endeavors and other associated activities will be encouraged whenever and wherever possible.

Water Rights: Whenever water becomes available, the Department shall, subject to available manpower and money, apply for and/or purchase such waters as deemed necessary to maintain existing wetlands and/or develop new wetlands necessary for the preservation, maintenance and enhancement of wildlife and their habitats on WMAs.

Land Acquisition: In concert with public input provided as part of the inventory portion of the CMA planning process, strategies developed in the CMA plan, and in accordance with policies established under the Park and Wildlife Bond Bill program, the Department will continue to pursue a land acquisition program that meets the needs and desires of the public, and provides for the preservation, protection, and restoration of wildlife and their habitats within the WMA system.

Wetlands Management: An overall goal of no net loss of wetlands and the enhancement of wetland quantity and quality are the long-term wetlands management objectives on WMAs purchased with Federal Aid in Wildlife Restoration funds. Comprehensive strategies for protecting and enhancing wetlands will be developed for each WMA using the Geographical Information System (GIS) natural resource inventory. The condition of present water delivery facilities will be reviewed, and improvement projects developed where needed on WMAs to increase efficiency of water delivery and promote water conservation.

Vegetation Management: Strategies to promote vegetation that is of maximum value to

waterfowl and other migratory birds will be developed through water level manipulation, prescribed burning, herbicide applications and other means in an effort to meet plan-specific objectives on each WMA. Procedures will also be developed to control and eradicate invasive and undesirable plants such as tamarisk and whitetop. Upland habitats on WMAs will be managed to maximize biodiversity, which may also require periodic vegetative manipulation.

Public Access: appropriate road and trail systems will be established and maintained within each WMA to insure adequate public access to the resource, recognizing however, that some seasonal road closures may be necessary to protect the resource, and/or enhance the recreational experience. Roadways, parking areas and other vehicular control measures will be adequately signed to insure public compliance.

Camping: although camping is recognized as an important part of the outdoor recreational experience, and that overnight and/or day-use facilities may be needed at some WMA locations, the Department of Wildlife is not in the camping business simply for the sake of camping. Facilities will therefore be provided only in those areas where there is an expressed demand by fish and wildlife resource users, and only to specifically meet the identified needs of the users.

On those WMAs where improved camping facilities are deemed necessary to address the needs of the general public, and the development of such sites are compatible with fish and wildlife management objectives of the area, the Department of Wildlife shall work in cooperation with the Division of State Parks to provide upgraded camping facilities through the use of site-specific Memorandums of Agreement.

Boat Ramps: Recognizing that boating access is an important component associated with recreational opportunity at many of the WMAs, adequate boat ramp facilities will be provided for launching medium to small boats on reservoirs and ponds where appropriate.

Grazing Practices: It is recognized that livestock grazing frequently provides a viable and cost-effective management tool for enhancing habitat conditions for certain species of wildlife, and livestock grazing may therefore be utilized periodically on some WMAs to meet area-specific plan objectives.

Farming Practices: It is recognized that agricultural production of farmland crops is an extremely beneficial asset to many species of wildlife, particularly some species of migratory birds, and that such practices add to the biodiversity of wildlife in Nevada. Although the major focus of the WMA program will be directed toward developing, enhancing and maintaining natural wetland systems, farming may be initiated on some areas to meet site-specific management area needs. Because of the high cost of farming for agricultural products, a cost benefit analysis will be one of the factors used in determining whether or not an area will be farmed.

Funding Sources: The ownership, maintenance and management of real property,

particularly land and water, is an expensive program component of fish and wildlife management. The current WMA system provides both direct and indirect benefits to the general public through habitat and migratory bird protection. However, it is the consumptive users that are currently paying a majority of the costs for maintaining these areas. Therefore, it is the intent of this Board that the Department develop strategies and implement programs in an attempt to assess the nonconsumptive users a fee to offset the high costs of management, particularly for those users receiving direct benefits from the WMA system.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, AUGUST 15, 1998.

Bill Bradley, Chairman
Board of Wildlife Commissioners