

## Nevada Board of Wildlife Commissioners' Meeting Minutes

### Meeting Location

Clark County Government Center  
500 S. Grand Central Parkway  
Las Vegas, NV 89155

**The meeting will be broadcast live at the NDOW Commission YouTube page:**

<https://www.youtube.com/channel/UCrFHgHLM0MZa2Hx7og8pFcQ>

**If you wish to make public comment, please use this link for Friday, September 23, 2022.**

<https://us02web.zoom.us/j/89288812669?pwd=U0pEbIMrdkN1V2NSSE9mNHMvTWVjUT09>

Passcode: 333993

**If you wish to make public comment, please use this link for Saturday, September 24, 2022**

<https://us02web.zoom.us/j/83303259226?pwd=NFA1NkVVb0dPVDQvYUptd2FPUGFKUT09>

Passcode: 274931

**Meeting materials are available at:** [http://www.ndow.org/Public\\_Meetings/Com/Agenda/](http://www.ndow.org/Public_Meetings/Com/Agenda/)

Public comment will be taken on each action item following Commission discussion and before any action is taken. **Persons attending virtually wishing to comment are invited to raise their virtual hands in the virtual meeting forum during the appropriate time; each person offering public comment during this period will be limited to not more than three minutes.** The Chair may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. Persons are invited to submit written comments on items prior to the meeting at [wildlifecommission@ndow.org](mailto:wildlifecommission@ndow.org) or make comment during the meeting and are asked to complete a speaker card and present it to the Recording Secretary. Public comment will not be restricted based on viewpoint. To ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments to avoid the appearance of deliberation on topics not listed for action on the agenda. Minutes of the meeting will be produced in summary format.

**FORUM RESTRICTIONS AND ORDERLY BUSINESS:** The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place, and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of public comment that may be reasonably limited.

Nevada Board of Wildlife Commissioners present for the meeting:

Chair Tommy Caviglia  
Commissioner Mario Walther  
Commissioner David McNinch  
Commissioner Casey Kiel  
Commissioner Ron Pierini

Vice Chair Shane Rogers  
Commissioner Tom Barnes  
Commissioner Tiffany East  
Commissioner Alana Wise

Senior Deputy Attorney General Craig Burkett

Secretary Tony Wasley

Nevada Department of Wildlife personnel in attendance:

Management Analyst Kailey Musso	Executive Assistant Meghan Beyer
Management Analyst Megan Manfredi	Administrative Assistant IV Bernie Keane
Staff Game Warden Jake Kreamer	Wildlife Staff Specialist Kim Tisdale
Game Division Administrator Mike Scott	Administrative Assistant III Cindy Alexander
Conservation Education Specialist Doug Nielsen	Wildlife Staff Specialist Cody McKee
Fisheries Division Administrator Chris Crookshanks	Biologist Joe Bennett
Law Enforcement Division Administrator Mike Maynard	
Conservation Education Division Administrator Chris Vasey	
Data and Technology Services Division Administrator Kim Munoz	

Nevada Department of Wildlife personnel in attendance via Zoom:

Deputy Director Jack Robb	Habitat Division Administrator Alan Jenne
Diversity Division Administrator Jennifer Newmark	Biologist Tom Donham

Public in Attendance:

Paul Dixon, Clark CABMW	Manny Thompson, Carson City CABMW
Joe Crim, Pershing CABMW	Glenn Bunch, Mineral CABMW
Fred Voltz, private citizen	Jana Wright, private citizen
Stephanie Meyers, private citizen	Richard Weeteling, private citizen

**Friday, September 23, 2022 – 9:00 a.m.**

***If you wish to make public comment via Zoom, please use this link:***

<https://us02web.zoom.us/j/89288812669?pwd=U0pEbIMrdkN1V2NSSE9mNHMvTWVjUT09>

**1. Call to Order, Pledge of Allegiance, Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chair Caviglia**

Chair Caviglia called the meeting to order at 9:00am. Commissioner McNinch led the Commission in the Pledge of Allegiance. Executive Assistant Meghan Beyer called the roll of the Commission. Chair Caviglia welcomed Commissioner Walther to the Board and made note of the CABMW members in attendance.

**2. Approval of Agenda – Chair Caviglia– For Possible Action**

The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

Chair Caviglia stated he had no changes to the agenda.

*No public comment.*

COMMISSIONER MCNINCH MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. SECONDED BY VICE CHAIR ROGERS. MOTION APPROVED 9-0.

**3.\* Approval of Minutes – Chair Caviglia – For Possible Action**

Commission minutes may be approved from the August 19 and 20, 2022 meeting.

Commissioner East stated that on page 13, in Rex Flowers comment, there was a portion that was misrepresented. She asked to strike from “and believed” through “deleted” from the record. She spoke with him and that portion was not what he intended.

Commissioner McNinch stated he had two items. He noted page nine where the paragraph starts with “The state wildlife action plan”, in the second sentence of that section, he would like the last portion stating “Some of these threats include” struck from the record. Next, he stated that on page 18 under item H, within the motion, it should read “protection” instead of “protect.”

*No public comment.*

COMMISSIONER EAST MADE A MOTION TO APPROVE THE MINUTES AS PRESENTED WITH THE NOTED CHANGES. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 9-0.

**4. Member Items/Announcements and Correspondence – Chair Caviglia – Informational**

Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record). Correspondence sent or received by Secretary Wasley may also be discussed.

Secretary Wasley expressed his apologies to the Board for support services provided by the Department, regarding accommodations, transportation, and support material for Commission meetings, noting that staff from the Department share in their frustration, and he guaranteed better support moving forward.

Chairman Caviglia thanked Secretary Wasley.

**5. County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational**

CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.

*No CABMW comment.*

**6. Reports – Informational**

**A. Association of Fish and Wildlife Agencies 2022 Annual Meeting Update – Secretary Wasley**

A report from the 2022 conference will be provided.

Secretary Wasley stated that he attended the 112<sup>th</sup> AFWA Annual Meeting along with multiple other staff members, concluding his one-year term as President. He stated that the focus of the meeting was One Health, a concept that brings together animal, human, and ecosystem health. He noted that 75 percent of new pathogens originate from animals and 60 percent of those pathogens come from wildlife. Shane Mahoney, of Conservation Visions, was contracted to produce a white paper examining the history and developing the “intellectual underpinnings” of the One Health approach. The final product was a roughly 60-page paper that created significant interest throughout the conference, making its way into multiple areas of discussion including Recovering America’s Wildlife Act (RAWA), Relevancy, and Diversity, Equity, and Inclusion. He also noted the following meetings and reports:

- A wild horse and burros meeting, which included multiple agency stakeholders, who discussed federal appropriation and how that is shared amongst states, how urgent this issue is and the need for a national awareness campaign to better address the impacts to habitat, especially in Nevada. This is about “crossing ecological thresholds that we may never be able to recover from.”
- A Sagebrush Executive Oversight Committee meeting which discussed the Bureau of Land Management’s planning efforts.
- A meeting with multiple groups that discussed coordination efforts addressing bear issues.
- An advisory board was created to address language changes for the E-stamp (federal duck stamp).
- Western state directors met with the US Fish and Wildlife Service to discuss multiple issues, in particular the hunt-fish rule pertaining to non-lead tackle and ammo and the use within the wildlife refuge system. States will be able to provide input before a proposal is made on lead restrictions.
- There is an updated version of the Commission Guidebook along with a webinar to equip new commissioners with necessary information regarding their roles and public trust responsibilities.
- A report was made available as result of a Congressional Sportsman’s survey that provides a better understanding of the Commission process including appointments, terms, and areas of representation. He noted that “roughly a third of the states have a legislatively initiated effort to change the make-up of their commission in some way.”

Secretary Wasley provided an update on Recovering America’s Wildlife Act (RAWA).

Commissioner East asked if Secretary Wasley could share the white paper with the Board.

Secretary Wasley stated that he would and pointed out that a full resolution was passed at the AFWA meeting to adopt a One Health approach to conservation and that the white paper made recommendations to the Association, not anything state-specific.

Commissioner East asked if there was anything the Board could do to help further RAWA legislation.

Secretary Wasley suggested that they could reach out to representatives from the Nevada delegation to express support. He stated that a preferable outcome would be to see RAWA included in a continuing resolution, prior to elections.

Commissioner McNinch expressed his appreciation for Secretary Wasley and the role he has played in all things conservation and wildlife, and for representing Nevada. He noted the praise and appreciation received from other individuals and representatives of organizations, Secretary Wasley’s leadership and guidance as AFWA President.

Secretary Wasley thanked Commissioner McNinch.

## **B. Department Activity Report – Secretary Wasley and Division Administrators**

A report will be provided on Nevada Department of Wildlife activities.

## **DIRECTORS OFFICE**

Secretary Wasley presented the Director’s Office Activity Report.

The Director's Office is experiencing numerous personnel changes. Deputy Director of Administrative Services, Bonnie Long has recently left State service after her husband received a great opportunity in Southern Nevada. She is leaving us better than she found us, and we will miss her greatly. Our Executive Assistant, Missy Stanford, has taken advantage of a promotional opportunity closer to home, in Carson City. She started with the Department of Public Safety earlier this week and will also be missed.

We look forward to welcoming our Administrative Services Officer 3 (ASO3), Jordan Goshert, as the new Deputy Director. Many of you will be familiar with Jordan as she previously held the positions of AA3 and Legislative Liaison in the Director's Office before moving into fiscal as the Grant Manager and ASO 3. She has extensive training and knowledge in managing our Department's complex budgets, federal grants, and legislative work. Jordan continues to work on developing positive relationships with WSFR and Governor's Office staff. Meghan Beyer will be assuming the responsibilities of the Executive Assistant and is looking forward to working more closely with the Commission.

Director Wasley has officially completed his tenure as the Association of Fish and Wildlife Agency (AFWA) President at the conclusion of this week's AFWA Conference in Dallas, Texas. The last month of his presidency was full of relevancy work, Sage Grouse Task Force meetings, and landscape conservation discussions. Nevada will receive one of two new cooperative research units in the United States. It is based at the University of Nevada, Reno and is sponsored by multiple partners, but is primarily a USGS function. It is composed of three faculty positions, one for each of the following areas: landscape, aquatic interests, and human dimensions. The hiring process is underway.

## **GAME DIVISION**

Southern Region Game Supervisor Joe Bennet presented the Game Division Activity Report.

**Aerial Desert Bighorn Surveys:** Game Division staff conducted desert bighorn sheep aerial surveys in Units 045, 162/163, 173 S, 195, 212, 213, 252, 280, 281, 282. Monsoonal precipitation receipts have improved range conditions allowing sheep to move off water sources, altering summer distribution. Poor lamb recruitment was observed through much of central Nevada and improved recruitment was observed in the Desert National Wildlife Refuge. Sample sizes in central Nevada were depressed, compared to previous years in part due to improved range conditions. Overall, 845 sheep were classified as 263 rams, 447 ewes and 135 lambs yielding a lamb ratio of 30 lambs/100 ewes. Area 19 had a record sample of 127 during survey. Sheep surveys in southern Nevada will continue through early October.

**Aerial California Bighorn Surveys:** Game Division staff conducted bighorn sheep aerial surveys in Units 011, 012, 013, 014, 022, 032, 033, 035 and 051. Overall, 708 California Bighorn Sheep were classified as 209 rams, 355 ewes, and 144 lambs yielding a lamb ratio of 40 lambs/100 ewes.

**Urban Wildlife:** Several of the Western Region personnel have been busy responding to bear issues. To date there has been twice the number of bears hit by cars this year compared to last year (17). Both indoctrinations have been completed with the hunts beginning September 15<sup>th</sup>. Two trailers have been ordered for the family bear trap which is being sectioned into two separate traps at MSM. In addition, southern region game division staff assisted Law enforcement and Conservation Education in successfully tranquilizing a two-year-old female mountain lion in Northwest Las Vegas. The lion was in poor body condition which is expected for a young dispersing lion.

**Mountain Goat and Sheep Check-ins:** Sheep check-ins began for California Bighorns and Mountain Goats on September 1. The Desert Bighorn Silver State tag holder harvested an 11-year-old one horned ram from unit 244. A Heritage Desert Bighorn Sheep tag holder just harvested one as well.

**Bighorn Seminars:** Three bighorn seminars were conducted in August. Two were in person (one in Las Vegas and one in Reno) and one virtual. Overall, there was great participation with over 75 people attending the Reno Seminar, 21 in Las Vegas, and approximately 95 people tuning into the virtual seminar. The Game Division is working with Con-Ed and Habitat on a pilot bighorn monitoring project to sign up as many people to become volunteers while they are scouting to report guzzler levels, lamb recruitment, clinical signs of disease etc.

**Migratory Bird and Furbearer:** NDOW and USFWS employees continue cooperative efforts for duck banding at Stillwater NWR. Banding has also occurred at several Wildlife Management Areas including Mason Valley, Steptoe, Kirch, Key-Pittman and Overton.

The Commission voted to reinstate a draw system for swan permits for the 2022 season. Applications for permits exceeded available permits for the first time since 1986

Staff attended Pacific Flyway meetings to set waterfowl frameworks for the 2023-2024 Season, no significant regulatory changes occurred. However, USWFS budget cutbacks were discussed that could significantly impact continental waterfowl surveys negatively. The Flyway Council are making efforts to express concern and seek solutions from the USFWS and Department of Interior.

**Wildlife Health:** Press release to go out shortly but Highly Pathogenic Avian Influenza (HPAI) has been confirmed in the following areas:

During routine surveillance during normal banding activities at Stillwater NWR

In several raptors around western Nevada

In mallards and Canada geese during a mortality outbreak in Reno.

Botulism is also suspected at several ponds in the Reno area.

Wildlife health staff have been busy dealing with the HPAI response.

Wildlife health staff are also ramping up for CWD collection for hunting season. We are continuing our pilot of hunter self-sampling this year

**Elk and Moose Staff Specialist:** Ordering collars for Moose and Elk. Beginning the statewide elk plan revision process. Contract has been renewed for enhancements for ESRI aerial survey app.

**Pronghorn:** Four Game division staff attended the biennial WAFWA pronghorn workshop in Deadwood South Dakota. Staff have begun conducting ground and aerial pronghorn surveys throughout the state. Preliminary data indicates higher recruitment levels throughout central and eastern Nevada compared to last year.

**Mule Deer Enhancement:** Many counties have held meetings over the last month to finalize proposals and 5-year plans. Mule Deer Enhancement Proposals and 5-year plans have been submitted internally and submitted to the oversight committee.

**Small Game:** The 2022 Nevada Chukar Forecast is complete and is ready for distribution. Conservation Education Division will disseminate the forecast in an e-mail blast during the week of September 12<sup>th</sup>.

The 2021-2022 Small Game Status Report is in the final stages of development and should be completed and available on the agency website by the end of September.



Rabbit surveys were completed for the third consecutive year throughout the state.

**Ravens:** NDOW, in collaboration with the USGS and USFWS are preparing for an increase in raven take for Greater Sage-Grouse protection spring 2023. This increase is pending the USFWS complete an Environmental Assessment regarding raven removal in a timely fashion.

Vice Chair Rogers asked if the Department had percentages of poor lamb recruitment in certain areas and what constitutes poor lamb recruitment.

Biologist Bennet stated that when numbers are below sustainment it is considered poor lamb recruitment, roughly 20 and below. He had no definitive conclusions until data could be compiled.

## **HABITAT DIVISION**

Habitat Division Administrator Alan Jenne presented the Habitat Division Activity Report.

**Water Development Program:** Recent monsoonal activity has continued to help maintain water levels in guzzlers across central and southern Nevada. Most units hold adequate water to sustain bighorn sheep and other wildlife, but monitoring will continue to ensure we avoid any water supply issues. The one exception to this is in the Specter Range, which has largely missed the benefit of an active monsoonal pattern. Through continued monitoring, we determined the water levels in the Specter Range were critically low and emergency supplemental water hauls were required to sustain bighorn sheep on. Sept. 13<sup>th</sup> NDOW conducted water hauls and provided approximately 5,500 gallons of supplemental water to the Eagle Basin guzzler. This guzzler is centrally located and should help sustain bighorn sheep until fall temperatures reduce water dependency.

The southern region crew is kicking off their fall build season with the Dain Peak build on the DRWR starting October 15<sup>th</sup> and 16<sup>th</sup>.

**Partnerships/Agreements:** The passage of the Bipartisan Infrastructure Bill provided BLM and FWS with millions of dollars to address wildfire and invasive species threats and sagebrush ecosystem conservation needs over the next 5 years. BLM NV and NDOW recently executed a \$10 million-dollar Good Neighbor Authority agreement for the next 5 years. Additionally, NDOW is finalizing a \$5 million dollar agreement with the BLM CA state office. These agreements will enable the Department to receive BLM funding in a timely manner to help with hazardous fuels treatments, wildlife habitat restoration, and post fire rehabilitation projects. In addition to the BLM agreements, NDOW received \$1,391,618 (FY22 \$887,832 and FY24 \$503,786) from the FWS for fiscal years 2022 and 2023 for sagebrush ecosystem conservation work with the opportunity to apply for additional funding in fiscal years 2024-2026. Furthermore, NDOW has been partnering with the BLM, FS, and Navy to implement habitat conservation work. These partnerships will enable us to collectively slow the wildlife habitat loss trend while addressing critical sagebrush restoration needs.

**Fire Rehabilitation:** As of September 13, 463 fires (177 human caused, 173 natural ignitions, and 109 undetermined) have occurred in Nevada this year consuming 59,238 acres. Thus far, and given the fuel load potential, BLM, Forest Service, NDF and other fire suppression resources are doing a good job keeping fires small. The fire season isn't over but cooler temperatures and recent moisture are expected to keep burned acreages burned below the long-term average. NDOW biologists continue working with partners on rehabilitating important wildlife habitats that have burned this year as well as working to restore previous burned landscapes that are currently degraded.

**Sagebrush Ecosystem Technical Team:** On September 1, 2022, the SETT held its bi-monthly SEC meeting at NDOW's headquarters in Reno. Main topics discussed were updating the HQT, with both short and long-term solutions. An update to the Strategic Action Plan was given to the counsel, outlining the Vision, projected Outcomes and Deliverables.

Pete Coates presented on USGS's science updates for Ravens predation impacts to sage-grouse. Pete said we are in a dire situation with raven predation on sage-grouse in Nevada and possibly reaching a threshold.

Mark Ono from APHIS presented on increasing Raven take permits and applications. Going forward, Mark said a Conservation Order might be the better approach than a Depredation Order because it focuses removal on a landscape scale rather than a region scale. Using a similar framework that is currently being used for black vultures in the east might be an option.

## **CONSERVATION EDUCATION DIVISION**

Conservation Education Division Administrator Chris Vasey presented the Conservation Education Activity Report.

**Events:** Governor Sisolak was given a tour of the Lake Mead Hatchery and Visitor Center by NDOW staff. Staff lead Sisolak around the hatchery and visitor center. The hatchery is not operational currently due to low water levels in Lake Mead. Nevada Legislature approved a 3.1 million dollar project to build a new intake pipe to make the hatchery operational again.

Conservation education staff as well as staff from other divisions met for a two-day workshop in Reno as part of NDOW's Pathways to Relevancy Project. Staff discussed the results of the statewide public survey that was conducted in August and drafted relevancy goals informed by the survey. A relevancy plan is currently being developed based on project team's findings and will be shared in the coming months.

**Outreach:** 'Trail of the Month' Instagram Reels continue to be successful. These reels are short videos to highlight different trails around the state and what wildlife and wildlife signs people can expect to see in these areas. This is a ramp up for content for the Wildlife Discovery Trail.

Conservation Education staff is informing hunters on Chronic Wasting Disease prevention and sampling efforts through mass emails, social media, and the website. So far, three emails have been sent, two to a select group of 4,000 hunters asking for samples from their harvests, and one informing a list of 76,000 hunters on transportation restrictions.

Conservation Education staff sent out the annual Nevada Chukar Forecast to 85,000 hunters and promoted it on social media, the website, and through the Governor's newsletter.

**Media Highlights:** Press release went out soliciting for nominations for the Commission's Wayne E. Kirch Nevada Wildlife Conservation Award. Nominations are being sought for project accomplished in 2022 from individuals, organizations, outdoor sports clubs, and businesses that have demonstrated significant results towards conservation, management, or enhancement of wildlife. Nominations are due November 15<sup>th</sup>.

Public Information Officers have conducted and organized a variety of interviews with media on different topics including hyperphagia in bears, living with mountain lions, botulism in urban ducks, smoke impacts on wildlife, the Lake Mead Fish Hatchery, moose populations in Nevada and more. NDOW has had a reach of more than 442,540 million people through broadcast and print news over the past month. An update on moose populations Conservation Education staff posted on social media was picked up by the



Associated Press, causing it to receive national news coverage, with one Fox News story alone reaching 50 million people.

Administrator Vasey stated that he attended the AFWA meeting, gained valuable knowledge, encouraged others to attend in the future and commended Secretary Wasley for his leadership in many areas that were focal points of the meeting.

Secretary Wasley asked if Administrator Vasey shared all of the awards his division received recently.

Administrator Vasey state that he had shared during the last Commission meeting.

Secretary Wasley stated that Lake Mead Hatchery, where the Department monitors and raises two endangered species of fish, will receive water from a new uptake that will be built with American Rescue Plan Act and Bureau of Reclamation funds. This will also allow for the continued intake of water and electricity to 40 million people in seven different states.

### **WILDLIFE DIVERSITY DIVISION**

Southern Region Diversity Biologist Matt Flores presented the Diversity Division Activity Report.

**Shorebird Surveys:** Wildlife Diversity biologists partnered with the US Fish and Wildlife service, as well as Blue Point Conservation Science to take part in the Intermountain West shore bird survey. Shorebirds travel thousands of miles from the arctic to the tropics twice a year, requiring shallow wetlands for rest and refueling during their long journey. Most species are only present in Nevada during migration, yet Nevada wetlands are critical stopover sites during these periods. With partners, staff surveyed six shorebird sites replicating data collected 30 years ago as part of this long-term monitoring effort. A secondary effort is planned for this spring when shorebirds will be counted again using the same survey method to capture birds returning to their arctic breeding grounds.

**BioBlitzes:** In April of 2022, NDOW hosted two bio-blitzes in geographically unique areas: Valley of Fire State Park and the Walking Box Ranch. In July of 2022, NDOW hosted two additional bio-blitzes focused on identifying reptile species at the edge of their ranges: Ruby and Diamond Mountain ranges, and the White Mountains for a total of four bio-blitzes held in 2022. The Ruby and Diamond Mountain Range was attended by over 50 participants, nine species were observed of which two were species of conservation priority, and 10 dead on road specimens were collected for museum ascension. The blitz did not locate the two target species, the rubber boa, and Sonoran Mountain kingsnake, which may exist in these ranges but have yet been undetected. The White Mountains bio-blitz attempted to locate the Panamint alligator lizard which may exist in the White Mountains at the northeastern edge of its range; however once again this species was not detected.

**Western Pond Turtles:** In our report last Commission meeting, we reported on Wildlife Diversity biologists conducting western pond turtle surveys in the Carson and Truckee Rivers in late June. In a follow up investigation, biologists conducted our first-ever environmental DNA or eDNA survey of these same rivers to test our ability to detect species using DNA found in water samples, which is a much easier way to survey then trying to capture individual turtles. It can also help us improve our understanding of how extensive their distribution is within these systems and what parts of the river they favor. 25 individual river reaches were surveyed that will result in information on over 200 river miles.

**Desert Tortoise restoration in the Mormon Mountains:** NDOW is planning on building on last year's volunteer efforts to establish four more seed islands in the Mormon mountains of southern Nevada within areas that have been burned by wildfire. Wildfire has resulted in an area with depleted native abundance and diversity of plant species, which is now dominated by non-native grasses. By establishing "islands"

of native vegetation, we hope to establish seed sources within previously burned areas, which will in turn, help to increase native plant cover, increase plant diversity, and increase competition with non-native grasses currently dominating the area. Native plants are critical forage for desert tortoises and these seed islands can promote healthier populations of tortoises in key areas. Volunteer events are scheduled for four Saturdays in October.

**State Wildlife Action Plan:** Finally, I am very happy to report that the 2022 Nevada State Wildlife Action Plan has been finalized and submitted to the U.S. Fish and Wildlife Service for review and approval. The review process can sometimes take several months but in the meantime, we will be working on the first steps of implementation.

Commissioner McNinch asked if the biologists were collecting the fecal matter of pond turtles to test for DNA.

Biologist Flores explained that they were able to test several excretions, in areas close to where they believe pond turtles live. It allows them to estimate population and determine what area of the water they are using. It's a long-term goal that's finally been realized.

Commissioner McNinch stated how impressed he was.

Commissioner McNinch acknowledged the hard work that went into the State Wildlife Action Plan and how important it was bringing in funding for the Department.

## **FISHERIES DIVISION**

Fisheries Division Administrator Chris Crookshanks presented the Fisheries Activity Report.

Summertime seasonal Conservation Aide employees have returned to school for the fall semester and Fisheries field personnel remain busy finishing field activities before fall kicks in and temperatures turn cold.

**Aquatic Invasive Species Program:** With the recreational boating season winding down, most AIS inspection stations are closing for the 2022 season. AIS stations in southern Nevada will remain open as long as water conditions (boat launches) allow.

**Fish Hatcheries:** Fish hatchery personnel are in the middle of the busy fall fish stocking period in an effort to get fish off station and water stocked before the snow flies and water ice up. Headquarters staff has been coordinating with NDOT in setting up OSHA 30 training courses for Department hatchery, management area, and water development personnel. In addition, two-week truck driving courses are now required for new hatchery personnel in order to obtain CDL Class B licenses.

**Native Aquatic Species / Sportfish Program:** A considerable amount of time has been devoted to assisting the Diversity Division with the completion of the State Wildlife Action Plan and we are happy to see it completed. Much of the fall for all Fisheries Headquarters staff will be devoted to performance reporting for the federal grants that fund most of what we do.

**Eastern Region Fisheries:** Persistent drought conditions have resulted in a considerable reduction in available habitat for many aquatic species in northern Nevada. Many previously undocumented stream segments have been documented and trout species such as LCT, Redband Trout, Bull Trout, and Mountain Whitefish have suffered. Recent surveys found Northern Leopard Frogs, a SWAP Species of Greatest Conservation Need, near Cherry Creek in Steptoe Valley at a previously undocumented location. Fisheries staff completed an entire basin-wide survey of the Rock Creek sub-basin in western

Elko County. Genetic samples were collected for future analysis of species composition and relative hybridization. A portion of the Owyhee River downstream of Wildhorse Reservoir was dewatered in Late-August resulting in a localized fish kill. Thorough cooperation with the Duck Valley Shoshone Paiute Tribe, a minimum flow was restored to sustain fish populations in the river. Through cooperation with the Game Division, the Ruby Mountain High Lakes were recently stocked with hatchery-reared trout via the Department's helicopter. These fish provide a vital recreational resource in lakes that don't sustain natural reproduction.

**Southern Region Fisheries:** Southern Nevada has experienced substantial monsoon activity for much of the past two months. As a result, Lake Mead water levels have actually risen two feet in the past two months. Annual survey and monitoring efforts for native aquatic species in the Southern Region were paused during the warmest portion of the summer but are scheduled to resume with the onset of cooler fall temperatures. Catfish stocking in the southern Nevada urban ponds has been completed for the year and will transition back to trout as the fall progresses. The US Bass Open that is traditionally held on Lake Mead will occur at Lake Mohave in early October due to launching difficulties at Lake Mead. More than 200 entrants are expected, and NDOW will maintain an informational booth for participants and spectators.

**Western Region Fisheries:** Marlette Lake is scheduled for a dam replacement in 2023/2024. A coffer dam will be installed during construction to maintain broodstock population of Rainbow Trout and Lahontan Cutthroat Trout that the Department relies upon for hatchery production. Bilk Creek Reservoir in Humboldt County sustained a considerable fish die off in August as a result of low oxygen levels due to low water conditions. Fish composition was made comprised of approximately 95 percent Bluegill and five percent Rainbow Trout / Largemouth Bass. Although low water levels and diminished stream segments persist, LCT surveys have been found in almost all streams surveyed within native range. Recent surveys found Western Pearlshell Mussels, another SWAP Species of Greatest Conservation Need, in the McDermitt Creek drainage near the Oregon Border at a previously undocumented location. An eradication project was completed at Wall Canyon Creek in northern Washoe County. The goal of the project was to eliminate a non-native trout in the upper portions of Wall Canyon Creek above an artificial the barrier in an effort to conserve the Wall Canyon Sucker, a Species of Greatest Conservation Need that was recently found to be genetically unique.

## **DATA AND TECHNOLOGY SERVICES DIVISION**

Data and Technology Service (DATS) Division Administrator Kim Munoz presented the DATS Activity Report.

**Hunts & Licensing:** The Hunts & Licensing staff continue to be busy with tag returns. Currently, this season they have processed 790 returned tags of which 437 tags have gone into the First Come First Server functionality.

Also, the team has worked with Kalkomey to send email reminders to tag holders reminding them to complete their harvest return cards after their season close.

The team has successfully set up and completed the new draw for the Swan permits. We received 817 applications for the 650 permits available to be issued.

Staff are getting ready to take the applications and conduct the draw to reserve the Overton duck blinds. Staff are also working to get the Fall Turkey landowner tags configured and ready to issue.

Finally, with the help from Wildlife Staff Specialist, Cody McKee, and Administrative Services Officer, Jordan Goshert, we completed and submitted the official Federal License Certification for 2020 license

sales. This certification process is two years behind and is the foundation for how the Department received funding from the Wildlife Restoration Fund (aka the Pittman-Robertson (PR) Act). We're happy to report a 14 percent increase in hunting and 36 percent in fishing licenses.

**Geographic Information System:** The Geographic Information System staff currently has two vacant positions, which has kept the existing staff busy with all the daily requests. They've also have gotten blind application process ready for the Overton and Key Pittman waterfowl blind draw. They completed updates to the sage grouse telemetry and transfer of data from the Game Division's Aerial App.

**Information Technology:** Finally, the Information Technology staff work hard behind the scenes to keep the Department's technology running flawlessly. They provided a department-wide training on what's new with Microsoft's Windows 11 operation system. They resolved 131 help desk tickets. They created a training for staff that handle Personal Identifiable Information. Staff implemented a Multi-factor Authentication for our systems hosted on Amazon's Web Services. Finally, they provided the Mason Valley Wildlife Management Area a new firewall and internet connection.

Chair Caviglia asked if the licensing reporting is typically two years behind.

Administrator Munoz stated that it was.

## **LAW ENFORCEMENT DIVISION**

Law Enforcement Division Administrator Mike Maynard presented the Law Enforcement Activity Report.

**Wildlife Patrol and Enforcement:** A Southern Region game warden assisted the local search and rescue effort when he contacted a group of hunters who had accidentally sent an SOS message from their GPS device. A game warden seized a trail camera from a guzzler and the investigation is pending. A game warden is investigating the fraudulent use of a disability permit and a Southern Region game warden coordinated response needs from the Southern Nevada Health District and Texas Parks and Wildlife regarding individuals transporting shrimp from Florida to Las Vegas.

Eastern Region game wardens investigated reports of potential trespass and firearm discharge concerns related to the Governor's mule deer tag harvest. Eastern region game wardens have responded to and investigated numerous reported suspicious animal carcasses which were determined to have no criminal nexus or were from wounding loss. Game wardens assisted multiple hunters with private property concerns to avoid trespassing or unlawful harvest incidents. An Eastern Region game warden investigated a self-report of a spike elk shot on an antlerless tag. Eastern Region game wardens conducted an antelope decoy operation in Area 07 resulting in multiple reactions to the decoy, but no violations detected.

**Boating Safety Patrol and Enforcement:** Overall, the Labor Day Holiday weekend was slower on the water. However, Southern Region game wardens arrested for an OUI on the Colorado River in Laughlin and responded to a personal watercraft collision in which two persons were transported to the hospital.

Western Region game wardens conducted livery inspections at Lake Tahoe.

**Public Safety:** A Southern Region game warden assisted Las Vegas Metropolitan Police Department with apprehending a carjacking suspect who barricaded themselves in a vehicle.

An Eastern Region game warden assisted NHP on a traffic stop that resulted in narcotics being seized. Game wardens also attended the National Night Out in Elko making approximately 500 contacts with the public in a few hours. Game wardens in the Eastern Region assisted a group of hunters in Area 07 when

a hunter broke his leg in a motorcycle incident and responded to a call of a vehicle fire and hunters in distress in Unit 102. The vehicle fire had turned into a wildland fire at that point. Game wardens assisted with coordinating access to the fire and obtained statements from the hunters to assist the investigation.

A Western Region game warden responded and assisted Reno Police Department in an investigation at Oxbow Nature Conservancy.

**Training:** Game wardens statewide took part in reality-based scenario training in which they were individually placed into five different scenarios to evaluate their need for use of force in varying situations. Individual reporting and discussion followed scenarios taking place. Game wardens also attended man tracking training in Battle Mountain. Western Region game wardens were the first to start a mass training cycle for all game wardens in Nevada on active shooter response tactics and responsibilities using the ALERRT model. Multiple game wardens also attended peer support training with the Washoe County Sheriff's Department in an effort to start an in-house peer support program for game wardens in Nevada.

Commissioner Kiel asked Administrator Maynard if he could expand on the SOS function and how often LE responds to those.

Administrator Maynard stated that it depended on the system they use. An SOS will be sent to the 911 agency that has jurisdiction in that area, not to LE first. Responders will be alerted to assist in emergencies.

Commissioner Barnes stated that the SOS function helped with a fire in area 102 that was started by a burning vehicle. He also expressed appreciation for his cows, his own fire prevention units that helped contain a fire that was located in critical mule deer habitat.

Commissioner East asked what other mental health assistance was available for officers besides Narcan.

Administrator Maynard explained that NARCAN reverses effects of narcotics.

Commissioner East asked if there was other mental health support for LE officers.

Administrator Maynard stated that the Department has policies in place that provide help to officers who have been involved in traumatic instances by utilizing psychological evaluations after those events. Employee Assistance Program (EAP) is an additional program offered through the state of Nevada and is also offered to personnel who haven't been sworn in.

Commissioner Pierini acknowledged that there have been many challenges for the Department's LE and that they have exemplified professionalism. He noted that officers were faced with having to patrol larger areas with a smaller force and he expressed his appreciation for how well the Department works with local law enforcement agencies.

Secretary Wasley expressed his appreciation to the Board for allowing the Department the opportunity to keep Division Activity Reports as a standing agenda item. They help to provide the Commission a quick overview to keep them apprised of everything going on in each division. He reiterated some of the important and unique accomplishments that each division took part in and how much their work and dedication contribute to accomplishing many tasks with a smaller workforce than most states. He provided examples of how much funding other states have been given and the sizes of their agencies in comparison to Nevada's Department of Wildlife. He thanked his staff for their hard work and ability to accomplish so much.

*NBWC Meeting recessed at 10:20 am and resumed at 10:35 am.*

**C.\*     **Litigation Report – Deputy Attorney General Craig Burkett****

A report will be provided on Nevada Department of Wildlife litigation.

DAG Burkett stated that there have been several advances in the Smith vs. Wakeling case. We made a motion claiming \$91,000 in attorney's fees. We received a notice of appeal as well. "There's an automatic referral to the settlement program of the Nevada Supreme Court whenever there's an appeal to, of any case from district court and so we will go through a settlement program as part of that process." He stated he should be receiving a formal motion on the petition soon in the case of Mr. Collard's three-year suspension. He noted that while he wouldn't typically discuss water law issues, he will provide a short presentation for the Board's awareness at the next Commission meeting.

**D.\*     **Wildlife Trust Fund Annual Report – Deputy Director Jack Robb****

A report will be provided on the investment and expenditure of money in the Wildlife Trust Fund for the period of July 1, 2021 to June 30, 2022 pursuant to NRS 501.3585.

Deputy Director Jack Robb presented the report. He stated that detail sheets would be included in the meeting minutes. (See attached)

Commissioner Walther asked what the breakdown was between private and Non-governmental Organization (NGO) donations.

Deputy Director Robb stated that he believed it was about 50/50.


Secretary Wasley explained that the Wildlife Trust Fund was an account established by the state legislature to allow the Department flexible spending. A letter stating where the funds should be used is provided with each donation and designates the specific project or function it should be used for. Should it exceed \$20,000, the legislature must approve the receipt and expenditure of those funds unless they are to be used in the case of an emergency. In regard to Commissioner Walther's question to Deputy Director Robb, the Department receives a higher number of donations from NGO's, however, typically with smaller dollar amounts.

Commissioner McNinch stated that he appreciated those individuals that have donated to that fund and that the evidence can be seen in, for example, the pictures lining the walls in the Pepper Lane office in Las Vegas.

Secretary Wasley thanked Commissioner McNinch and explained that Gil Yanuck designated his donation to be used for "the things that the State won't otherwise allow you to do." He listed a few examples of when these funds were extremely helpful, especially when they were needed quickly.

**E.     **Mule Deer Enhancement Program Oversight Committee Report – Committee Chair Casey Kiel and Game Division Administrator Mike Scott****

A report will be provided on the Mule Deer Enhancement Program.

Commissioner Kiel presented what was discussed in the  Mule Deer Enhancement Oversight Committee ("the Committee") meeting. He noted that some ongoing habitat projects from the previous year were funded by the Wildlife Trust Fund. He reported that they reviewed all the five-year plans that were submitted by the sub-committees, which provide a framework moving forward. The Committee discussed three sub-categories of projects and provided a recommendation to the Wildlife Damage Management Committee to approve four predator projects as part of projects 37 & 38 in the Predator Management Plan. The Committee is recommending that the investigation type projects be approved also. He stated



that the Committee would continue the discussion on prioritizing current habitat projects, that it was a substantial process and it would be addressed in the next committee meeting.

Game Division Administrator Mike Scott stated that there were seven investigation projects, roughly \$700,000 proposed and \$8 M in habitat projects that would be performed over the next five to ten years. He expressed appreciation for the Habitat Division and their ability to navigate the process and work with partners to implement these projects. He pointed out the struggle with the predator projects the previous year and stated that they wanted to shift those to the Wildlife Damage Management Committee.

Commissioner Barnes stated that the process of prioritizing the habitat projects was somewhat overwhelming and that the undertaking was an important task that the Committee needed to take time on.

Commissioner Pierini stated that what that Committee was doing was very positive and helpful to others that may not be able to take the time to sift through the specifics of those projects. He appreciated the time given in order to accomplish that task.

Commissioner East stated her appreciation for the Committee members and the ideas that have been realized through these projects.

Chair Caviglia stated that he was present for the last meeting and that he agreed that the task was daunting and wanted to recognize the Committee and sub-committees for all their hard work.

## **7. Administrative Procedures, Regulations and Policy (APRP) Committee – Committee Chair McNinch**

Commissioner McNinch stated that he had intended to have an additional meeting prior to this one to address Policy 23 so that when Policy 25 was brought back to the Commission, they could examine more closely the overlap of the two policies. The committee was unable to hold that meeting but he assured the Commission that they would capture the necessary pieces of information despite the significant changes to both policies.

### **A. Commission Policy 24 – Hunting Opportunities Among Various Weapons Classes and Hunter Groups – Second Reading – APRP Committee Chair David McNinch – For Possible Action**

The Commission will have a second reading of Commission Policy 24, Hunting Opportunities Among Various Weapons Classes and Hunter Groups, and may decide to repeal, revise, or adopt the policy.

Management Analyst Kailey Musso presented Policy 24. She noted that on page five, the party hunt quota minimum was added and that within the FCFS paragraph at the top of page five, the returned resident tags would be designated for residents and the returned non-resident tags would be designated for non-residents beginning in 2023-2024 seasons. She pointed out that she was hesitant to recommend implementing this change considering the fact that Kalkomey would soon be selling their database.

Commissioner Walther asked what would happen if a non-resident tag was returned but not picked up.

Management Analyst Musso stated that it wouldn't be sold. She explained that before this program was implemented there were over 1,000 tags not being utilized. The Department chose not to designate a residency requirement to increase the chances of the tag being sold.

Commissioner Walther verified that there was a 14-day return period prior to the season opening and asked whether there was any consideration to opening it five days prior to opening season and then having it convert to resident tag.

Management Musso stated that the 14-day deadline allows for the tag to go to an alternate, as required by Nevada Administrative Code, and after the 14-day period it is placed in the FCFS program.

Chair Caviglia stated that he believed tags would be bought quickly and that it was highly unlikely that any tags wouldn't be purchased.

Administrator Munoz stated that tags were typically only available online for a few minutes.

Chair Caviglia stated that the process of establishing the FCFS program was extensive and asked if there was a 14-day restriction specified in NRS.

Analyst Musso stated that there was a 14-day period established in NAC and that there was no option for those returned tags after that 14-day period prior to the FCFS program.

Commissioner Walther stated that he appreciated the background information on the subject.

Commissioner East asked in reference to the party hunt quota, if language should be added to read "quota will be two to allow applicants who wish to apply as a party of two or more."

Administrator Scott stated that it had been standard practice to have a minimum of two tags on party hunts, but that for this year's quotas, the Commission accepted CABMW requests to make some party hunts a minimum of one instead. The Department wanted policy language to state that at least two hunters would have a chance of drawing a tag in a party hunt.

Commissioner East stated that we have a minimum number of tags, but not a maximum number of tags.

Commissioner McNinch stated that the language should read "quota will be two to allow applicants who wish to apply as a party", removing "of two applicants," to limit confusion.

Commissioner East stated that she would prefer that change.

Chair Caviglia stated that he agreed with a Washoe CABMW member who pointed out that under section three c, there should be additional language clarifying that there would be a "maximum" of three tags awarded to juniors. He stated the Commission would be addressing Commission General Regulation 502, Junior and Turkey Hunt Programs, which does contain clarifying language similar to what is needed in Policy 24.

Management Analyst Musso stated that she agreed and was going to suggest it read "maximum of three junior tags before the age of 18." This policy doesn't stop them from applying as an adult before the age of 18.

Administrator Scott stated that there should be more tags available due to section three a, the option of splitting the hunt into Any Legal Weapon Class and Archery/Muzzleloader Combination. There was a suggestion that after three Any Legal Weapon tags, the only tag a junior could apply for would be the Archery/Muzzleloader tag.

Chair Caviglia stated that he would recommend waiting to see what transpires as a result of dividing the hunts before adding other stipulations.

Commissioner Kiel stated that he agreed with Chair Caviglia and noted they would discuss this the following day with CGR 502.

Commissioner McNinch stated that he was fine with using just the language “maximum of three junior tags,” and that he understood the proclivity of all parties to want to create as many opportunities as possible, especially for junior hunters. He stated that for recruitment purposes there was previous discussion on targeting a specific age group and he was not as concerned about a lack of opportunity for junior hunters, that a maximum of three tags is sufficient.

Joe Crimm, representing Pershing CABMW, stated that his CAB would prefer section three c read “four” tags. That providing junior hunters more options is important for recruitment purposes, even though they may not be the target group previously discussed. He added that even with dividing the hunts, a four-tag limit could still apply.

*No public comment.*

Commissioner East asked if the Board would like to move to adopt Policy 24.

Commissioner McNinch stated that he thought there was interest in discussing this policy further and that he would defer to Management Analyst Musso.

Management Analyst Musso stated that she and Management Analyst Manfredi agreed that it could be adopted, that it could be amended if changes were needed.

Commissioner Barnes stated that it was preferable to him to agree to move to a third reading and then adopt at that time.

Vice Chair Rogers stated that he was more comfortable moving to a third reading. A discussion on CGR 502 the following day might provide clarity and a better understanding on the subject, which in turn might keep us from having to amend the policy later on.

Commissioner McNinch stated that if Commissioner East would amend her motion to adopt to bring back as a third reading he would second the motion.

Commissioner East stated that she would amend her motion to a third reading.

**COMMISSIONER EAST MADE A MOTION TO MOVE POLICY 24 TO A THIRD READING. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION PASSED 9-0.**

**B. Commission Policy 25 – Wildlife Damage Management – Third Reading – APRP Committee Chair McNinch – For Possible Action**

The Commission will have a third reading of Commission Policy 25, Wildlife Damage Management, and may make necessary changes and may decide to repeal, revise, or adopt the policy.

Management Analyst Musso presented Policy 25, making note of each portion taken from Policy 25 and placed in Policy 23. She stated that repetitive language was also removed in order to help simplify this policy.

Commissioner Barnes stated that his concerns were addressed and that he would support the changes made.

*No public comment.*

Commissioner McNinch stated that he would make a motion to adopt Policy 25 and assured the Board that Policy 23 would be thoroughly examined.

COMMISSIONER MCNINCH MADE A MOTION TO ADOPT POLICY 25. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 9-0.

Commissioner McNinch stated that Policy 11 Wildlife Heritage Grants, Policy 23 Predation Management, and Policy 62 Mitigation Policy would be brought to the APRP Committee prior to the November Commission Meeting and noted that Policies 24, 60, 61, and 66 would be on the November Commission agenda for discussion as well.

### **Public Comment Period**

*No public comment.*

*Adjourned at 11:23 am.*

**Saturday, September 24, 2022 – 9:00 a.m.**

***If you wish to make public comment via Zoom, please use this link:***

<https://us02web.zoom.us/j/83303259226?pwd=NFA1NkVVb0dPVDQvYUptd2FPUGFKUT09>

### **8. Call to Order, Pledge of Allegiance, Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chair Caviglia**

Chair Caviglia called the meeting to order at 9:00am. Commissioner Barnes led the Commission in the Pledge of Allegiance. Executive Assistant Meghan Beyer called the roll of the Commission. Chair Caviglia made note of the CABMW members in attendance.

### **9. Approval of Agenda – Chair Caviglia– For Possible Action**

The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

Chair Caviglia stated he had no changes to the agenda.

*No public comment.*

**VICE CHAIR ROGERS MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER EAST SECONDED THE MOTION. APPROVED 9-0.**

### **10. Member Items/Announcements and Correspondence – Chairman Caviglia – Informational**

Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may

provide hard copies of their correspondence for the written record). Correspondence sent or received by Secretary Wasley may also be discussed.

Chair Caviglia stated that he had nothing to present.

Secretary Wasley wished everyone a Happy Public Lands Day and pointed out that Nevada has more lands in public administration than any other state and how unique that is. He stated that he had been appointed to serve in a new federal council to support hunting and conservation efforts, representing state wildlife agencies.

Chair Caviglia offered congratulations to Secretary Wasley.

- 11. County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational**  
CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.

Paul Dixon representing Clark CABMW, stated that he had three items to discuss. First, during the last Commission meeting, he asked the department to provide information regarding boat access and fishing opportunities at Overton WMA and would like an update to give to his board. Second, Mike Reese requested to the Governor's Office that September 24<sup>th</sup> be named Nevada Hunting and Fishing Day. He hadn't received any correspondence back since doing so. Finally, he made a point on Policy 24, suggesting that even under new opportunities, the probability of a youth drawing three, four or five tags was highly unlikely. He requested that the Department have Kalkomey provide statistical data reflecting this to calm any hunter's fears that opportunities to hunt are being taken away from the youth.

**12. Commission Regulation – For Possible Action/Adoption – Public Comment Allowed**

- A.\* Commission Regulation 21-15 Amendment #1, Fishing Seasons and Regulations for January 1, 2022, through December 31, 2023 – Fisheries Division Administrator Chris Crookshanks – For Possible Action**  
The Commission will consider amending fishing seasons, bag, and possession limits for the period of January 1, 2022, through December 31, 2023.

Fisheries Division Administrator Chris Crookshanks stated that Staff Specialist Kim Tisdale would present this Commission Regulation.

Staff Specialist Kim Tisdale presented the regulation pointing out two changes. One change was making the Department's fishing hours consistent with the Ruby Lake National Wildlife Refuge's (NWR) posted hours of operation and a second change was to Sportsman's Park Pond, reducing the limits, as requested by Nye County residents and adjusting the fishing hours to when the park is open for public use, making this pond consistent with all other urban ponds in Nevada.

Vice Chair Rogers asked how large the Sportsman's Park Pond is.

Staff Specialist Tisdale replied that it is about two acres.

Paul Dixon representing Clark CABMW stated that there were members of the public at the Clark CABMW meeting that opposed reducing the hours at Ruby Lake NWR and were concerned with taking away fishing opportunities. As a result, there was a split vote at the CABMW meeting.

Staff Specialist Kim Tisdale explained that the area fish biologist made the point that a small number of people start their day fishing two hours before sunrise, that most will start around sunrise, so he didn't see a problem with making these changes.

*No public comment.*

**COMMISSIONER KIEL MADE A MOTION TO APPROVE THE COMMISSION REGULATION 21-15 AMENDMENT #1, 2022-2023 FISHING SEASONS AND REGULATIONS AS PRESENTED. SECONDED BY COMMISSIONER WALTHER. MOTION PASSED 9-0.**

### **13. Commission General Regulations – Workshop/Public Comment Allowed**

#### **A.\* Commission General Regulation 502, Junior Hunt and Turkey Program – Management Analyst Megan Manfredi – For Possible Action**

The Commission will hold a workshop to consider amending Nevada Administrative Code (NAC) 502 to limit the number of successfully awarded tags in the junior hunt program. The regulation also removes hard close dates for submitting a turkey harvest return card and allow for junior turkey bonus points to convert to the adult point category once a junior is ineligible to participate in the junior hunt turkey program.

Management Analyst Megan Manfredi presented the regulation. She explained that applications have increased across the board in all categories since the Department hired Kalkomey as the licensing vendor, resulting in more applicants than tags available. The language limits participation in the junior hunt programs, making an applicant ineligible for future participation in the junior hunt programs after three (3) successfully awarded junior tags. The changes would also allow for juniors participating in the junior turkey hunt program to roll their accumulated bonus points into the adult category once they are no longer eligible for participation as a junior turkey hunter. This regulation change was proposed to ultimately increase participation and opportunity for more junior hunters. Similar changes made in the junior mule deer program are reflected in the junior turkey program. The Department also proposed changes to the business rules regarding the turkey harvest return card and bonus point programs. The proposed changes would align with the business rules established for the big game species by allowing an applicant who failed to submit their turkey harvest return card by the established deadline to pay the \$50 associated fee and complete the survey during the following year's turkey application period in order to lift the applied suspension and successfully submit an application. Harvest survey deadlines will be presented to the Commission every year for approval in the application and deadlines commission regulation.

Chair Caviglia explained that this was a year-long process in the TAAHC Committee, that the Department provided a large amount of data, and that a survey was sent out and completed by parents of junior hunters. The three-tag limit was the final decision in the committee, providing an opportunity to "spread the wealth" to youth hunters, especially to those that may be geographically limited.

Commissioner East agreed and explained that the reason they didn't want to limit the age was due to the idea that some youth do not begin hunting at 12, they may start at 16 or 17. Limiting the age would limit possible recruitment.

Commissioner McNinch asked Management Analyst Manfredi to explain section one, number one, that the language was unclear and he didn't understand what was being conveyed.

Management Analyst Manfredi deferred to DAG Burkett.



DAG Burkett stated that he thought they were trying to differentiate between the hunts, assuring the Commission that there was a purpose but that he couldn't speculate as to exactly what they were trying to say.

Commissioner Kiel explained that he believed it meant that any of the hunts that people apply for through the draw process would be covered, but other hunts, for example, chukar hunting, would be excluded in this section.

Commissioner McNinch shifted to something he mentioned the previous day, that he thought he may have downplayed the youth group in regards to recruitment when he was discussing Policy 24 and the retention of certain groups. Consideration should be placed on what we are trying to accomplish with our youth hunt after putting more restrictions in place. He asked if we would be losing what was originally intended with the hunt and whether we should open another opportunity with an additional hunt, for example, a muzzleloader or youth antelope hunt.

Paul Dixon representing Clark CABMW, agreed with Commissioner McNinch and explained that it is rare to see a youth draw even three tags, that this occurred years ago when herds were larger, but due to having smaller herds now, it opens the discussion to adding other game or weapon class hunts to the youth program to provide more opportunity.

*No public comment.*

Chair Caviglia explained that the statistical data that Paul Dixon mentioned earlier was presented to the TAAHC Committee during previous meetings and that if the Department was in possession of it to please present it.

Management Analyst Manfredi stated that the data compiled was from 2019 and as of 2020, percentages of drawing one to five tags were as follows: one tag - 35 percent, two tags – 25 percent, three tags – 18 percent, four tags – 13 percent, five tags – 9 percent (1,480 individuals).

Secretary Wasley stated that he believed those numbers reflected the commitment of parents and that there were limiting factors like geographical location, desire, and opportunity, however, prior to the last two years there were many unused youth tags that were not applied for. His own four children hunted every year they were eligible and never went one year without a tag. He suggested that rather than focus on one limiting factor, we should consider the whole picture.

Chair Caviglia acknowledged that this was a complicated topic.

Commissioner East stated that with having two children in the hunt program with competing interests like sports, it was hard to accommodate both and she reiterated her previous point that she wanted to make sure those kids coming into the program late and weren't in an easily accessible geographic area, had the opportunity to participate. She explained her own personal philosophy on not taking does and suggested it would be helpful to communicate to the public the science behind doe hunts. She agreed that the Department should share some of the statistical information they compiled and provided the TAAHC Committee.

Chair Caviglia agreed with Commissioner East to distribute statistical data but disagreed with the need to create youth doe hunts. He added that there are many people who disagree with junior hunts in general.

Vice Chair Rogers asked Management Analyst Manfredi if it was possible to get additional data that would be more recent than 2019.

Management Analyst Manfredi stated that she could.

Commissioner McNinch acknowledged the commitment to hunt, explaining his own personal perspective having children who hunted and expressed appreciation for the TAACH Committee and its role in this process.

Chair Caviglia asked that Management Analyst Manfredi compile the data and bring it back to workshop during the next Commission meeting.

**B. \* Commission General Regulation 508, Antler Points and Spike Elk Defined – Wildlife Staff Specialist Cody McKee**

The Commission will review and revise draft language amending NAC 502 that would clarify definitions pertaining to “antler point” and “spike elk” for certain big game mammals and reduce likelihood of inadvertent infractions.

Wildlife Staff Specialist Cody McKee presented the regulation, providing the Commission with the current definitions of “antler points” and “spike elk.” He acknowledged that the current definition for “spike elk” had created confusion for hunters and added that this change in language would help to minimize that confusion.

Commissioner Walther stated that there had been positive feedback from the public on the language change but they also raised concerns as to whether three points was meeting the Department’s management objectives of age class bulls.

Staff Specialist McKee stated that the Department manages for a high age structure, resulting in exceptionally high male to female ratios, for which these spike hunts are intended to mitigate. These ratios can affect female elk’s nutritional status, ability to rear young, and antler breakage. These hunts “allow us to harvest younger bulls before they reach that mature age” and are intended to help “temper the bull ratios as they age through the population and get older.” He doesn’t believe that the changes will make a difference with a two, three, or even four-point bull, that they are young animals, mostly one or two years old. While over time the definition has changed somewhat, we are still targeting a lower end of the age class, addressing the challenges of high bull ratios, and providing sportsmen the opportunity to hunt elk.

Chair Caviglia asked if we would be better off defining these hunts as management hunts. He acknowledged that other states have true spike hunts and that calling these spike hunts causes confusion.

Staff Specialist McKee acknowledged that the Department had deviated from the true definition of a spike and that he was unsure if the Department had the ability to quickly change these hunts from spike elk to management elk, considering that this definition is most likely included in other NAC regulations, which would take time to modify. He explained that adding a management elk hunt with an antler point limit (in essence a spike hunt) would be more preferable than creating a whole new class of bull elk.

Chair Caviglia agreed and stated that a similar action was taken with a previous depredation hunt.

DAG Burkett stated that there are roughly 15 places in NAC 502 where the term spike is used, which could be changed easily, but that he could see nowhere in NRS where the term is used. Changes to the definition or use of the word spike would be all that was needed.

Vice Chair Rogers stated that this is a perception issue that should be addressed through changing the language to provide clarity and still accomplish the end goal of the Department.

Commissioner East asked if there was a desired timeframe to address this issue.

Staff Specialist McKee stated that he would prefer to have it in place by January when hunting seasons are set. He stated that there would not be an issue with having a single one-point spike bull hunt, however, he reminded the Commission that this was the case in 2014, but that sportsmen asked for the definition change. He was hesitant to revisit a situation that would result in a similar outcome and believes that the proposed change in language “closely mimics what’s currently legal in the field for spike hunters”, reducing confusion and limiting mistakes by hunters in the field.

Vice Chair Rogers acknowledged Specialist McKee’s point, but reiterated that a clear definition is what is needed and that he didn’t think of three points as a spike elk.

Secretary Wasley explained that the original single antler definition of a spike hunt concerned sportsmen who didn’t want to inadvertently violate the law. He stated that the occurrence of a three-point yearling bull is rare. The language change helps in keeping with the spirit of a spike hunt, providing hunters a little room for error, but no additional confusion and less rigidity than in the original definition. The Department is open to suggestions to accomplish this in another way.

Chair Caviglia suggested to have it read “not more than two points” and strike “above the ear” instead of the three points.

Joe Crimm representing Pershing CABMW, agreed that a true spike is a spike and that once it becomes a branch, hunters are exceeding the limitations set in the regulation. A management hunt was a better name than a spike hunt, also limiting possible issues with law enforcement.

Paul Dixon representing Clark CABMW, suggested that there should be “clear illustrations of what is expected” of the hunter in the hunt guide book. At the CAB meeting there were multiple discussions on what to call the hunt, but ultimately there should be “a clear definition in the hunt book, with pictures would be very helpful.”

Danny Thompson representing Carson City CABMW, stated that his CABMW had a lengthy discussion and it was unanimous in supporting this regulation change. He believed that the Commission was complicating the issue and should adopt as written.

*No public comment.*

Commissioner East asked if opening it as a management hunt would provide more flexibility in the future.

Staff Specialist McKee stated that it would, depending on the number of points we include, that the definition of a spike is determined in NAC, and that it is ultimately determined by the Commission. The goal is to provide a clearer interpretation for sportsmen in the field.

Commissioner East asked if he had data that he could share that would include the number of points harvested in spike hunts.

Staff Specialist McKee stated that he did and restated that there are rarely three and four points, mostly two-point spike elks harvested, most likely due to this topic of discussion, the definition.

Commissioner Kiel expressed appreciation for what the language was trying to accomplish even though the perception of what a true spike is may not align with the three-point language in the proposed change. He asked Staff Specialist McKee what the success ratio might be once implementing the three-point language, how it would affect the management of elk and whether he anticipates changing the type of hunt.

Staff Specialist McKee stated that the success ratio wouldn't change very much due to the language being in line with what is currently legal.

Secretary Wasley explained that the focus of this regulation change is the interpretation by hunters and law enforcement, helping to assuage concerns of hunters committing inadvertent violations. He doesn't anticipate any change to hunter success or bull ratios.

Commissioner Wise expressed appreciation for what this regulation change was trying to accomplish in regard to clarity for hunters and asked what the ramifications would be if changes to hunts already discussed were implemented and what the Department's preferences would be.

Secretary Wasley stated that the Department would prefer to have a spike hunt that provides flexibility for hunters that may commit inadvertent violations, rather than redefining a management hunt with three points and creating additional situations that would invite more challenging topics of conversation that could potentially be applied to other species.

Commissioner Walther stated that he has heard overwhelming support from sportsmen on the language but that the question they asked was whether it was about biology or the definition only and he believed that question had been answered.

**COMMISSIONER WALTHER MADE A MOTION TO FORWARD THE COMMISSION GENERAL REGULATION 508, ANTLER POINT AND SPIKE ELK DEFINED, FOR ADOPTION AS PRESENTED. SECONDED BY COMMISSIONER MCNINCH. MOTION PASSED 9-0.**

**14. Future Commission Meetings and Commission Committee Assignments – Secretary Wasley and Chair Caviglia – For Possible Action**

The next Commission meeting is scheduled for November 4 and 5, 2022. The Commission will review and discuss potential agenda items for that meeting. The Commission may change the date, time, and meeting location at this time. The chairman may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

Chair Caviglia made changes to the Legislative Committee, adding Commissioner Walther and replacing Greg Smith with Paul Young as the Public Representative. He made a change to the Public Lands Committee, adding Commissioner Walther. He made a change to the Tag Allocation and Application Hunt Committee, replacing Washoe CABMW member Arnie Pits with Washoe CABMW member Matt Malarkey. He made changes to the Wildlife Damage Management Committee, making Commissioner Wise the Chair, adding Commissioner Pierini. He made a change to the Wildlife Heritage Committee, adding Commissioner Walther. He stated that the Landowner Compensation Tag Committee and Regulation Simplification Committee will be appointed as needed. He made a change to the Mule Deer Enhancement Committee, adding Commissioner Wise.

Chair Caviglia stated that both the APRP and TAAHC Committee will have meetings and will discuss a junior antelope hunt. He added that the Legislative Committee will possibly meet as well.

Secretary Wasley stated that the Legislature was in a temporary regulation period, and any that are adopted will expire November 1<sup>st</sup>, 2023 and will need to be brought back to the Commission. The following items will be on the November Commission Agenda:

- Commission Regulation 23-02, Taking of Raptors for Falconry for 2023-2024
- Commission Regulation 23-03, Noncommercial Collection of Reptiles and Amphibians for 2023-2024.
- Predation Management Status Report
- For Workshop - Commission General Regulation 500 – Subdivision Map Review
- For Workshop - Commission General Regulation 506 - Golden Eagle Possession
- For Workshop - Commission General Regulation (Temporary) 509 – License and Vessel Refunds
- For 2<sup>nd</sup> Workshop - Commission General Regulation 502 – Junior Hunt and Turkey Program
- For Adoption – Commission General Regulation 508 – Antler Point and Spike Elk Defined
- Policies 11, 23, and 62 to the APRP Committee and the Commission
- Policies 24, 60, 61, and 66 to the Commission

#### **15. Public Comment Period**

Public comment will be limited to three minutes. No action can be taken by the Commission at this time; any item requiring Commission action may be scheduled on a future Commission agenda.

Paul Dixon, private citizen, stated that he wanted to thank the Department of Wildlife for supporting his CABMW meetings and for providing presentations on topics of interest requested by members of the CABMW's including wildfires, mule deer, and urban wildlife conflicts, all greatly appreciated.

*NBWC Meeting adjourned at 10:18 am.*

\*Support material provided and posted to the NDOW website, and updates to support material will be posted at [http://www.ndow.org/Public\\_Meetings/Com/Agenda/](http://www.ndow.org/Public_Meetings/Com/Agenda/). Support material for this meeting may be requested from the Recording Secretary at (775) 688-1599 or [wildlifecommission@ndow.org](mailto:wildlifecommission@ndow.org). In accordance with NRS 241.020 this agenda closes three days prior to the meeting date and has been posted on the NDOW website at [http://www.ndow.org/Public\\_Meetings/Com/Agenda/](http://www.ndow.org/Public_Meetings/Com/Agenda/).

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