

Nevada Board of Wildlife Commissioners' Meeting Agenda Minutes

Pursuant to Governor Sisolak's March 22, 2020 Declaration of Emergency Directive 006, the requirement contained in NRS 241.023 (1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate is suspended in order to mitigate the possible exposure or transmission of COVID-19 (Coronavirus). Accordingly, anyone planning to participate in the meeting must participate via the web link provided below.

Friday, November 6, 2020 – 9:00 am

The meeting will be broadcast live at the NDOW Commission YouTube page:
<https://www.youtube.com/channel/UCrFHgHLM0Mza2Hx7og8pFcQ>

Meeting materials are available at: http://www.ndow.org/Public_Meetings/Com/Agenda/

Nevada Board of Wildlife Commissioners present for the meeting via Zoom:

Chairwoman Tiffany East
Commissioner Jon Almborg
Commissioner Kerstan Hubbs
Commissioner Ron Pierini

Vice Chairman Tom Barnes
Commissioner Tommy Caviglia
Commissioner David McNinch

Secretary Tony Wasley

Senior Deputy Attorney General Craig Burkett

Nevada Department of Wildlife personnel in attendance for the meeting via Zoom:

Management Analyst Kailey Taylor
Habitat Division Administrator Alan Jenne
Data and Technology Services Division Administrator Kim Munoz
Game Division Administrator Mike Scott
Fisheries Division Administrator Jon Sjöberg
Conservation Education Division Administrator Chris Vasey
Captain Game Warden Brian Bowles

Administrative Assistant III Megan Manfredi
Chief Game Warden Michael Maynard
Diversity Division Administrator Jen Newmark
Deputy Director Jack Robb
Game Warden Randy Lusetti

Public in Attendance via NDOW YouTube channel:

Bob Cook, Douglas CABMW
Jim Rhea, Washoe CABMW
Larry Allen, Humboldt CABMW
Joe Crawford, Lyon CABMW
Chris Jasmine, self
Fred Voltz, self
David Ricker, self
Kathryn Bricker, self
Elaine Carrick, self

Glenn Bunch, Mineral CABMW
Joe Crim, Pershing CABMW
Rob Boehmer, Carson CABMW
Cathine Smith, self
Shawn O'Neil, self
Therese Campbell, self
Rex Flowers, self
Caron Tayloe, self

Friday, November 6, 2020 – 9:00 a.m.

1. Call to Order, Pledge of Allegiance, Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairwoman East
CABMW members who are present and viewing the meeting through the YouTube link should send an email to wildlifecommission@ndow.org indicating their presence.

Chairwoman East called the meeting to order at 9:00 a.m. Commissioner McNinch lead the pledge of allegiance. Roll call was conducted, and the Commissioners present were: Chairwoman Tiffany East, Vice Chairman Tom Barnes, Commissioners Jon AlMBERG, Tommy Caviglia, Kerstan Hubbs, David McNinch and Ron Pierini. Commissioners Shane Rogers and Casey Kiel were absent.

2. Approval of Agenda – Chairwoman East – 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.

No comment or discussion from the Commission.

VICE CHAIRMAN BARNES MOVED TO APPROVE THE AGENDA AS PRESENTED. CHAIRWOMAN EAST SECONDED THE MOTION. THE MOTION CARRIED 7-0.

- 3.* Approval of Minutes – Chairwoman East – For Possible Action
Commission minutes may be approved from the September 25, 2020, meeting.

Commissioner McNinch asked that page 14 reflects the term “caring” capacity and should be “carrying” capacity. There was also a misspelled of the word “adequate” on page 18 in the motion made.

Break for public comment 9:07 a.m. – 9:09 a.m.

No public comment.

COMMISSIONER MCNINCH MOVED TO APPROVE THE MINUTES AS PRESENTED ALONG WITH THE NOTED CHANGES ON PAGES 14 AND 18. COMMISSIONER HUBBS SECONDED THE MOTION. THE MOTION CARRIED 7-0.

4. Member Items/Announcements and Correspondence – Chairwoman East – 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.

Chairwoman East stated that she received email correspondence that she forwarded to the Department and other Commissioners.

Secretary Tony Wasley stated that all correspondence received by the Department has been sent to the Commissioners. Most correspondence was pertaining to the two petitions.

Vice Chairman Barnes had received phone calls regarding different agenda items that he will address during those items.

Commissioner Hubbs received correspondence from the petitioner Cathy Smith that she will forward to the Department. She also discussed the Silver State Tag with Chad Bliss.

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

CABMW members may present emergent items at wildlifecommission@ndow.org; these comments will be shared with the Commission. 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. Commission Regulations – For Possible Action/Adoption – Public Comment Allowed

- A.* Commission Regulation 21 – 01, 2021-2022 Raptor Capture Quotas – Diversity Division Administrator Jen Newmark – For Possible Action
The Commission will consider and may take action to approve the 2021-2022 season dates, species, quotas, limits, closed areas, application procedures and deadlines, and take of raptors for falconry.

Diversity Division Administrator Jen Newmark shared a PowerPoint describing what falconry has looked like in the last ten years and the quota recommendations of the Department.

Commissioner Hubbs asked if the Department knew the overall status of raptors in Nevada or if the Department had any concerns regarding the raptor populations.

Diversity Division Administrator Newmark stated that for common raptor species, there are no concerns. She explained how common species are better able adapted to urban landscapes. The Department continues to monitor and ensure that the status of the goshawk population is not declining. There have been many satellite tracking projects of the species that have been mentioned in past Department Activity Reports.

Commissioner Hubbs asked if the Department felt the eyas recommendations were a conservative quota.

Diversity Division Administrator Newmark stated that they are in the range that they should be in regard to the take records of the last ten years. She added that the falconers do not meet the quota in any given year and the Department have no concerns to population impact by falconers.

Commissioner Hubbs asked if there were outside threats to raptors such as pesticides.

Diversity Division Administrator Newmark answered that there are always concerns with habitat change, including fire cycles and pesticide sprays but there is a higher concern with raptors that frequent agricultural areas and prey on animals that could be affected by pesticides from those areas. These concerns are generalized throughout the country and not unique to Nevada. She added that studies have been in place regarding levels of mercury in raptors around the country.

Discussion continued regarding pesticide type poisons and bird population studies across the country.

Commissioner McNinch requested additional information on the drawing of permits.

Diversity Division Administrator Newmark explained that if the Department receives more permit applications than set quota, a drawing would be conducted to meet the quota. If the quota is not met, then permit applications will be treated on a first come first serve basis until the quotas are met.

Commissioner Hubbs asked if Nevada has seen any changes in bird migration patterns due to the change in temperatures.

Diversity Division Administrator Newmark answered that monitoring is being done by many Non-Governmental Organizations (NGOs) across the country. They are detecting some shifts in migration due to climate change but tying the shifts in migration directly caused by climate change is difficult considering the number of variables that could cause the shifts.

Commissioner Alberg asked if falconers monitor the raptor nests from the time the eggs are hatched.

Diversity Division Administrator Newmark answered that many falconers do monitor nests. She explained how the age of a fledgling can be determined by its look and feel.

Break for public comment 9:44 a.m. – 9:47 a.m.

Public Comment:

From: Fred Voltz
Sent: Friday, November 6, 2020 9:35 a.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Public Comment—Item 6A

What NDOW staff has proposed as ‘management’ of raptors does not include population data backing up its recommendations in a given hunt area. While we hopefully and accurately know how many raptors have been removed from each species based on questionable self-reporting by licensees, we don’t know the impact of these removals on the ability of the various species to survive if raptor families have been arbitrarily disrupted by the removals in any given geographic area. We need to limit the number of permits for all species potentially issued to residents, especially given the small number of falconers who are active. In addition, the species quotas should be allocated by hunt area, as happens with other species administered by the Commission.

From: Therese Campbell
Sent: Friday, November 6, 2020 9:47 a.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Raptors taken for falconry

Question for Ms. Newmark: Can you please comment on the issue or concerns, if any, of raptors being poached for falconry-- i.e. individuals taking birds without submitting applications to NDOW?

Discussion continued regarding regulations of fledglings being left in nests and potential poisons that could be affecting the raptor populations.

COMMISSIONER HUBBS MOVED TO APPROVE THE COMMISSION REGULATION 21-01 AS PRESENTED. COMMISSIONER MCNINCH SECONDED THE MOTION. THE MOTION CARRIED 7-0.

- B.* Commission Regulation 21 – 02, 2021-2022 Noncommercial Collection Seasons and Bag Limits for Live, Unprotected Reptiles and Amphibians – Diversity Division Administrator Jen Newmark – For Possible Action
The Commission will consider and may take action to approve 2021-2022 season and limits for noncommercial hobby collecting of live, unprotected reptiles and amphibians.

Diversity Division Administrator Newmark shared a PowerPoint presentation regarding the Department’s recommendations of noncommercial collection of unprotected reptiles and amphibians.

Commissioner McNinch asked if the Department has seen any change in population numbers since a restrictive regulation was approved a few years prior.

Diversity Division Administrator Newmark answered that the Department has partnered with the United States Geological Survey (USGS) and the University of Nevada Reno (UNR) to monitor those changes. It is too early to see the populations rebound but they have recorded more diversity than in the past. She added that public observations also provide a lot of useful data.

Chairwoman East stressed her concerns relating to children collectors.

Diversity Division Administrator Newmark stated that it is important to preserve the opportunity for kids to have access to wildlife and many animals we see in our backyards can help establish a love for wildlife. Hobby limits are recommended to prevent those collecting an undue number of reptiles but one or two here and there will not affect collection numbers and falls within the amount allowed by the proposed regulation.

Break for public comment 10:19 a.m. – 10:24 a.m.

From: Therese Campbell
Sent: Friday, November 6, 2020 10:21 a.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Reptile collecting

For Ms. Newmark: Do you have data or estimates on the number of reptiles being (noncommercially) annually collected in Nevada and also what, if any, trends are you noticing?

Diversity Division Administrator Newmark answered that the Department does not require reporting for hobby collection nor is a permit or license required. National context is based on literature and reporting that the American Pet Projects Association publishes yearly. Their data reports that one out of every 25 households have a reptile for a pet and about 15 percent of those are captured from the outdoors.

Commissioner Hubbs asked if the Department is noticing pitfalls in the field.

Diversity Division Administrator Newmark answered that the pitfalls that were known or have been found have been destroyed or removed and the Department has not seen many reestablishments of new pitfall traps.

COMMISSIONER MCNINCH MOVED TO APPROVE COMMISSION REGULATION 21-02 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER HUBBS SECONDED THE MOTION. THE MOTION CARRIED 7-0.

- C.* Commission Regulation 20-04 Amendment #2, 2021 Heritage Tag Seasons and Quota – Data and Technology Services Division Administrator Kim Munoz – For Possible Action
The Commission will reexamine the 2021 Heritage Tag seasons as approved in January of 2020 and may consider adopting a regulation amendment to change one or more season dates.

Chairwoman East stated that she received many comments on this regulation after it was passed in January's meeting and requested it come back to the Commission for further discussion before the tags are put up for auction by the awarded vendors.

Data and Technology Services (DATS) Division Administrator Kim Munoz added that when the regulation was originally presented in January, the Commission discussed the bighorn sheep tag seasons and decided the seasons be set as beginning on the date of purchase through December 31 of that year.

Discussion was had regarding public concerns, the Silver State tag's origin intended to mirror the Heritage tag seasons, and the funds raised by the Heritage tags funding the Heritage account and Department projects.

Break for public comment 10:42 – 10:47

No public comment.

CHAIRWOMAN EAST MOVED TO AMEND THE HERITAGE TAG BIGHORN SHEEP SEASONS TO BEGIN ON JULY 1, 2021. THE MOTION WAS SECONDED BY VICE CHAIRMAN BARNES.

Commissioner Hubbs asked if the Commission should acknowledge what the Silver State tag seasons should be before voting on the regulation.

Deputy Director Jack Robb clarified that the Heritage seasons are set a year in advance in order to notify the vendors and potential buyers of the tag. The Silver State 2021 seasons will be heard and set in the January 2021 Commission meeting.

Secretary Wasley added that the Commission is talking about a very low number of tags with a low impact on species populations. The current discussion is about reducing the period of field time offered to a Heritage tag sheep holder.

Commissioner Hubbs asked how many Silver State tags were awarded each year.

Chairwoman East answered one desert bighorn tag awarded for the Silver State tag.

THE MOTION CARRIED 7-0.

Break 11:00 a.m. – 11:15 a.m.

7. Tag Allocation and Application Hunt Committee (TAAHC) Report – Committee Chairman Tommy Caviglia – For Possible Action

A report will be provided on the recent Tag Allocation and Application Hunt Committee meeting.

Commissioner Caviglia stated that there was lengthy discussion regarding youth hunts for species other than mule deer, an additional weapon class choice for youth hunters, and specialty hunts for novice hunters. The Committee took no action on these subjects but chose to have additional discussions on them at the next Committee meeting. The Committee also discussed having an order to the main draw where male species tags would be assigned before female species tags. He recommended the Commission look into this option and take action by providing direction to the Department if the Commission wanted to.

Deputy Director Robb added that the draw order change can be made during the quota setting and that the current licensing vendor has the functionality already in place to implement the change. The Department is requesting a decision today in order to build the guidebooks accordingly and give the vendor ample time for implementation.

Commissioner Caviglia added that if this change was approved, it would decrease the draw odds on the antlerless hunts, which could be a downside to the change.

Deputy Director Robb also asked the Commission to consider where a spike elk would fall within the draw order.

Break for public comment 11:22 a.m. – 11:25 a.m.

No public comment.

Commissioner AlMBERG said that he would support an order to the draw.

COMMISSIONER CAVIGLIA MOVED TO DIRECT THE DEPARTMENT TO CREATE AN ORDER TO THE DRAW SPECIFIC TO EACH SPECIES WITH MALE BEING FIRST, FOLLOWED BY FEMALE, AND LASTLY SPIKE ELK RELATING TO THE ELK SPECIES. THE MOTION WAS SECONDED BY COMMISSIONER ALMBERG. THE MOTION CARRIED 7-0.

8. Regulation Simplification Committee Report – Committee Chairman Tommy Caviglia – Informational
A report will be provided on the recent Regulation Simplification Committee meeting.

Commissioner Caviglia stated that the Committee discussed changes that will come up in the following agenda items and the proposed regulation language reflects the discussions and guidance of the Committee.

9. Commission General Regulations - Workshop / Public Comment Allowed
 - A.* Commission General Regulation 495, NAC 502 Simplification – Management Analyst Kailey Taylor – For Possible Action
The Commission will review the Regulation Simplification Committee’s recommendations regarding language updates and simplification of Nevada Administrative Code (NAC) 502 relating to licensing.

Management Analyst Kailey Taylor updated the Commission on the Department’s meeting with Deputy Attorney General (DAG) Craig Burkett and reflected that discussion in the updated recommended changes of the Department. She began explaining the Department’s recommend changes to NAC 502.

Commissioner McNinch said that simplifying regulation is a massive task that ends up adding additional clarifications opposed to shortening the regulations. He asked for additional clarification regarding 502.199 the term “if any” used when requiring a customer’s email address.

Management Analyst Taylor stated that it is a requirement for online customers to provide an email address however, customers who are served at vendor counters cannot be forced to create one if they do not already have one.

Commissioner McNinch expressed concerns regarding the language of 502.370, section 4(g), part 1(b) being a provision and not included in the definition.

Management Analyst Taylor clarified that the Department saw parts 1(a) and (b) to be two separate scenarios.

Commissioner McNinch shared his preference that he would like that section to be reworded to show that (a) and (b) are two separate scenarios. He continued with his concerns that 502.370 section 5(a) and (b) didn't fit under section 5 and requested any opinions of the Commission.

Management Analyst Taylor stated that there was discussion regarding there was past Commission discussion regarding what would happen if a mountain lion was trapped, so clarification language was added to the regulation.

Discussion was had regarding the formula in 502.4189 and how it should read to the public.

Chairwoman East requested the definition be reread for the Commission.

Management Analyst Taylor complied to the request and read the definition.

Deputy Attorney General Burkett stated that he made some of the suggested changes and offered a solution to 502.370 by converting section 4(g), part 1(b) into section 4(h).

Commissioner McNinch agreed with the suggested change.

Commissioner Hubbs requested clarification on the change in 502.370 section 3 of 72 hours into five business days.

Management Analyst Taylor stated that the change was to be consistent with check in times for other species and to reduce public confusion.

Chairwoman East asked by "accompanied by its skull and pelt" was added and then removed.

Game Warden Randy Lusetti answered that the Law Enforcement division already has the power to seize something and that some neighboring states included that verbiage in their regulations. He clarified that the Nevada game wardens would not seize something unless it was needed for evidentiary purposes.

Commissioner Almborg said that the last time this regulation was reviewed there were questions in 502.4235, section 6 regarding the definition of family for guides and sub guides.

Management Analyst Taylor stated that the definition of family from tag transfer regulation was referenced for clarification purposes.

Deputy Attorney General Burkett agreed to that change as it recognizes a standard and understandable definition.

Break for public comment 11:56 a.m. – 12:01 p.m.

From: Rob Boemer, Carson CABMW

Sent: Friday, November 6, 2020 11:58 a.m.

To: Wildlife Commission wildlifecommission@ndow.org

Subject: Item 9A-Commission General Regulation 495, NAC 502 Simplification

One question that came up in our CAB meeting was centered around the definition of "Canned Hunt". Question we had for the Department was, wouldn't this definition apply to Bear Hunts potentially as well; not just mountain lions??? Since it is going to be potentially defined in NAC regs., we wondered if it may be something to consider or possibly conflicting to reflect Bear hunts as well unless it is already addressed in other regs already in place. We acknowledge that this proposed regulation change is addressing lion

hunts, but would the “Definition” potentially conflict with bear hunt regs??? I hope this makes sense and I am conveying the CAB’s thoughts and discussions. We would refer to Senior Deputy Attorney General, Burkett on if he sees any potential concerns defining this and not addressing that the same thing could potentially happen with Bear hunts. Randy Lucetti may want to weigh in on this as well. Just some thoughts we thought might want to be considered.

Discussion was had regarding different animal species that could fall under the definition of a canned hunt and if the canned hunt definition should be added to regulations on other species other than mountain lions.

Commissioner McNinch circled back to 502.370 and gave a suggestion of language that he thought would be better understood than what was being recommended.

Deputy Attorney General Burkett agreed with the suggestion and proposed directing the Department to draft the changes to bring back to the Commission at a future date. He added that arguably, NAC 503.147 already prohibits a canned hunt regarding bears and mountain lions unless the animals are being actively pursued during the open season and with a valid license.

CHAIRWOMAN EAST DIRECTED THE DEPARTMENT TO INCLUDE THE COMMISSION’S RECOMMENDED CHANGES AND BRING THE REVISED REGULATION LANGUAGE BACK FOR DISCUSSION AT THE NEXT REGULATION SIMPLIFICATION COMMITTEE AND COMMISSION MEETINGS.

- B.* Commission General Regulation 496, NAC 503 Simplification – Management Kailey Taylor – For Possible Action
The Commission will review the Regulation Simplification Committee’s recommendations regarding language updates and simplification of Nevada Administrative Code (NAC) 503 relating to wildlife. *Once the Commission members have discussed this agenda item, a recess of a specific duration will be taken in order for the public to provide input at the following email address: wildlifecommission@ndow.org. Upon reconvening the meeting, public comments will be shared with the Commission prior to taking any action.

Management Analyst Taylor shared a PowerPoint presentation that included the Department’s recommended changes to NAC 503.

Commissioner McNinch asked why the regulation does not show the common names of species along with the scientific names of species. He gave some examples of sparrows.

Diversity Division Administrator Newmark said that adding European starling would be a good addition.

Editing to the language formatting was discussed as well as a missed change of “rough” blue grouse to “dusky and sooty” in 503.185.

Commissioner Hubbs asked if there was a definition of “protected” versus “unprotected.”

Warden Lusetti answered that protected, threatened and sensitive species is defined in NAC 503.030 and unprotected in NAC 503.035.

Management Analyst Taylor presented the proposed change to 503.144 by the Archer Trade Association regarding the draw weight on a bow. She stated the Department does not have a stance on this change and asked for Commission deliberation.

Chairwoman East added that no one on the Regulation Simplification Committee had a preference for or against the change.

Commissioner Hubbs asked for an explanation of draw weight.

Chairwoman East explained that it is the tension of the bow string.

Secretary Wasley confirmed that answer and explained that the Archery Trade Association conducted a review of all state's regulations pertaining to archery and wanted consistency throughout the nation. Draw weight is challenging to enforce as it is but the Department does not have any concerns in weapon effectiveness if the weights were changed.

Commissioner Caviglia added that the Regulation Simplification Committee did not vote on this issue but chose to participate in additional discussion at the Commission level. He wondered if the states who do not have a lower draw weight are the states in the west with the larger game animals and expressed injuring a larger game animal with a lower draw weight could be of possible concern.

Secretary Wasley stated that having the Archery Trade Association speak to the Commission on the subject could be arranged if the Commission desired.

Management Analyst Taylor continued presenting the Department's recommended changes to the regulation.

Warden Lusetti stated that the change in 503.147 was added due to a change made in NRS a few years ago.

Commissioner Hubbs asked if the Law Enforcement Division had any concerns regarding people using dogs to look for bears but telling wardens they are looking for mountain lions.

Warden Lusetti answered that wardens are aware of that possibility while on patrol but they have no documentation of hunters claiming to hunt lions while out scouting for bears.

Break for public comment 12:55 p.m. – 1:00 p.m.

No public comment.

Chairwoman East read correspondence that she received prior to the meeting regarding marten and drones used on private land.

Vice Chairman Barnes asked why snowshoe hare is being removed from 503.020 and the difference between a snowshoe hare and a white-tailed jackrabbit.

Diversity Division Administrator Newmark explained the difference between the two species. The snowshoe hare was moved into the protected category to protect the species in the Tahoe basin area. The change also aligns with California's regulation.

Chairwoman East asked if it was necessary to remove the marten.

Diversity Division Administrator Newmark answered that it was a similar situation as the snowshoe hare. The species is restricted to the Tahoe basin and is hard to survey. There has been no discovery of other species populations in the state and added that it was not a common species.

Chairwoman East asked for explanation on the 503.152 aircraft restriction and requested a discussion for a private land exemption.

Warden Lusetti stated that the Law Enforcement Division prefers not to make acceptations for small instances because of the possibility of wide ramifications. The change reflects prohibitions based on animal harassment, hunters in the field not being impeded, and ethical nature. What is being suggested does not have ramifications but if the exception is made, it would include helicopters and fixed wings as well as Nevada having a lot of private land within public lands, making enforcement of the regulation more difficult.

Commissioner Almberg asked if depredation permits exempt people from this regulation.

Warden Lusetti there is that opportunity, but the Department tries to keep those instances to a bare minimum to not violate our own regulations.

The Department was directed to make the necessary changes and bring the regulation back to the Regulation Simplification Committee for review.

Break 1:11 p.m. – 1:47 p.m.

10. Nevada Department of Wildlife Project Updates – Secretary Wasley – Informational

The Commission has requested that the Department provide regular project updates for ongoing projects and programs as appropriate based on geography and timing of meetings. These updates are intended to provide additional detail in addition to the summaries provided as part of the regular Department Activity Report and are intended to educate the Commission and public as to the Department’s ongoing duties and responsibilities.

Secretary Wasley stated that extreme conditions tend to show where vulnerabilities lie. Nevada has not had precipitation in some areas for over six months. The water development projects on the land have gone dry and animal herds have suffered because of it. Emergency water hauls had to occur in those areas to alleviate the lack of water.

Habitat Division Administrator Alan Jenne shared a PowerPoint presentation that included a 2020-year overview of temperatures and precipitation across the state that contributed to the drought being seen in Nevada.

Game Division Administrator Mike Scott added that the dry conditions have prevailed for months. One of the helicopters that would normally be conducting mule deer surveys in Washoe County will be in the southern region continuing to fill water developments. Most Department goals in the bighorn sheep program have been reached but isolation and relocation are not the viable options that they were in the past. Emergency water hauls were done to prevent animal death. The drought was so intense and the animal demand so high that water that was recently filled in one unit needed to be filled again. Discussion needs to be had regarding the number of sheep these units can sustain and changes need to be made that include equipment upgrades for potential emergency situations in the future. Guzzler projects need to be selective and proposed areas need alternative water sources available to sustain the population numbers for worst case scenario weather conditions. This even has changed the mindsets of many in the Department and revision to the bighorn sheep plan has begun.

Habitat Division Administrator Jenne said that the extremely dry year pushed the Department beyond what was expected. Water hauls began in July and as guzzlers dried, animals traveled to other sites putting additional stress on the herds and available water sources. Since its creation, this is the biggest

operation the water development crew had to respond to. All Department Divisions provided personnel to assist and will continue until storms help our efforts.

Game Division Administrator Scott stated that the conditions are affecting other species as well. There is a good chance the Department will see a lower success rate in the mule deer return card information. Chronic Wasting Disease (CWD) checkpoints and Idaho Fish and Game have also reported low hunter success. Deer surveys in the western region are planned to begin soon to gather buck to doe ratio data which will help prepare the quota setting set for next spring. Concerning comments have been raised that the Department increases tags to raise additional funds. He explained that the revenue received from tags is less than a one percent increase or decrease and stressed that quota numbers are based off of the male to female ratios.

Commissioner Caviglia stated that the guzzlers ran dry to an extent last year as well and asked if the Department had a prevention plan for next year.

Habitat Division Administrator Jenne answered that a plan will be determined by the weather observed this winter and monitoring will help determine if earlier action is needed. Equipment upgrades and unit modifications are also planned to allow for better efficiency.

Deputy Director Robb pointed out that guzzlers showed 90 percent capacity during the February assessments. The Department was aware and quickly went into action to mediate the problem. July hauls should have sufficed for the duration of the season, but the drought was so severe that multiple runs to the same areas were needed. Animals were lost in areas that were filled earlier that year and more would have been lost if the Department didn't act as quickly as we did. The land cannot currently hold the number of animals reliant on these sites.

Chairwoman East asked if other states are seeing similar issues.

Habitat Division Administrator Jenne answered that Arizona has confirmed a requirement of similar actions that Nevada needed but they have means of monitoring sites in real time.

Deputy Director Robb added that Nevada has some populations fully reliant on manmade water developments while other states do not.

Habitat Division Administrator Jenne confirmed that Nevada has the largest water development program in the country and the numbers of big game guzzlers on the land is substantial.

Chairwoman East asked if the Department received feedback from the sportsmen in the field.

Habitat Division Administrator Jenne confirmed that there was sportsmen feedback along with information shared from guides and NGO volunteers.

Commissioner Caviglia suggested using drones to check water development sites. He asked if the Department has concerns about poor feed conditions leading into winter.

Game Division Administrator Scott confirmed that there are always feed condition concerns with poor weather quality and due to that, the Department expects a low fawn recruitment in the coming spring.

Commissioner Pierini added that many organizations would be happy to donate to these types of emergency programs and not just for the big game species. Non-Governmental Organizations are a good tool to utilize to spread awareness.

Commissioner Alberg thanked the Department for their efforts and stressed the need of an action plan if a similar situation should occur in the future.

Vice Chairman Barnes also commended the Department for their efforts.

Chairwoman East thanked the Department for the update.

Secretary Wasley concluded with giving kudos to participating staff members and support from NGOs. Situations such as these are affecting hunter demand and success. A lowered success rate will result in a higher quota which could seem counter intuitive to some of the public. He confirmed that tag quotas do not drive Department revenue and the Department would never sacrifice the wildlife resource for revenue.

11. Reports – Informational

- A. Department Activity Report – Secretary Wasley
A report will be provided on Nevada Department of Wildlife activities.

DIRECTOR’S OFFICE

The Department’s new Deputy Director of Administrative Services Bonnie Long has officially started at the Department. Bonnie’s first day with the Department was October 19, 2020 but she has been with the state for over 17 years and comes to us most recently from the Governor’s Office of Economic Development (GOED). There she was been responsible for the management, budgeting, and accounting for eleven different budget accounts and coordination of all grant and contractual documents. Bonnie is extremely familiar with both state budget processes and legislative processes and has extensive experience in presenting to both legislative staff and governor’s office staff. She has gained extraordinary leadership experience throughout her career and prides herself on being a team player. We are looking forward to the wealth of knowledge and diverse background that Bonnie brings to the Wildlife family.

Director’s Office staff have continued to represent the Department in the Interim Finance Committee (IFC) meetings as well as Board of Examiners (BOE) meetings. These meetings grant final approval of various contracts, budget issues, and most recently, COVID relief funds.

Commission General Regulations 490: Party Bonus Points, 491: Noticing Draw Results, and 492: Thermal Imaging Optics were heard at the Legislative Commission meeting held Thursday, October 29, 2020. All three regulations were approved with no additional questions of the Department.

GAME

The Department continues to receive numerous complaints and sightings of bears. Locations of complaints range from old southwest Reno, Carson City, Gardnerville, and Hawthorne.

Teams are currently being formed for the Mule Deer Enhancement Program in almost all areas. County Advisory Board chairs, biologists, and supervising biologists are selecting suggested candidates from local communities and we should have completed team lists in the near future. Some teams appear to be moving forward while others are not currently as active. Department vacancies combined with participants being absent due to hunting seasons are causing some slight delays in the process.

Two collared rams that spent the summer in the Santa Rosas in the company of 10 Santa Rosa rams have returned to the Bloody Runs bringing an additional ram with them. The Department was watching these rams and planning to remove them if they appeared to be returning to the Bloody Runs. The movement of the rams was detected but game biologists were not able to remove the rams before they mingled with Bloody Run sheep in the north end of the range. The following day at least one ram had

moved the 15 miles to the south end of the range where many ewes and lambs were located. These sheep will be monitored closely to determine if they begin showing signs of a disease event.

Game Division personnel have held Chronic Wasting Disease (CWD) check stations in Wells, Ely, and Ash Springs. The purpose of these check stations is to collect samples from hunter-harvested deer and elk to monitor if CWD has made its way into Nevada. The Department also employs a seasonal worker who is collecting heads from wild game meat processors in Las Vegas.

A young male collared wolf moved across the Oregon-Nevada state line and spent a couple days in Nevada in Unit 032. It apparently did not find anything too exciting in Nevada and at last report had moved back 40 miles north of the Nevada-Oregon state line. This event resulted in close coordination between the Department, United States Department of Agriculture (USDA)/ Animal and Plant Health Inspection Service (APHIS) - Wildlife Services, and the U.S Fish and Wildlife Service (USFWS). The current Federal-State Coordination Plan for Gray Wolf Activity in Nevada will be updated for key contacts, but will remain unchanged for content, as the current plan appeared to have worked well.

HABITAT

The Department has begun work on 2020 wildfire rehabilitation activities with contractors beginning to spray herbicides to inhibit annual invasive grass growth and drill seeding of preferred plant species. As previously reported, the Department's rehabilitation plans will stretch across 69,000 acres (35,000 acres herbicide and 34,000 acres reseeding), 21 wildfires, working with 14 partners, 20 funding programs and committing nearly two million dollars.

The Energy Planning and Conservation Fund and the Fund for the Recovery of Costs (AB 307) has 25 applications during the 2020 calendar year. Project applications include: four large-scale energy transmission lines, nine solar facilities, three fuel pipelines, and nine geothermal facilities.

The Nevada Wildlife Heritage grant announcement has been distributed and updated to the Heritage website: http://www.ndow.org/Public_Meetings/Committees/Wildlife_Heritage/. Applications from external partners are due Monday, March 1, 2021.

The Department's vegetation monitoring crews wrapped up another successful season of monitoring project sites across the state. Despite COVID related delays and logistical challenges, the crews were able to complete 452 plots at 21 sites. Internal management reports and partner agency reports, and analysis will be forthcoming to inform future management decisions.

Reservation draws to guarantee access on the opening day of waterfowl season at Key Pittman Wildlife Management Area (WMA) and the first two waterfowl hunt days at Overton WMA were conducted late September with assistance from DATS staff. The success rate of receiving a reservation for one of the 39 available hunting blinds at Overton was 71 percent on opening day and increased to 85 percent for the second hunt day. Sixty-four percent of the applicants were successful for Key Pittman which is limited to 55 hunters on opening day. A slight increase in applications were received this year with a total of 136 for all three hunt days as compared to 128 received in 2019.

CONSERVATION EDUCATION

Outdoor Nevada, a PBS television show, is gearing back up for production and is interested in filming Department related stories in all three regions. The plan is to produce three to five segments in the Southern Region from October through December. Then they will move to Central Nevada January through February and Northern Nevada March through May. They are looking at five to seven days of filming in each area. The producer said, *"I am hoping to include a representative from Fish and Wildlife plus an enthusiast. This way it covers two angles. Please know my goal is educate, entertain and hopefully create good stewards to the environment and outdoor community."*

The Conservation Education team hosted the fourth Waterfowl Hunting workshop with Ruben Aquino, a local waterfowl hunting expert as presenter. The subject was Hunting Tactics and Opportunities in Southern Nevada.

Angler Education staff developed a virtual webinar series called Nevada Fish Camp. This series was hosted on Zoom, recorded, and will be posted on the Department's YouTube page and social media.

Former Department AmeriCorps Scout Kirby was one of the top three finalists for the Governor Points of Light Award. The Ceremony was initially to be held in Las Vegas but had to be rescheduled due to COVID-19 and was rescheduled to a virtual ceremony held on Friday, October 23, 2020.

Conservation Education team members assisted the Lake Mohave fisheries biologist with gill netting and electroshock fishing efforts. In addition, they videotaped those research efforts for use in social media and other public relations efforts.

For the last few months, the Public Information Officer (PIO) has represented the Department at the Governor's Joint Information Center in Carson City. It is a lead role with editing videos in addition to creating graphics, social media campaigns, and reports that are being presented to the public.

DIVERSITY

Wildlife Diversity staff recently have begun downloading data loggers from abandoned mines and caves throughout the state. These loggers have been collecting continuous data on temperature, humidity, and other environmental variables throughout year. These data are providing important information to the Division as we monitor sites for potential disease, specifically White-nose Syndrome. This is a fungal disease impacting bats nationwide. So far it has not been detected in Nevada, although other western states such as California and Washington have possibly detected presence of the fungus.

Diversity staff are beginning to deploy cameras throughout the Tahoe basin that will help staff detect Pacific marten and snowshoe hare presence. These annual surveys provide important information on distribution of these species and help define areas of high use.

In a recent 12-month review, the USFWS has determined that delisting the Distinct Population Segment (DPS) of the western yellow-billed cuckoo from the Endangered Species Act (ESA) Threatened list is not warranted. This species will remain designated as Threatened.

Wildlife Diversity conducted a survey to understand the current use of the 2012 Wildlife Action Plan and to learn from partners and the public what they would like to see changed or included in the next revision.

FISHERIES

Western Region staff are working with the Division of Public Works on potential plans to reconstruct the dam at Hobart Reservoir in Washoe County. Recent engineering assessments indicate the dam will require major reconstruction to address safety concerns and we will be reviewing options to limit the impact to this popular cold-water fishery.

The Western Rivers Conservancy (WRC) recently acquired the McDermitt, Disaster Peak, Ranch in Oregon and Nevada north of Winnemucca. This large property offers one of the best opportunities to create a large, networked and sustainable stream population of Lahontan Cutthroat Trout (LCT) in the range of the species and we will be working with WRC and the Oregon Department of Fish and Wildlife to identify and implement LCT conservation and recovery projects on the property and associated Bureau of Land Management (BLM) grazing allotments. The intent is to continue active livestock grazing as a conservation tool as these projects move forward.

Fisheries Division has been able to continue most essential fisheries survey activities through this fall with the application of appropriate COVID-19 protocols. Surveys indicate excellent survival and recruitment of warm-water fish populations in multiple waters in northern Nevada including Ruby Marsh, South Fork and Rye Patch reservoirs which should provide good fishing conditions for anglers in 2021. Results from Wildhorse Reservoir indicate that ice fishing opportunities this winter should be excellent.

Monitoring this fall in Lake Mohave showed excellent recruitment for smallmouth bass and a surprising number of large striped bass up to 20 pounds. We anticipate that angler opportunities in Mohave through this winter and spring should be excellent. These surveys are normally done in the spring but were postponed due to COVID-19 concerns. One benefit of moving to fall surveys was that it expanded our ability to capture endangered razorback suckers which has increased our collection of genetic data important to recovery of that species.

After discussion with the National Park Service, fall surveys for Devils Hole pupfish were cancelled for the first time since the late 1990's. This was primarily because of the unavailability of emergency services due to COVID-19 issues if there was an incident with the divers requiring a medical response. Other observations indicate the pupfish population is doing well and we will hopefully be able to resume normal dive counts in spring 2021.

DATA & TECHNOLOGY SERVICES

The Data and Technology Services Regional Offices are now using a virtual customer queue management system called Qmatic. This software allows customers to enter a virtual line while waiting in their car until their turn. With social distancing requirements and winter approaching, this eliminates the needs for them to stand outside in a physical line while counter staff are servicing other customers. It also greatly improves customer satisfaction by allowing the customer to see their position in line from their smart phone. Additionally, it sends them text messages as their turn approaches and when the counters are ready for them. Other features include real-time monitoring and reporting.

Data and Technology Services Staff worked with the Law Enforcement Division and Kalkomey to add a residency attestation feature into the Licensing system. This feature will now ask clients when they get their license or buy a licensing product for the month and year they moved to the state. Collecting this information will greatly reduce the time that the Wardens spend on fraudulent residency cases.

The Geographic Information System (GIS) staff completed a new online application we are calling FishNV. It consists of a map of all the fishable waters in Nevada, information about the fish that can be caught in those waters, and the Trophy Fish that the Department has on record for each water. The application can be seen at www.fish.wildlifenv.com. The GIS team has also completed an internal map for staff use of the hunt units throughout the state and the Game biologist contact information by species. During the hunting season, this is a quick tool for staff to know who to get a hold of when questions come in about a species in a particular unit.

LAW ENFORCEMENT

This year has seen significant recognition of game wardens being recognized for their work from outside agencies and organizations. Deputy Chief Stark with the Lake Mead National Recreation Area provided a plaque of recognition from the National Park Service to Southern Region game wardens for their efforts on Lake Mead. In addition, the National Park Service put the Department in for a National Association of Boating Law Administrators (NASBLA) award as well. This resulted in NASBLA awarding Southern Region game wardens with a Public Safety Award. Additionally, Southern Region game warden Victor Jordan was given an award for the First Responder of the Month for Las Vegas, Nevada.

The Law Enforcement Division has had a significant number of events requiring investigation during the big game hunting seasons so far this year as well as the resolution of some cases that had finally made their way through the court system.

Statewide game wardens are conducting multiple investigations involving alleged waste of game. Notably in one case, a mule deer was killed by a pellet rifle in downtown Panaca, Nevada. The meat was not fit for human consumption, but an alternative was found for Department research, so the meat did not go to waste. In a second case, a wanton waste of elk case was reported where multiple game bags were hanging up near a trail with rotten meat. Over a mile into the trail, the game bags and meat were found. In both these cases, the local interviews have developed suspects to help move the investigation forward.

The Eastern Region game wardens had multiple investigations this month including an investigation of a self-reported incident involving take of a spike elk on a cow elk tag, a case where three elk were taken on two tags and not reported which will likely be charged as a felony based upon further investigation. A tip was also received of a deer being shot with a rifle where preliminary information from the field shows this is likely a felony poaching investigation.

The Law Enforcement Division Investigations Unit worked with a Southern Region game warden on an investigation which resulted in a Utah suspect, who unlawfully killed a Nevada trophy class mule deer buck, pleading to a gross misdemeanor for unlawful possession and other misdemeanors. Penalties handed down were some of the highest the Department has recently seen. They include 20 days in Lincoln County Jail, \$15,000 civil penalty, one-year probation for suspended jail time, 200 hours community service and associated court fees.

A Southern Region game warden received notice that a fatal homicide vessel collision case was finally plead after the trial had been delayed at least three times. The warden had conducted the reconstruction on the case and worked alongside Bullhead Police Department in 2016. The suspect pled to Negligent Homicide and Aggravated Assault with a prison sentence of three years and nine months to be given at sentencing. This case involved a fatal personal watercraft versus boat where the operator of the boat was tested to still be under the influence of alcohol multiple hours after the collision occurred.

- B.* Litigation Report – Deputy Attorney General
A report will be provided on Nevada Department of Wildlife litigation.

Deputy Attorney General Burkett stated that there was nothing to update the Commission on that was not included in the litigation report provided as support material.

- C. Predation Management Fiscal Year 2020 Report – Wildlife Staff Specialist Pat Jackson
The Game Division will present the 2020 Predation Management Report. Per Commission Policy 23, the Department shall prepare an annual Predation Management Status Report (Status Report) detailing results of the previous fiscal year's projects. This status report shall be presented at the last Commission meeting of each calendar year.

Wildlife Staff Specialist Pat Jackson shared a PowerPoint presentation on an update to the predation management report.

Shawn O'Neil with the United States Geological Survey (USGS) shared a PowerPoint presentation regarding raven monitoring and their impact on sage grouse populations.

Chairwoman East asked for additional information on project 40 and 47 and if the horses being taken by lions are adults or young.

Wildlife Staff Specialist Jackson answered that the majority of horses taken are young.

Commissioner McNinch asked if the Department held any concerns not satisfying the 80 percent take requirement due to COVID restrictions.

Wildlife Staff Specialist Jackson answered the Department had no concerns.

Break from 3:40 p.m. – 3:50 p.m.

- D.* Big Game Season Changes – Game Division Administrator Mike Scott – Informational
The Department will provide an update on the 2021 - 2022 and 2022 - 2023 hunting seasons and dates for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat including limits, hunting hours, special hunt eligibility, animal gender, physical characteristics and legal weapon requirements, hunt boundary restrictions, and emergency depredation hunt structure and statewide quotas. The Department desires to discuss with the Commission and CABMWs prior to January any potential changes to correct errors, address emerging management needs, address substantial changes in wildlife abundance, or address conflicts.

Game Division Administrator Scott explained the Department's recommendations for changes to the big game seasons. The Department has had discussions to move the mule deer season opener one week later which were not included in the recommendations but is an option that is being discussed. Management of ram and ewe tags in some areas are also being discussed but currently not recommended.

Commissioner Caviglia asked about the unit 115 cow hunt and if the removal of that option resulting in the change in the Department recommendation for that area.

Wildlife Staff Specialist Cody McKee answered that the hunt has been in development for the last couple of years and that area contains some private property. The change was to keep pressure on the animals all year round. Additional information will be brought to the Commission in January's meeting.

Commissioner Caviglia stated he would like to see some ram hunts open earlier.

Commissioner Almberg asked if the spike hunts affected the bull to cow ratios and if there was data to see if it was being affective.

Wildlife Staff Specialist McKee stated that it is something that can be determined with time but not conclusive at the moment due to the hunt not being offered for a long enough time period.

- E.* Wildlife Trust Fund Annual Report – Deputy Director Jack Robb
A report will be provided on the investment and expenditure of the money in the Wildlife Trust Fund for the period of July 1, 2019 to June 30, 2020 pursuant to NRS 501.3585.

Deputy Director Robb explained the Wildlife Trust Fund account and is the account that holds donations from our NGOs. This account is a vital tool that allows the Department to conduct projects such as the emergency water hauls that were discussed earlier in the meeting.

- F. Mule Deer Enhancement Program Update – Division Administrator Mike Scott - Informational

The Department will provide an update on the current status of the Mule Deer Enhancement Program that was approved by the Commission at the June 26, 2020 meeting.

Game Division Administrator Scott provided an update on the Mule Deer Enhancement Program stating that there are 13 teams currently being finalized. Once the teams are finalized, information can be provided to the teams to begin discussing issues. Would like to conduct on-site fieldtrips once the COVID restrictions are lightened. Future project discussions and implementation logistics will be encouraged of each team. The Mule Deer Oversight Committee will be provided with a project proposal form for approval that will be sent to the teams for completion. A scoring matrix and priority list will be created by each team. The first round of project proposals will be accepted sometime early next spring. Hopefully some of these projects can and will be considered by the Heritage Committee and Predator Committee.

- G. Update on angler access and safety along the Truckee River – Commissioner McNinch - Informational
The Commission will hear an update regarding challenges to river access and potential safety issues for anglers as recommended by the Washoe CABMW and discussed at the September 25, 2020 Commission meeting.

Commissioner McNinch explained that this subject was brought up at the September Commission meeting. He reached out to the Washoe County Health District and it is something that has their interest. With the current pandemic, public health and safety issues are taking priority and there is currently a fine line between honoring the Centers of Disease Control (CDC) guidelines by not dispersing homeless encampments and trying to control public safety. The Jurisdictions of agencies were discussed and dispersing the camps have relaxed since the pandemic. It will take time to resolve the issue but added that there is a Community Homeless Advisory Board who are implementing programs that address some of the issues for both the community and homeless populations. It is a place that members of the public can bring their concerns for potential solutions. Information will be shared to the Washoe CABMW who can disperse the information to the concerned members of the public.

Chairwoman East thanked Commissioner McNinch for the information.

- H. Update on the Fallon Naval Range and Training Center and Nevada Test and Training Range – Habitat Division Administrator Alan Jenne – For Possible Action
The Department will provide an update regarding the legislative environmental impact statements status and timelines for Commission consideration of congressional correspondence relative to wildlife impacts.

Habitat Division Administrator Jenne shared that there has been discussion of a draft bill released by Senator Cortez-Masto that addresses the military expansion and training base. The draft is concurrent with the Department's proposed alternatives. There have been mixed reviews with people considering, in support or in opposition but it is the latest attempt to come up with a balance for both sides. More information on the bill draft can be found here: <https://www.cortezmasto.senate.gov/news/press-releases/cortez-masto-announces-alternative-text-for-naval-air-station-fallon-expansion-northern-nevada-lands-bills-after-consultation-with-nevada-stakeholders>.

- 12.* Petition – Cathy Smith – Prohibit the Use of Dogs on Bear Hunts – For Possible Action
Ms. Smith has submitted a petition to change NAC 503.147 to prohibit the use of dogs during a black bear hunt.

Cathy Smith presented a PowerPoint presentation regarding the petition she brought forth to prohibit the use of dogs on bear hunts.

Commissioner Alberg stated that he would like additional data and statistics that include recent years and neighboring state's population models. There have been new Commissioners added to the Commission since the Wildlife Values Report from the Western Association of Fish and Wildlife Agencies (WAFWA) was published and presented to the Commission. Additional time would allow them to review the report for better understanding. He asked if Ms. Smith would be willing to table the petition for a future meeting.

Ms. Smith declined the option.

Chairwoman East agree with Commissioner Alberg's suggestion of receiving updated data and that the referenced report should be shared with the new Commissioners.

Commissioner McNinch stated he did not disagree with Commissioner Alberg's suggestion but added that how the Commission proceeds with the petition could build or damage public trust. He did not think denial of the petition would be productive and suggested that the Commission could accept the petition, bring forward the requested data, and allow for continuance of the conversation.

Commissioner Caviglia expressed concerns regarding the petition being the removal of the use of dogs in a bear hunt overlapping with the bear hunt itself.

Commissioner Alberg said that Nevada has unique information that shows harvest data of more boars than sows. He expressed interest in seeing these numbers from other states for comparison.

Commissioner Pierini agreed with Commissioner Alberg and added that most of the correspondence were across the board being for or against the petition.

Ms. Smith added that Nevada's population is favored male and that the sample size of those numbers in comparison to other states should not affect the result of the Commission's decision.

Commissioner Alberg stated that Nevada's statistics show hound assisted harvests produce a higher number of boars taken in an area opposed to harvest units with low hound assistance.

Commissioner McNinch asked if the Commission had an appetite to continue the conversation.

Commissioner Hubbs asked if accepting the petition forces the Commission to open the regulation for change.

Deputy Attorney General Burkett answered that the Commission has the option to accept or deny the petition today. If the petition is denied and data is collected, the Commission could open a similar agenda item at a later date. Acceptance of the petition does not immediately begin the rule making process.

Commissioner Hubbs stated that she did not see the relation between the bear population data and use of hounds.

Chairwoman East answered that an updated bear report could provide additional data that includes hound pursuit and success rate. Requested the Department to update the bear report and share the Wildlife Values Report with the new Commissioners.

Discussion was had regarding the regulation change process and how that would be affected by accepting or denying the petition, as well as gathering additional data and information before making a decision.

Public comment period 5:07 p.m. – 5:12 p.m.

From: Rex Flowers
Sent: Friday, November 6, 2020 4:59 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Hounding Petition

I would request that the petition be denied. First the elimination of dogs for bear hunting sets a bad precedent for the use of dogs in all hunting venues. You only have to look to California to what is happening in that state. Also, with the elimination of hounds you would have a major increase in quotas to offset the success ratios as they are today. If you accept this petition, I believe you have to initiate the changes as stated by the petition. Please review this with the DAG. Thank you for your consideration in this matter.

From: Kathryn Bricker
Sent: Friday, November 6, 2020 5:08 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Hounding Petition Comments

The perception of legitimacy of the commission's role in administering a public trust is at stake in your decision today. It is apparent to all that only 13% of Nevadans support bear hounding and that it is unnecessary from a management perspective. There is no reason to continue a practice that is so negatively viewed by so many. There is reason to demonstrate you administer this public trust with fairness and respect for the values of the larger constituents who comprise our state. Please support Cathy Smith's petition to end hounding of NV bears. Thank you for your service and for considering my remarks.

From: David Ricker, Nevada Backcountry Hunters & Anglers
Sent: Friday, November 6, 2020 5:08 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: NVBHA comments concerning petition to change NAC 503.147

I submit these comments on behalf of NVBHA in an effort to convince the board of wildlife commissioners to deny a petition to change NAC 503.147. This petition offers an opinion from a "public opinion" poll that we believe, doesn't in fact reflect the values of the majority of sportsmen and women of NV. Furthermore, the North American model of wildlife conservation, to which Nevada is an adherent, relies on science-based wildlife management, not public opinion. And while a poll may utilize rigorous data science methods to guardrail its findings, it doesn't make it science! We take exception also to the assertion that this regulation change would improve Nevada's fair chase ethic reputation. The relationship between a houndsman and his dogs is a special one and requires an exceptional time commitment for training, etc.; it is not a shortcut. Nevada already has a sterling reputation for upholding fair chase and is constantly at the forefront of maintaining this balance. It is stated in this petition that the bear hunt in general doesn't serve a management purpose. As a counter example I would offer that most fishing doesn't serve a management purpose, it is simply the utilization of a renewable resource held in trust by the state and its wildlife agency. We feel this bear hunt serves the same purpose with the use of hounds a legitimate means of take. We see this petition as an affront to the acquisition of wild game meat to sustain our families. The use of dogs remains the most effective means to best identify male bears for harvest which is an essential outcome to the continued expansion of bear populations into suitable habitat within Nevada. Furthermore, it best enables a close, ethical shot. One potential benefit to the use of dogs would be in instances where bears have been previously treed. It may act as a deterrent to bears from entering populated areas where dogs are often heard, thus reducing overall human-bear

conflict. The portion of the petition touting the economic benefit of increased bear tags sales after banning the use of dogs is completely irrelevant as it describes an over-the-counter hunt versus limited entry hunt. Additionally, comparing the hunt in Nevada to hunts in Oregon and Washington, where the population of bears and amount of bear habitat is much greater, yields an apples and oranges comparison. Also, the correlation between increased bear tag sales and outlawing hounding in those other states by no means implies any causation between the two events.

From: Caron Tayloe
Sent: Friday, November 6, 2020 5:08 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Bear petition support

Cathy Smith presented an excellent discourse that has data regarding the issues surrounding the use of dogs in a bear hunt. Sportsmen in my family had a long tradition in opposing hunting with hounds. Even Teddy Roosevelt would not shoot a bear that had been hounded to exhaustion and had been tied to a tree. I see no difference as Nevada bears are GPS hounded to exhaustion and stuck in a particular place waiting to be killed by a hunter who arrives in a motorized vehicle. I consider the use of hounds a type of canned hunt and is not a fair chase.

From: Cathy Smith, on behalf of Patrick Donnelly, Center for Biological Diversity
Sent: Friday, November 6, 2020 5:08 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Comment on bear hounding petition

The Center for Biological Diversity opposes the use of hounds in the Nevada bear hunt (“hounding”). Hounding is widely accepted as a cruel and inhumane hunting method. The use of hounds to hunt has been banned in 32 states. Hound hunting uses dogs to pick up the scent of a bear, and then pursue the terrified and traumatized animal, often over long distances. Hounds equipped with high-tech GPS collars are set loose to chase a bear until it takes refuge up a tree, is cornered, or stops running due to exhaustion. Hunters generally follow the dogs in a vehicle and locate the target bear based on GPS from the dogs’ collars. The chase can last anywhere from half an hour to days. In some instances, the dogs will catch the bears on the ground and maul them until the hunters arrive. The chase causes the pursued bears significant and prolonged fear, pain and distress, and – especially when the hunt takes place in the spring – often results in cubs being separated from their mothers and dying from starvation. Once a hunter locates the bear, the hunter will shoot the treed, cornered, or exhausted animal. Death is not always instantaneous. Animals shot from trees may suffer broken bones from the fall, and they may be mauled by the dogs until they are killed. The dogs themselves may suffer, as they frequently become lost during the chase, and some bears, too exhausted to run any longer or cornered by the pack, will turn and attack the hounds. As one proponent of legislation to ban hound hunting told the Washington legislature: “shooting a feeding bear or a cougar driven up a tree by dogs is the moral and sporting equivalent of shooting an animal in a cage at the zoo.” The center supports Cathy Smith’s petition to the Commission to prohibit the use of dogs during a black bear hunt. We strongly encourage the Commission to make this change and bring Nevada into alignment with the majority of states in this country and to uphold a high ethical standard in our interactions with wildlife.

From: Fred Voltz
Sent: Friday, November 6, 2020 5:09 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Public Comment -- 12

One of the core values hunters claim they follow is fair chase as one piece of the North American Model for Wildlife Management. Hunters who use GPS collars on packs of dogs and ATVs to hunt bears are

not employing their personal skills but seizing an unfair advantage from technology to pursue the wildlife they seek to kill. Hunters need to be limited to employing their personal hunting skills only in attempting to kill bears. One of the more absurd arguments suggested to justify packs of dogs chasing bears to exhaustion in the past has been that the dogs enjoy the chase. If any hunter can produce a deposition from a dog attesting to this enjoyment, we haven't seen one submitted. Injuries to dogs engaged in this activity have been documented in the presentation. As the Commission and the Department have had this petition for several months, there has been plenty of time to review the 2018 wildlife values study with Nevada-specific information, even for new commissioners. The hunt information from prior years is not germane to the issue of the petition, which is continuing to allow hunters to have an unfair advantage in hunting bears. If the Commission is genuinely concerned with wildlife species protection not just hunter convenience, opportunity and success, the use of dogs in killing bears should cease and the petition should be granted, initiating the rulemaking process.

From: Joe Crawford, Lyon CABMW
Sent: Friday, November 6, 2020 5:10 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Agenda Item 12

The Lyon CAB does not support the petition to remove the use of hounds for the purpose of hunting Black Bears in Nevada. Hounds are by far the most selective method of hunting Black Bears. The 2019 Black Bear Hunt statistics represent that hounding selectivity meets the management plans set forth by the Nevada Department of Wildlife. We believe that NDOW has provided a conservative harvest quota based upon sound scientific research. We believe public perception is important; however, public perception should not be the sole consideration when managing Black Bears in Nevada nor establishing hunting methods. The harvest composition of the prior 2019 season was excellent and indicates a continued light harvest of Nevada's black bear population. Of note in the 2019 harvest composition were improvements in total sow harvest (down to 18% compared to 21% in 2018), as well as an improvement in the utilization of bear meat (100% compared to 93% in 2018). Successful bear hunter checkout summaries indicated that a total of 18 additional bears were passed, implying that successful bear hunters continue to be selective in their harvest. This is especially true for hunters employing the use of trained hounds, which account for 77% of the total bears passed during the hunt. Most notably, the average age of male bears harvested in the hunt is 8.6 years old, which reaffirms a light harvest of the bear population. Considering the 2019 bear harvest statistics, The Lyon CAB believes that the management plan and harvest objectives will be negatively impacted by removing the hunter selectivity provided by hounding. Our second point is the petitioner, grossly misstated the financial impact to the Hunting Outfitter community. The Hunting Outfitters in Nevada are small businesses established in Nevada that deep connections to the management of our wildlife. We estimate that the financial impact to the Hunting Outfitter community would be in the \$75,000.00 to \$120,000.00. We recommend denying the petition to remove the use of hounds while hunting Black Bears in Nevada.

From: Elaine Carrick
Sent: Friday, November 6, 2020 5:11 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Hounding

I am writing to you in regard to Item #12 on your agenda for Nov. 6 about a petition to end the use of hounds to hunt Black Bears in Nevada. I would like to reference the Nevada State Report in 2018 entitled "America's Wildlife Values: Understanding Trends in Public Values toward Wildlife" commissioned by NDOW and shows the changing opinions on wildlife in Nevada. It is a comprehensive report, but I would like to highlight here the result of that report that pertains to this letter to you. On Page 21 of the report titled "Support for a Black Bear Hunting Season" with the section "Use of dogs to hunt," 63% of all residents surveyed "Disagree" with this method. Hounds have been used to hunt bears during this past

10-year period allowing Black Bears to be hunted and it is time to look at the public's view of using hounds in hunting. Currently 32 states have banned the use of hounds to hunt. Nevadans have shown by their 63% disagreeing with this method, they are also opposed to this. Using high tech GPS collars to chase bears to exhaustion so they have to climb a tree to escape, brings up the issue, is this "fair chase." Please consider Dr. Cathy Smith's petition before you to stop the use of hounds to hunt our Black Bears. Public opinion changes over time and this Nevada Report shows that the public is not in favor of using hounds to hunt their bears. Thank you for your consideration in making a change in this important wildlife issue.

Commissioner AlMBERG stated that telemetry collars have been in use for over 40 years. Hounds are not consumptive during a bear hunt since it is the hunter's choice to take an animal. Hounds are only a tool used to assist the hunter in taking the animal.

Commissioner Caviglia expressed his desire to see data from states that do hunt with hounds and if they show a larger number of boars harvested in comparison to states that do not allow hounds on a hunt.

Commissioner Hubbs agreed with Commissioner Caviglia adding that there is no reason we shouldn't review all of the data in order to be transparent in the decision to change the regulation.

Chairwoman East shared that due to 2021 being a legislative year, a change in regulation will not be quickly completed.

Commissioner McNinch stated that accepting the petition is not an indication that the regulation will be changed, it is an agreement to look deeper into the statistics.

COMMISSIONER MCNINCH MOVED TO ACCEPT THE PETITION. THE MOTION WAS SECONDED BY COMMISSIONER HUBBS. THE MOTION CARRIED 4-3 WITH EAST, ALMBERG AND CAVIGLIA IN DECENT.

Secretary Wasley requested clarification for the Department on if the Commission would like to send the current language into the Legislative Council Bureau for drafting or present the Commission with additional data prior to sending the language to be drafted.

Commissioner McNinch clarified that his motion was intended to begin the process of collecting data for discussion.

Commissioner Hubbs added that her second was made in understanding with Commissioner McNinch's clarification.

Cathy Smith thanked the Commission for allowing the petition to proceed.

- 13.* Petition – Chris Jasmine - Traditional Archery Mule Deer Hunt – For Possible Action
Mr. Jasmine has submitted a petition from the Traditional Archers of Nevada (TAN) requesting the Commission look at an increased opportunity for archery hunters willing to use more primitive equipment. The Traditional Archers of Nevada would like to establish a quota for traditional archery for mule deer tags with no impact to other hunters, season dates, or quotas. The Commission may take action or deny or accept the petition and initiate rulemaking.

Chris Jasmine introduced himself as the president of the Traditional Archers of Nevada. He shared a PowerPoint presentation explaining the intent of the petition.

Chairwoman East stated that the Commission received a number of correspondence in support of the petition and expressed her appreciation that other organizations were in support of the presented petition.

Commissioner Caviglia noted that every CABMW the Commission received feedback from voted to deny this petition. Stating that the creation of this hunt would have no impact to other hunt's draw odds or units is not fully correct. The Department would have to factor that into all the species seasons and quotas. Setting a specialty group of tags can take us down a slippery slope with no line drawn of when to begin denying them.

Commissioner Almborg stated he shared Commissioner Caviglia's thoughts. There was no support from the CABMWS and could not envision a path that would allow the Commission to accommodate everyone and every group that might bring something similar forward.

Commissioner Pierini agreed adding that he did not think it was reasonable to ask the Department to factor in an additional set of unique tags into their formula. Traditional archer is still archery and however someone chooses to hunt on their archery tag is up to them.

Vice Chairman Barnes agreed.

Chairwoman East suggested that if there is interest in a traditional archery option to send it to the Tag Allocation and Application Hunt Committee for discussion.

Break for public comment 6:02 p.m. – 6:05 p.m.

From: Joe Crim, Pershing CABMW
Sent: Friday, November 6, 2020 6:04 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Item #13

The Pershing County CAB opposes this Petition.

From: David Ricker
Sent: Friday, November 6, 2020 6:04 p.m.
To: Wildlife Commission wildlifecommission@ndow.org
Subject: Trad archery tag petition

There are archery tags left over every year within the Nevada, there's no need to create a separate quote a system for traditional archers and convolute the system further when there is excess opportunity every year.

Commissioner Hubbs requested the opinion of the Department.

Game Division Administrator Mike Scott stated that the Department has no stance on the petition but agreed with Commission Caviglia when he stated that the addition of this hunt would have an impact on the units and draw odds. He expressed his dislike that the petition requested access to specific units and added that may not sit well with hunters who have been waiting years for a tag in those units.

CHAIRWOMAN EAST MOVED TO DENY THE PETITION. THE MOTION WAS SECONDED BY COMMISSIONER CAVIGLIA. THE PETITION WAS DENIED 7-0.

14. Future Commission Meetings and Commission Committee Assignments – Secretary Wasley and Chairwoman East – For Possible Action
The next Commission meeting is scheduled for January 29 and 30, 2021, in Reno and the Commission will review and discuss potential agenda items for that meeting. The location of the

meeting is subject to change due to direction of the Governor during the COVID-19 pandemic. The Commission may change the time and meeting location at this time. The chairwoman may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

Secretary Wasley listed the Department's Commission agenda items planned for January's meeting. Those items included: Commission Regulations for the big game seasons, black bear seasons, mountain lion seasons, Heritage tag seasons, Dream tag seasons, Partnership in Wildlife tag seasons, Silver State tag seasons, Big game application deadline and big game eligibility. Commission General Regulations 493 – NAC 488 for adoption, 496 – NAC 503, 497 – NAC 504, and 498 – NAC 505 for workshop. The agenda will also include reports on the Heritage account, Winter WAFWA conference, Legislative Committee, Regulation Simplification Committee, Tag Allocation and Application Hunt Committee and the Draft Predation Management Plan.

Chairwoman East requested that game management plans be included for discussion.

Secretary Wasley stated that bear data and bighorn sheep management will be added to the agenda. He also said that the Fallon and Nellis pieces will be a standing agenda item and heard as needed.

Break for public comment 6:14p.m. – 6:17p.m.

No public comment.

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. *A recess of a specific duration will be taken in order for the public to provide input at the following email address: wildlifecommission@ndow.org. Upon reconvening the meeting, public comments will be shared with the Commission.

Break for public comment 6:17 p.m. – 6:20 p.m.

From: Caron Tayloe

Sent: Friday, November 6, 2020 6:16 p.m.

To: Wildlife Commission wildlifecommission@ndow.org

Subject: End of meeting General Public Comment – Predator killing, bears and thank you to NDOW staff and the Commission

We heard a great presentation on the incredible efforts by NDOW staff on behalf of Bighorn Sheep due to the effects of climate change. Thank you to the staff for all of their efforts. It was discussed how Bighorn Sheep success will have to be reevaluated due to drought. It is also time to reassess how we think about mountain lion killing due to drought. Mountain lion numbers will change as game numbers change. To kill more predators so hunters can kill more sheep (and other game animals) during these severe climate change events is not conservation. Please reassess these killing projects sooner than later as they do not reflect current trends in a severe climate change era. The \$3 predator fee was developed by an elite few many years ago in order to kill animals - animals that belong to all Nevadans, not to just those elite few. The \$3 predator fee as originally proposed, and then as updated in 2015 Legislature, has done nothing but kill tens of thousands of animals with minimal increases in game animals. Let's have another presentation by an independent biologist on how some game numbers have been static or even reduced despite the \$3 predator fee projects over the past few decades that have killed thousands of animals that belong to the public. This future independent presentation could focus on how the \$3 predator killing

programs do not follow fair chase, betray the Public Trust, and do not follow the North American Model of Wildlife Conservation. The \$3 predator killing programs basically destroy public property. Just a reminder to those that think the bear hunt was developed based on wildlife science. The bear hunt was not developed using any wildlife science or for any management purpose. I was there in the audience in 2010 and no wildlife science was ever presented; only bear numbers were presented. Bear numbers are not wildlife science. Dr. Cathy Smith used actual data to support her petition. The bear hunt was developed strictly on "want" - in other words emotion. The only side using science is Cathy Smith, the petitioner. She is not asking to end the bear hunt. Dr. Smith is asking to end the use of hounds in bear hunts. Thank you to the Commission for conducting such an organized and informative meeting under difficult circumstances. Thank you for including everyone.

The meeting was adjourned at 6:24 p.m.