

Meeting held via Zoom and broadcast to NDOW Commission YouTube Page:
<https://www.youtube.com/channel/UCrFHgHLM0MZa2Hx7og8pFcQ>

Nevada Board of Wildlife Commissioners' Meeting Draft 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, August 14, 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	Vice Chairman Tom Barnes
Commissioner Jon Almberg	Commissioner Shane Rogers
Commissioner Tommy Caviglia	Commissioner Kerstan Hubbs
Commissioner Casey Kiel	Commissioner David McNinch
Commissioner Ron Pierini	

Secretary Tony Wasley	Senior Deputy Attorney General Craig Burkett
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Nevada Department of Wildlife personnel in attendance for the meeting via Zoom:

Management Analyst Kailey Taylor	Administrative Assistant III Megan Manfredi
Habitat Division Administrator Alan Jenne	Chief Game Warden Michael Maynard
Data and Technology Services Division Administrator Kim Munoz	
Game Division Administrator Mike Scott	Diversity Division Administrator Jen Newmark
Fisheries Division Administrator Jon Sjöberg	Deputy Director Jack Robb
Conservation Education Division Administrator Chris Vasey	
Staff Game Warden Brian Bowles	Staff Game Warden Brian Eller
IT Professional Eric Dugger	

Public in Attendance via NDOW YouTube channel:

Paul Dixon, Clark CABMW	Jim Cooney, Elko CABMW
Arnie Pitts, Washoe CABMW	Steve Robinson, Washoe CABMW
Cory Lytle, Lincoln CABMW	Mike Reese, Clark CABMW
Rex Flowers, self	Jesse Lattin, self
David Ricker, Nevada Backcountry Hunters & Anglers	

Friday, August 14, 2020 - 9:00 a.m.

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

Vice Chairwoman East called the meeting to order at 9:02 a.m. Roll call was conducted, and the Commissioners present were: Vice Chairwoman Tiffany East, Commissioners Jon Almborg, Tom Barnes, Tommy Caviglia, Kerstan Hubbs, Casey Kiel, David McNinch, Ron Pierini, and Shane Rogers.

CAMBW members present via YouTube: Paul Dixon, Clark CABMW; Jim Cooney, Elko CABMW; Arnie Pitts, Washoe CABMW; Steve Robinson, Washoe CABMW; Cory Lytle, Lincoln CABMW; Mike Reese, Clark CABMW.

2. Election of Officers – For Possible Action
In accordance with Commission Policy #1, the Commission will elect a chairman and vice chairman.

Vice Chairwoman East opened the floor for discussion or motions.

COMMISSIONER BARNES NOMINATED VICE CHAIRWOMAN EAST TO BE CHAIRWOMAN. COMMISSIONER HUBBS SECONDED THE NOMINATION. THE MOTION CARRIED 9-0.

CHAIRWOMAN EAST NOMINATED COMMISSIONER BARNES TO BE VICE CHAIRMAN. COMMISSIONER ALMBERG SECONDED THE NOMINATION THE MOTION CARRIED 9-0.

3. 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.

COMMISSIONER MCNINCH MOVED TO APPROVE THE AGENDA AS PRESENTED. VICE CHAIRMAN BARNES SECONDED THE MOTION. THE MOTION CARRIED 9-0.

- 4.* Approval of Minutes – Chairwoman East – For Possible Action
Commission minutes may be approved from the June 26 and 27, 2020 meeting. *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. Before reconvening the meeting, public comments will be shared with the Commission prior to taking any action.

Chairwoman East shared spelling and grammatical error changes she would like to see made, as well as requested an extra word be removed. She clarified that her statement on page 16 was meant to state that the organization had accessed the wrong information.

Commissioner McNinch requested a word change as well as stated that the motion for agenda item 16 shows him as making and seconding the same motion. He also stated that agenda item 19 did not state who seconded the motion.

Recessed for public comment 9:16 a.m. – 9:20 a.m.

No public comment

COMMISSIONER MCNINCH MOVED TO APPROVE THE MINUTES AS PRESENTED WITH THE EXCEPTION OF THE NOTED COMMENTS. COMMISSIONER HUBBS SECONDED THE MOTION. THE MOTION CARRIED 9-0.

5. 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 two pieces of correspondence regarding a later agenda item.

Secretary Tony Wasley stated that the correspondence the Department received was shared with the Commissioners. He then welcomed the newest members of the Commission, Commissioners Pierini and Rogers and congratulated Chairwoman East on her reappointment to the Commission as well as her nomination as chair. He shared a small background of the three Commissioners.

6. 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.

CABMW comment:

From: Steve Robinson Washoe CABMW
Sent: Friday, August 14, 2020 9:29 AM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: CAB emergent items

Chairwoman East and Commission,

First of all, congratulations Chairwoman East on your election as the first woman elected to this position. We look forward to your contributions and leadership over the next few years.

At our CAB meeting there was a considerable amount of concern regarding the rampant theft and destruction of game cams and hunting blinds. You can just look at social media to see how many hunters are having their property stolen and destroyed by other hunters and guides. It was suggested that stiffer penalties should be given to hunters and guides that are caught doing this illegal activity.

The suggestion of 6 - 12 demerits was proposed upon conviction and loss of the guides license, if it was a guide caught vandalizing. This would hopefully reduce the prevalence of this illegal activity and protect hunters while enjoying their hunt.

Thank you

7. Shikar-Safari Club International Officer of the Year Award – Game Warden Captain Mike Maynard - Informational
This award is to recognize one wildlife officer from Nevada that has shown exemplary conduct and initiative in the performance of his or her duties.

Chief Game Warden Mike Maynard introduced Staff Game Warden Ryan Drew as this year's Shikar-Safari Club International Officer of the Year Award. He shared a background on Warden Drew's work with the Department.

Staff Game Warden Brian Eller read the letter of nomination that was submitted for Game Warden Drew as consideration for the award. The letter included some highlights of Warden Drew's work with the Department. Warden Eller then introduced the President of the Shikar-Safari Club; Gunnar Klarr.

Shikar-Safari Club President Gunnar Klarr gave a background of the Shikar-Safari Club including when and why the organization was founded as well as the reasoning behind the creation of the International Officer of the Year Award. He explained that the award winners are chosen by their peers and congratulated Warden Drew for receiving the award.

Staff Game Warden Eller added that the receipt of the award comes with a life insurance policy that is provided in the name of the award winner.

Staff Game Warden Ryan Drew thanked everyone for their kind words and recognition. He stated that he does not work for the recognition but for the benefit of Nevada's public and wildlife. He thanked everyone again for his nominations, being selected for receipt of the award and for the kind words.

Chairwoman East thanked Warden Drew for his service and expressed her appreciation for what the Law Enforcement Division, and its staff does for Nevada.

Commissioner Pierini thanked Warden Drew for the work he does in Law Enforcement. He shared his appreciation for his hard work and that the public, including the Commission, could not continue to operate without people like him.

8. Regulation Simplification Committee Report – Commissioner Tiffany East - Informational
A report will be provided on the Committee's recent meeting held on July 7, 2020.

Chairwoman East shared that the Regulation Simplification Committee met via Zoom on July 7, 2020. She gave a background on why the Committee was created and also shared a timeline that was discussed on when the wildlife Nevada Administrative Code (NAC) chapters will be discussed at Committee and shared with Commission. She stated that with the current legislative session in progress, the Commission may not see changes made to these NAC chapters in a timely manner but would still like to progress the effort to clean and simplify the regulations.

9. Commission General Regulations – Workshop / Public Comment Allowed

- A.* Commission General Regulation 493, NAC 488 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) 488 relating to watercrafts. *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. Before reconvening the meeting, public comments will be shared with the Commission prior to taking any action.

Management Analyst Kailey Taylor shared the recommended changes of NAC 488 by the Regulation Simplification Committee and the Department.

Staff Game Warden Brian Bowles shared a PowerPoint presentation explaining some of the proposed changes simplifying and modernizing regulation language.

Commissioner Alberg stated that NAC 488.495 appears twice and asked for clarification.

Management Analyst Taylor confirmed that the paragraphs were intended to be combined and submitted to the Commission with the changes.

Commissioner Hubbs asked how boating education rules work for those intending to borrow another's boat.

Staff Game Warden Bowles stated that the requirement of boater education is intended for any operator of a boat. A person borrowing another's boat would need to complete the boater education course in order to legally operate that boat.

Commissioner Hubbs stated she had a concern regarding the removal of appropriate size clarification on the life vests.

Staff Game Warden Bowles stated that each new Coast Guard approved life vest will have a weight clarification on the vest. The wardens in the field will be looking at those labels in comparison to the person wearing the life vest.

Commissioner Hubbs shared some concerns regarding the vague language in reference to the Coast Guard regulation. She asked if a life vest was required for people using vessels such as a paddle board.

Staff Game Warden Bowles stated that a life vest was needed when aboard a vessel and manual operated crafts such as a paddle board was considered a vessel and a life vest would be needed.

Break for public comment 10:03 a.m. – 10:10 a.m.

No Public comment.

CHAIRWOMAN EAST MOVED TO APPROVE COMMISSION GENERAL REGULATION 493 AND DIRECTED THE DEPARTMENT TO SUBMIT THE DRAFT LANGUAGE TO THE LEGISLATIVE COUNCIL BUREAU WITH THE CHANGES TO 488.495. COMMISSIONER PIERINI SECONDED THE MOTION. THE MOTION CARRIED 9-0.

Secretary Wasley shared some of the process of what the simplification of regulation would look like to the Commission and the public. He explained the legislative temporary regulation period and that changing regulations during this time will be a lengthy and cumbersome process. The Commission may not see language back from the Legislative Council Bureau in a timely manner.

10. Commission General Regulations – Adoption / Public Comment Allowed

- A.* Commission General Regulation 490, Party Bonus Points and First Come First Serve, LCB File No. 103-19 – Data and Technology Services Division Administrator Kim Munoz and Management Analyst Kailey Taylor – For Possible Action
The Commission will consider adopting a regulation relating to amending Chapter 502 of the Nevada Administrative Code (NAC). This regulation would allow children under 12 to purchase a bonus point if they turn 12 before the first day of the last season for that species. The regulation also addresses bonus points for sportsmen who apply as a party. Lastly, the regulation would allow a first-come-first-serve opportunity for returned tags that miss the 14-day deadline. *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. Before reconvening the meeting, public comments will be shared with the Commission prior to taking any action.

Data and Technology Services Administrator Kim Munoz presented the Department's recommended regulation changes and gave some statistics of tag returned to the Department in relation to the 2020 big game draw.

Commissioner Almborg asked for clarification as to why the Department could not use more of the alternate list to redistribute the returned tags.

Division Administrator Munoz explained user experience and possible confusion regarding multiple check boxes offered to an applicant when selecting to be an alternate. She gave examples of people who do and do not request to be on the alternate list and also explained that last-minute deals are already offered to the public for experiences such as travel and entertainment options. Those types of offers are the premise for the first-come-first-serve program the Department is trying to achieve.

Commissioner Almborg stated he is in support of providing the returned tags to hunters but shared his concern with abandoning the alternate list due to lack of education regarding how to be put on the list.

Deputy Director Jack Robb shared that when the alternate list program was created for the returned tags, there was discussion on when the window of opportunity to return those tags should close. Fourteen days was the deadline and has been practiced by the Department since the Commission adopted of the program. He shared an example of a tag being returned to the Department close to the 14-day window and not leaving enough time for the Department to notify those on the alternate list. He explained that many tags are returned a few days before the hunt begins and the first-come-first-serve option would allow those late returned tags to be offered to hunters last minute and even within the duration of the hunt season. The Department wants to put these tags in the hands of the hunting public and the current process is not accommodating that idea to the extent of tags being returned. He also gave examples of a number tags being returned with no list of alternates for the animal and area to award the tag to.

Division Administrator Munoz shared more 2020 big game draw statistics relating to Deputy Director Robb's statements.

Secretary Wasley stated that the Department is trying to grant opportunities for various scenarios that would allow sportsmen and women to decide for themselves if they do or do not wish to hunt for a specific tag. The first-come-first-serve option would allow the public to choose for themselves if they would like the opportunity to hunt for the animal and area of the tag offered.

Commissioner Rogers agreed with Commissioner Almborg that this discussion leads back to the education of the alternate list to the public. He shared his wonderment of understanding of what the alternate list means to the general public.

Commissioner Kiel asked if there are alternates returning their awarded tags.

Division Administrator Munoz stated that she did not know if that statistic is one that the Department is currently tracking.

Secretary Wasley shared the Department's biggest concern are the number of tags returned within the 14-day deadline to use the alternate list. This regulation would allow for another option to be presented to the public.

Deputy Director Robb added that the Department realizes that the option may not be perfect but that they are trying to refine a regulation to give more sportsmen and women an opportunity to get into the field. He said that the Department needs to try harder when coveted sheep tags are returned and do not get reissued.

Chairwoman East asked if there will be notification to the sportsmen stating if there were tags available.

Division Administrator Munoz stated that the Department has not discussed how to market or campaign this program but that if the regulation was approved, that discussion will be had and implemented for the 2021 season.

Chairwoman East shared a story relating to a call received from a party tag member. She asked if it would be possible to add additional hunt units for the alternate list.

Deputy Director Robb stated that there was already a low percentage of people electing to be an alternate. He shared the Department's fears of that percentage dropping further with the sportsmen's knowledge of drawing their third or fifth choice hunt over their first choice. The current practice for one hunt option for the alternate list was a Commission decided practice.

Commissioner Hubbs stated she understood the concern that have been shared and reminded the Commission that this practice is already in place for opportunities such as traveling. She said that people look for these deals knowing that they may catch a break in price and opportunity. What the Department

is recommending is the same premise. She believes that after a few years of implementation, word of this will spread and become very popular.

Commissioner Caviglia asked if animal waiting periods would apply to the first-come-first-serve option. He shared his concerns regarding applications being developed that would take advantage of this system.

Commissioner McNinch suggested a possibility of the Department developing their own application as a service or outreach for this program along with potential alleviation of those taking advantage of the system.

Division Administrator Munoz said that an application could be built if that was the desire of the Commission. An application would not mean that a person would not try to break the system. The Department thought it was fair that a sportsman needed to log into their account in order to see if there was a tag available, meaning that personal account information would need to be shared to a third party in order to have that third party purchase the available tag for a sportsman. She said that other states have similar programs where we can learn from mistakes made.

Deputy Director Robb answered that waiting periods, loss of bonus points, suspensions, and additional waiting periods would apply to the first-come-first-serve program.

Secretary Wasley noted that there are two separate issues; the first being that there are not enough alternate hunters. The second issue is that the tag returned within the 14-day window cannot be reissued.

Commissioner Almberg wanted to make it clear to the Department that he was supportive of the first-come-first-serve process and thought it was a great idea. He explained his wishes for their to be an intermediate step between the alternate list and first-come-first-serve option.

Break for public comment 10:50 a.m. – 10:55 a.m.

Public comment:

From: David Ricker
Sent: Friday, August 14, 2020 10:49 AM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: first come first serve return tags

I would be supportive of checking an additional alternate box to consider the applicants second-fifth choice.

As a comment, I would want to make sure that if first come first serve is implemented, that those people who obtain tags through first come first serve haven't already obtained a tag for the same species. I.e. if you drew a doe tag, you wouldn't then be able to pick up a buck tag in first come, first serve.

From: Rex Flowers
Sent: Friday, August 14, 2020 10:54 AM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: Tags

I would hope this will be passed today and there be no further delays. I personally would have liked to have had this in place before this season. It is long overdue. The public has wanted this for too long.

From: Mike Reese, Clark CABMW
Sent: Friday, August 14, 2020 10:56 AM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: Returned tags

At this point we need to do 3 things:

1-Look at reducing the 14-day return deadline.

2-look at including more than 1st choice.

3- after the season opens up then send out a press release that tags were left over but because hunters didn't choose to be an alternate, they went unused.

I think it's an education process to show how valuable it is to the hunter to check the alternate box.

They also need to know you can be an alternate even though you entered as a party.

Vice Charman Barnes stated that the extra tags returned to the Department need to be addressed and sees this regulation as a step towards that. He stated he supported the Department's regulation.

Chairwoman East stated that more education relating to the alternate list needs to be implemented.

VICE CHAIRMAN BARNES MOVED TO APPROVE COMMISSION GENERAL REGULATION 490 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER ALMBERG SECONDED THE MOTION. THE MOTION CARRIED 9-0.

- B.* Commission General Regulation 491, Notification of Draw Results, LCB File No. R058-20 – Data and Technology Services Division Administrator Kim Munoz – For Possible Action
The Commission will consider adopting a regulation amending Nevada Administrative Code (NAC) NAC 502.4208 relating to providing notification of draw results to clients who have opted out of having their results made public. *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. Before reconvening the meeting, public comments will be shared with the Commission prior to taking any action.

Division Administrator Munoz presented the Department's recommended changes to the regulation through a PowerPoint presentation.

No Commission discussion.

Break for public comment 11:02 a.m. – 11:07 a.m.

No public comments.

COMMISSIONER MCNINCH MOVED TO APPROVED COMMISSION GENERAL REGULATION 491 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER HUBBS SECONDED THE MOTION. THE MOTION APPROVED 9-0.

- C.* Commission General Regulation 492, Thermal Imaging Optics, LCB File No. R035-20 – Chief Game Warden Mike Maynard – For Possible Action
The Commission will consider adopting a regulation amending Nevada Administrative Code (NAC) 503 and NAC 503.1485 relating to wildlife; prohibiting the use of certain night-vision equipment and devices for locating, hunting and taking game mammals and game birds; revising the definition of "trail camera or similar device"; and providing other matters properly relating thereto. *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. Before reconvening the meeting, public comments will be shared with the Commission prior to taking any action.

Chief Game Warden Maynard presented the Department's recommended changes to the regulation and gave a background as to why the Department felt the need for a change.

Commissioner Hubbs commented that she was in favor of the changes to the regulation but would like to see the proposed changes applied to all animal species instead of just game animals.

Commissioner Almberg asked if the changes would apply to a person who was scouting for the hunter in the field.

Chief Game Warden Maynard stated that the question does fall within a loophole of the regulation that is not possible to fill. He gave an example of hunters and scouters in the field and said that the regulation would not prevent others from use of the technologies, but it would be illegal if the intent was to pursue an animal for take.

Commissioner Pierini asked what the Department will do to provide this information to the public if the regulation was passed.

Chief Game Warden Maynard gave examples of various types of notifications that have been provided to the public in the past. He included that similar types of information have been provided in the variety of guidebooks that the Department put out for the public and this regulation would be included along with field education and warnings. He stated that because this regulation directly involves hunting ethics, enforcement would begin immediately upon adoption but to his knowledge, Nevada wardens have not had contact with people in the field using the discussed technologies in the way the Department is wanting to prevent.

Commissioner Pierini shared his thoughts regarding the great job the Law Enforcement division has been doing in the past and believes they will do a great job with this regulation as well.

Secretary Wasley shared that when regulations are changed, some require more of an outreach effort to inform the public. The recommended regulation change being discussed is a proactive form of change by the Department. Not a significant number of sportsmen have use of these advanced technologies to date. The changes to this regulation will be highlighted in our guidebooks combined with press releases and other outreach efforts. Outreach strategy is based on need and the ways mentioned will be utilized along with other outreach tools.

Commissioner Caviglia shared that he heard of some people using the thermal imagery technology in the field last season and said that most people do not know that it can be used in daylight as well as night. He would like to see the term "while assisting" in the pursuit of game animals and game birds in the regulation. He asked if the proposed regulation would accidentally include trail cameras. He had public communication regarding this concern

Chief Game Warden Maynard shared that if wardens came across a spotter in the field, he didn't see a reasonable way to prevent the use of the technology if the person was not in possession of a firearm. He added that if a trail camera was lawfully placed, it would not fall under jurisdiction of the proposed regulation.

Commissioner Hubbs asked why this regulation was only covering game species.

Chief Game Warden Maynard answered that the regulation was designed to encompass the protected species of game and fair chase doctrine.

Discussion ensued regarding the variety of species protection and fair chase applying to game species and not all wildlife.

Break for public comment 11:37 a.m. – 11:42 a.m.

Public comment:

From: David Ricker, Nevada Backcountry Hunters and Anglers
Sent: Friday, August 14, 2020 11:10 AM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: Commission General Regulation 492, Thermal Imaging Optics, LCB File No. R035-20

Chairwoman East and members of the commission,
As previously intimated in a letter prior to the regulation workshop at the commissions June meeting, the Nevada Chapter of Backcountry Hunters and Anglers (NVBHA) supports the proposed regulation addressing the use of thermal imaging equipment to aid in the taking of game mammals (CGR 492). One of NVBHA's guiding principles is the preservation of the fair chase ethic in hunting. This ethic is a cornerstone of the North American model of wildlife management and is more important than ever with the continued seepage of electronic gadgetry into the hunting world. These electronics are designed to overcome an animal's senses and natural instincts. The use of thermal imaging and/or IR night-vision equipment could allow a hunter to stalk big game animals at night. This goes too far in altering the hunter-prey relationship. While there is some dispute about the real world ability for wardens to police any new regulation, it should never preclude taking the right aspirational steps to preserve some balance in the human-prey relationship in our agreed upon compact of the N. American Model.
Our single concern is to provide assurance this regulation does not hinder the state's future management options when addressing feral, invasive species.
A hunter's success while chasing big game should be determined by their hunting skills, perseverance and woodsmanship, not who has access to the best electronics. Thank you for considering regulation to address this potential area of technology creep into fair chase hunting.

From: Jesse Lattin
Sent: Friday, August 14, 2020 11:18 AM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: 10 c

I feel that this is an irrelevant regulation. It is already illegal to hunt big game at night. (Shooting hours)

From: Mike Reese, Clark CABMW
Sent: Friday, August 14, 2020 11:18 AM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: Guides with thermal Bono's

While a guide doesn't have the tag is it going to be legal for a guide to have any type of optics with thermal imaging capabilities in the field?

From: Steve Robinson, Washoe CABMW
Sent: Friday, August 14, 2020 11:19 AM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: 10C Commission General Regulation 492

Commission,
For a second time at our CAB meeting we were unanimously opposed this regulation as written. The public providing their input was also unanimously opposed to the limitation of thermal imaging as proposed.
We understand the desire to prevent a hunter from following a game animal all night long and then shoot it at first legal shooting hour. We also oppose this as an unfair chase practice.
What was a consensus at our meeting was the ambiguity of the language and the lack of specificity in how Thermal Imaging technology can be used. The language of "while locating game animals or birds" leads to some of our concerns. We are concerned with the lack of specificity about when can this technology be used. Can we use it in May, before the draw has occurred, in the area in which we applied? Can we use it in June, after the draw? Can we use it to hunt coyote in an area where quail or chukar

season is open? If I hunt chukar in the morning can I hunt coyotes at night? There were numerous other questions that were raised but this is just an example.

The language of “shall not Possess or use” is a concern for us as it opens up legal jeopardy for somebody that has these devices in possession in camp, car or pack but is not using it for the chase of a big game animal. We would prefer “shall not use” even though it makes it the law enforcement more difficult. Just this one change would take care of most of our concerns.

A member from the public brought up the fact that this technology helped him find a downed animal last season that he felt he wouldn’t have found without this technology. Is there room in this regulation that would allow for this use as a conservation tool?

We know the commission wants to pass this regulation to create ethical hunting practices and adhere to Fair Chase principles. These regulations shouldn’t be written in a manner that can cause a hunter to inadvertently violate the law and leave the interpretation of the law up to law enforcement.

In our excitement to pass a regulation, we are not fully thinking out the nuances or the ramifications of these regulations.

It was noted at the last commission meeting that “If you have to ask if what you are doing is legal, you already know you are in the wrong.” We are just asking that these regulations be written to prevent misinterpretation, so sportsmen don’t have to call the department and ask if they are following the law

Thank you

Commissioner Hubbs asked for examples of animals the discussed technology is being used on.

Secretary Wasley answered that coyotes in nighttime conditions or small mammal and agricultural pests that cause damage to a crop or agricultural equipment are examples of animals that could be affected by this technology. He said that when you look at activities that happen after dark where main use of the technology would be occurring, it relates to discharging a firearm in the dark which is already banned in most states and counties by existing regulations.

Discussion ensued regarding discharging of firearm laws and regulations that would tie into the proposed regulation and when use would be appropriate.

Commissioner AlMBERG asked if a hunting guide would be considered able to use the discussed technologies in the field.

Chief Game Warden Maynard read a portion of the regulation that states a person cannot use the discussed technologies if the intent was to pursue for hunting.

Commissioner Pierini explained that there is only so much the Commission can do without getting into the weeds and that it is best to focus on what we can do. He gave praise to the Department for the regulation presented today.

Commissioner McNinch shared his appreciation for Commissioner Hubb’s questions and comments. He said that these types of ideas need to be challenged across the country and reminded everyone to keep in mind that the Department is being proactive in presenting this regulation as an option which is a positive thing. He gave his support for the regulation.

Commissioner Hubbs thanked Commissioner McNinch for his comments and stated that she will support the regulation but would like to see its view broadened to encompass all animals and not only the game species.

CHAIRWOMAN EAST MOVED TO APPROVE COMMISSION REGULATION 492 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER ALMBERG SECONDED THE MOTION. THE MOTION CARRIED 9-0.

Break 12:10 p.m. – 12:30 p.m.

11. Reports – Informational

- A. Western Association of Fish and Wildlife Agencies 2020 Annual Conference – Secretary Wasley and Commissioner McNinch
Reports from the 2020 conference will be provided.

Secretary Wasley stated that the Western Association of Fish and Wildlife Agencies (WAFWA) summer meeting was held virtual this year, allowing more staff to participate without the burden of travel costs. He shared what WAFWA is and how information and collaboration is shared between states. He said “resiliency” was front and center of many of the Committee meetings.

Commissioner McNinch added that the event was fantastic considering the short turnaround between the cancellation of the in-person meeting and the scheduling of the virtual one. He shared that the virtual platform allowed for him to attend more Committee meetings than he normally would have been able to and agreed with Secretary Wasley that “resiliency” was on full display. He shared the wide variety of groups and issues addressed at the conference and was grateful for the energy the participants had considering how the COVID-19 crisis is affecting everyone in different ways. Complex issues were discussed to maintain relevancy and heard many impacts and moral issues that agencies were facing. Nevada was a state that had many positive activities already in process regarding discussion issues such as regulation simplification and outreach programs to introduce wildlife concepts in schools. Many tough questions were asked regarding Recruitment, Retention, and Reactivation (3R) such as; how do you keep recruitment up and teach them to be good advocates of wildlife? How do you talk to the public about hunting? Questions that went beyond getting people involved but connecting with people who are not traditional activists for wildlife. Recovering America’s Wildlife Act (RAWA) was addressed, along with a discussion involving Wildlife Management Area (WMA) fees that were discussed by other state’s Commissioners and he felt it is a worthy conversation to bring up in Nevada. There was also an expressed want and need for shed antler season coordination.

Secretary Wasley agreed with Commissioner McNinch that shed antler coordination, hunter ethics and WMA fees addressed and are topics that are regionally, nationally and internationally recognized and spoke more broadly to those three subjects. He said that there is a wide diversity of the many topics addressed at the conference and at times it is difficult to be engaged in all of them but the virtual option gave a purposeful venue to include more staff in the discussions to learn and share. He offered to share the Association of Fish and Wildlife Agencies (AFWA) virtual conference information to any of the Commissioners who would like to attend.

Commissioner McNinch shared his appreciation for Department staff involvement and encouraged the other Commissioners to attend the future meetings.

Discussion was had regarding RAWA, shed antler coordination with other states and the Pittman Robertson / Dingell Johnson federal match.

- B. The Draw Process – Kalkomey Representative and Data and Technology Services Administrator Kim Munoz
The Department's vendor that accepts hunt applications and conducts the random draw for hunting tags will provide an overview of the process involved in accepting applications, managing bonus point accrual, assigning random numbers, and conducting the random draw.

Data and Technology Services Administrator Munoz introduced Zach Lambert, Kalkomey’s representative for the Department and client success team manager.

Mr. Lambert shared a PowerPoint presentation on the tag draw process for the 2020 big game draw. He shared the uniqueness of this year’s fully remote application period due to COVID-19.

Commissioner Kiel asked about the people who did not reapply from 2019 to 2020.

Mr. Lambert answered that 1,937 applicants did not apply this season but had in 2019.

Deputy Director Robb stated that this is an example of real time data that allows the Department to alter campaign strategies. The Kalkomey system allows Department staff to see immediate increases depending on the campaign sent out to the public.

Chairwoman East noted that the number of applications from Washoe to Clark County were very close. She asked how to better get the residents of Clark County to respond to hunting activation.

Secretary Wasley shared the Department's intentions on strategies such as auto renew. He related the Pittman Robertson / Dingell Johnson sales to the federal monetary match of licenses sold per state. He shared that the gains in retention, relevant to other states, will allow Nevada to get a bigger portion of the federal dollars distributed.

Chairwoman East asked if there was a strategy to get some of the Nevada counties to better respond to campaigns.

Deputy Director Robb answered that marketing outreach in Southern Nevada compared to Northern Nevada is very different. The Department is looking at other media outlets to get messaging out to a wider audience.

Commissioner McNinch stated that another dynamic is the fact that there is a large urban core in the South compared to the rest of the state. He stated that perhaps hunting is not as popular from that area of the state compared to others. Products must be built to fit the constituents and if we were to look at the number of fishing licenses of Clark County compared to Washoe County; you would see a rise out of Clark County. The main Departmental interest in the south is fishing and boating recreation. The Department is becoming better at catering to those interests.

Deputy Director Robb shared that last year, the Department was awarded a grant from the Recreational Boating and Fishing Foundation (RBFF) for Hispanic outreach which was ran in Clark County. Over that marketing period, the Department saw a 29.3 percent increase in that area. The Department is attempting to reach different segments in different areas to increase our federal funding. That funding is the answer to increasing wildlife management throughout the state.

- C. Department Activity Report – Secretary Wasley
Secretary Wasley will provide a report on recent Department activities.

Secretary Wasley read from the Department Activity Report:

DIRECTOR'S OFFICE

Management Analyst Kailey Taylor has been keeping track of the past two legislative special sessions. The first special session convened to address budget shortfalls as a result of the COVID-19 pandemic as well as state employee furloughs. The second special session addressed law enforcement issues as well as unemployment claims and provides for a mail in voting option for the upcoming election.

As some of you may remember, in the last legislative session the Department took away the requirement to purchase a Resource Enhancement Stamp (RES) while buying a Dream Tag (DT) raffle ticket. This was done to increase the opportunity and number of times someone could purchase the RES stamp. This past year the RES sales increased by 127 percent. Dream Tag sales increased by 30.77 percent. This year the total RES and DT sales generated \$583,025.

GAME

Game Division staff have finished updating the new Zoom Webinar Bighorn Ram Seminar. A meeting was held with regional and several area biologists recently to review the PowerPoint presentation and adapt new field practicum on aging and scoring ram horns for the virtual Zoom Webinar scheduled this year on August 12, 2020. Conservation Education staff have been integral in conducting the Zoom Webinar, which is the identical process as the Pronghorn Seminar held earlier in July 2020.

Game Division staff recently conducted monitoring of the East Humboldt Range mountain goats to document kid production in nursery group that had collared nannies. Staff are concerned that there are still mountain goats that are active shedders of *Mycoplasma ovipneumoniae*. A group of nannies was observed in upper Lizzie's Basin and north of Hole in the Mountain that had three adult nannies (two GPS collared), two yearlings, and three healthy kids, which is great news for now. Time will tell if they succumb to pneumonia later this summer. Staff will continue to investigate these animals throughout August 2020. Game Division staff, the Department's Wildlife Health Team, Eastern Region personnel, and Utah Division of Wildlife Resources are working together to conduct a passive Test and Removal effort on the interstate bighorn sheep herd in the Leppy Hills in Elko County. The purpose of these are to remove the active shedder of *Mycoplasma ovipneumoniae* that has plagued the herd for a decade by having majority of the lambs die each summer from pneumonia. The herd is currently about 30 adults and continues to decline without consistent lamb recruitment.

Wildlife Services is continuing to remove predators as part of the predator plan. A private mountain lion contractor has removed four mountain lions across the state in the past three weeks. A mountain lion was captured by game wardens in downtown Reno recently. After a physical inspection by the Wildlife Health staff, the lion was collared and released west of Reno. The lion has now moved north and west into California, where the California Department of Fish and Wildlife have been advised and the Department continues to monitor its activity. A mountain lion caused a stir when she wandered into a neighborhood on the western edge of the Las Vegas Valley on Saturday, July 18, 2020. The animal was captured and released by game wardens. Media coverage was extensive. Each of the major networks and both valley newspapers covered the story.

After a lengthy delay due to the COVID-19 shutdown, Michigan State University has been allowed to continue with our passive black bear population estimates. Field technicians are currently visiting sites to deploy hair snares and "refresh" trail cameras. This year's activity will be adding a third year to the contract that was initially scheduled for two years. Extreme variability in weather resulted in the decision to add a third year to the contract.

Game Division staff are close to finalizing the chronic wasting disease (CWD) surveillance and response plan. This includes finalizing the CWD check stations for Fall 2020 along with letters to hunters and taxidermists regarding regulations, disease issues, and sample requests. The Game Division's Wildlife Health staff, along with the cervid staff specialists, have drafted a proposal to Nevada Department of Transportation (NDOT) to collect cervid carcasses in high risk areas in the state for additional CWD sampling. The proposal has been sent to NDOT maintenance supervisors for approval and feedback. If they approve, we will seek United States Department of Agriculture (USDA) funding for the proposal.

Department dispatchers and Western Region staff have been inundated with reports and complaints about black bears. Dry habitat conditions in Nevada are causing bears to search for food in urban environments earlier and in increased numbers than most years. The Game, Law Enforcement, and Conservation Education divisions are working with the Director's Office to respond to the increased number of bear complaints.

Eastern Region Game Division staff and Wildlife Health staff recently worked as part of a team to attempt to collar elk in Area 7. They were attempting to tranquilize elk from the ground using dart guns. Despite several good opportunities, they were unsuccessful in part due to environmental circumstances including abundant water and moonlight.

Department personnel are assisting water development biologists in southern Nevada with investigations of big game guzzlers that are going dry due to lack of rainfall and heavy use by bighorns. Several sportsman's groups are also assisting with the project, which requires helicopters to sling water to the projects. Both Department helicopters have been out of service due to maintenance issues but will be put to use filling water developments as soon as repairs have been completed. The southern water development crew recently completed an emergency water haul to the Poppy Guzzler with the assistance of the Fraternity for Desert Bighorn Sheep. We would like to extend our appreciation to the Fraternity for their support to get this done.

HABITAT

The fiscal year 2021 funding cycle has recently ended with the approval and funding of 60 projects focused on habitat restoration; wildlife monitoring, reintroductions, translocations, and research; and other important needs totaling \$2,141,172. The supporting funding was provided by the Department's Special Reserve Accounts including Heritage, Habitat Conservation Fee, as well as, Upland and Duck Stamp. These funds are generated through the purchase of hunting and fishing licenses and special tags by Nevada's sportsmen and women. Six Duck Stamp projects, 14 Upland Game Bird Stamp Projects, 21 Wildlife Heritage projects, and 23 Habitat Conservation Fee projects were approved in early June.

The Department's representative on the Sagebrush Ecosystem Technical Team reports that for the 2020 Spring field season, a total of five new credit projects have entered the Conservation Credit System (CCS) to conserve greater sage-grouse habitat. Additionally, a total of eight new debit projects and seven mineral exploration debit projects are currently being analyzed for impacts to sagebrush ecosystems. To date, five debit projects including mining, exploration, and geothermal operations have purchased credits from private landowners to offset their impacts. This marks the first year of private transactions in the CCS, previously internal transfers have occurred from mining companies that have private landholdings and generated their own credits.

Technical Review Program activities include on-going development of the United States Fish and Wildlife Services (USFWS) greater sage-grouse Candidate Conservation Agreement with Assurances, and providing administration of the Energy Planning and Conservation Fund and the Fund for the Recovery of Costs (AB 307). During the last 18 months, 26 AB 307 applications were submitted for the following energy development projects in Nevada: three fuel pipelines, 11 transmission lines, and 13 solar facilities. This is the largest number of energy development applications the program has received since the program was created.

The southern water development crew recently completed an emergency water haul to the Poppy Guzzler with the assistance of the Fraternity for Desert Bighorn Sheep. We would like to extend our appreciation to the Fraternity for their support to get this done.

CONSERVATION EDUCATION

Conservation Education personnel hosted the first-ever virtual Pronghorn Seminar. Joining them were two game biologists, a game warden, a taxidermist, and a meat processor. A total of 181 unique viewers participated in the seminar. Staff members answered over 55 questions during the seminar. One Pronghorn Seminar participant said, *"I appreciate the emphasis on an ethical hunt, and the need to leave lands cleaner or as clean as you found them. Good presentation of data! This was a well-rounded program. I am not currently hunting for pronghorn in Nevada (maybe next year...) but was happy to learn more. Thank you all."* Conservation Education staff will be scheduling more big game seminars in the future.

Conservation Education team members continue to research and write wildlife briefs for posting weekly on the Nextdoor App. One loyal webinar participant wrote, *"What's in your backyard posts from the Nevada Department of Wildlife have been one of the few bright spots during this pandemic. Children and adults can learn so much from it. It is a field trip without leaving our homes. Thank you*

so much for these interesting, fact filled spots. Please keep posting them. We will know what we are observing when we are able to explore Nevada again. Thank you."

Over the last few weeks, we have been sharing moose sightings, including one from our own Game Biologist, Kari Huebner showing a moose we collared in January with a calf, on Facebook and Instagram and asking for more to help our game biologists track them. People have loved them. The first post received 696 reactions, 44 comments and 139 shares on Facebook, and the second post received 860 reactions, 74 comments and 231 shares. Due to the reaction, we recorded a podcast for this week on moose populations, our work on them, and the need for people to report sightings.

The Volunteer Coordinators has been working on COVID-19 related guidelines/mitigation measures for field work volunteers, instruction documents for the new online Volunteer Manager program, and recruitment for guzzler inspection volunteers.

DIVERSITY

Each year, Wildlife Diversity's state herpetologist oversees road cruising surveys run by volunteers. Recently, the Las Vegas Review Journal ran an article and video on the front page of the July 26, 2020 Sunday paper featuring Bob McKeever, a long-time volunteer who spends many long hours every year assisting in these surveys. Bob has co-authored both a guidebook and several herpetology publications with the Department in the past seven years. The article and video highlighted his professionalism and dedication to Nevada's reptile species. In addition to performing many transect surveys for our reptile program, Bob has contributed hundreds of salvaged specimens to the Department, which are now housed in universities and have already been used in genetic studies that aim to improve our understanding of the conservation status of species we know very little about.

Wildlife Diversity staff continued to monitor the bald eagle nest in Washoe Valley that biologists rebuilt after it was blown out of its tree in May 2020. The artificial nest was constructed on May 23, 2020 and after an additional 38 days of development and parental care, the juvenile successfully fledged from the temporary nest on June 30, 2020. It was capable of powerful flight immediately and continued to receive regular prey deliveries from its parents throughout the month of July. It should continue to become more independent during the month of August and eventually leave the nest area sometime prior to fall. This type of intervention was unprecedented for the Department, yet it turned out to be a perfect success.

Diversity staff were able to confirm successful nesting at three additional bald eagle nests along the Carson Front, with a total of six juveniles. A new nest was also discovered in the Pine Forest Range, making it a banner year for bald eagles in the western region.

Wildlife Diversity biologists also deployed seven satellite backpack transmitters on ferruginous hawk nestlings, continuing a project begun in central Nevada in 2017 to determine the species' habitat use, survival, breeding success, and productivity. To date, young hawks have dispersed to southern Canada, southern Idaho, central Utah, and central Nevada, while two have died from likely golden eagle and coyote predation. Leading up to transmitter deployment, we discovered three new territories and confirmed occupancy at 100 percent of territories within our study area and 86 percent breeding success. Notably, last year was the worst year on record with complete breeding failure at all six known territories.

Finally, surveys for an ongoing golden eagle tracking project since 2014 have continued, indicating 93 percent territory occupancy this year, breeding at 63 percent of territories, but only one territory with breeding success. We deployed a satellite transmitter on the nestling and collected samples from the nestling, nest, and prey remains to help understand the spread of the foreign Rabbit Hemorrhagic Virus Disease (RHDV2) now confirmed to be in Nevada. Of note, we confirmed very low black-tailed jackrabbit numbers, the eagles' primary prey, for the third consecutive year, and at least one eagle territory was burned over in a wildfire.

FISHERIES

2020 spawning operations at Marlette Lake were completed successfully the last week of June with over 800,000 trout eggs taken despite strict COVID-19 protocols in place to protect staff. This included the full allotment needed of Tahoe strain rainbow as well as bowcutt and cuttbow hybrids. We were unable to produce triploid (sterile) trout eggs because of the restrictions but these will be obtained from a USFWS Federal hatchery in Montana.

The new H-1 well at Mason Valley was completed and operational in late July giving the hatchery four good wells to carry us into the future, two with exceptionally low manganese levels. The fire suppression system upgrades were also completed at Lake Mead Hatchery completing two major projects to enhance and protect our fish production facilities.

The Department traditionally had difficulty raising cutthroat trout at Mason Valley Hatchery because of water quality issues but were able to successfully rear over 30,000 very nice Lahontan Cutthroat Trout (LCT) fingerlings at Gallagher Hatchery this year. These fish have now been all stocked out to Marlette Lake, Catnip Reservoir in northern Washoe County and Topaz Lake.

The first reports of Hazardous Algae Blooms (HABs) for this year are starting to come in with several reports from Lahontan Reservoir. Staff is working with Nevada Department of Environmental Protection (NDEP) to follow up and so far none have tested positive for toxic cyanobacteria but with extremely warm weather and moderate to low storage levels on many waters we expect this could be a significant issue this year. The Department has been working on signage that will provide information to report possible HABs directly to NDEP for investigation.

Two major earthquakes in late June 2020 impacted Devils Hole; in both cases there was a large seiche effect that exposed the bare shelf normally underwater. These events flushed most of the underwater vegetation off the spawning shelf but did not appear to have any immediate effect on the pupfish that repopulated the shelf within a day of the second event.

Preparations are ongoing for restoration work at Shoshone Ponds in White Pine County to repair and reconstruct the refuge ponds for the endangered Pahrump poolfish. The ponds were constructed in the early 1970s and are in need of significant renovation, project funding was provided by BLM. Several thousand poolfish will be moved to a secondary pond to allow reconstruction of the main refuge ponds later this year.

DATA & TECHNOLOGY SERVICES

The Data and Technology Licensing staff have continued to work long hours non-stop through the pandemic. On June 16, 2020 we re-opened the Reno, Vegas and Elko offices to the public under new social distancing practices and procedures. Then on July 6, 2020 we opened the remaining offices in Fallon, Winnemucca and Ely to the public.

The Vegas staff are continuing to put in extra hours in order to get caught up as dealerships in surrounding Greater Las Vegas area who are selling their businesses and are in the need of transferring hundreds of boats title to new owners.

Big Game Second Draw has been completed in which we saw a 352 percent increase in applications from 2019. A total of 3,793 applications were received from 3,025 customers. We awarded 603 tags during this draw.

The Department took in applications for the Sage Grouse draw on the Sheldon and conducted the draw with released results on August 12, 2020. Snowcock permits are now on sale for the 2020 Season and are preparing to release the Swan permits starting August 24, 2020.

The Geographic Information System (GIS) staff along with the help from Habitat staff conducted a successful Overton Dove Hunt draw.

LAW ENFORCEMENT

Headquarters staff have been working on setting up the new Tip411 application to be used for Operation Game Thief. Staff are in discussion with USFS on the new permit requirements dealing with the guided hunt tags. Tags need to be drawn in the name of the Forest Service permitted Master Guide. As it stands, non-permitted guide cannot use a master guide agreement to hunt Forest Service Land.

Our two newest wardens have been released from field training. They will be stationed in Laughlin and Tonopah.

Eastern Region wardens assisted Elko County Sheriff's Office and South Fork Reservoir rangers with closing the reservoir while firefighting planes and a helicopter utilized the water basin for fighting wildfire in the area over a two-day period. Eastern Region game wardens received a final judgement of conviction for a suspect in an unlawfully killed mountain lion case from 2017 which resulted to a plea deal of gross misdemeanor with \$2,028 in fines.

Western Region Wardens are staying working around the rapidly depleting water issue at Lahontan and moving buoys constantly to keep everyone safe on the water.

Over the last couple of months, our wardens have attended 268 hunter, fisher and recreator contacts that resulted in 11 Operating Under the Influence citations, 131 Vessel assists, and 434 vessel stops.

Chairwoman East asked how many acres of land have burned in Nevada this year.

Secretary Wasley shared that he had received an update on that earlier in the morning. He stated that 54,000 acres of greater sage grouse habitat have burned which was already 14,000 more acres burned than last year.

Habitat Division Administrator Alan Jenne gave a quick synopsis of the state's total burned acres and the causes of the fires. He stated that two thirds of the fires were human caused and many were around urban areas. Clark County has had the greatest number of fires, but the greatest fire impact has been in Lincoln County.

- D. Update on the Fallon Naval Range and Training Center and Nevada Test and Training Range – Habitat Division Administrator Alan Jenne
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 gave an update on the status of the Fallon Naval Range and Training Center and Nevada Test and Training Range. He reminded the Commission that they decided to send a letter to the Congressional delegates at the August meeting. The letter expressed desire for the military to not make decisions affecting wildlife populations and access. The Commission requested they consider the human and natural resource impacts on their decisions. Shortly after, Governor Sisolak sent a letter on July 8, 2020 following the Bishop Amendment which proposed giving full authority to the Air Force. There was an amendment brought by Nevada delegates to supersede the Bishop Amendment so that management of fish and wildlife services was given back to the Department of Interior, which was approved. The Senate passed their own version of this bill which means that the House and Senate will go to Committee to work out the differences between the two bills which means it may not get to the White House until the end of the year.

Secretary Wasley added that there has been a lot of political gamesmanship throughout this process and where it stands right now, the majority of what is being presented has been consistent with what the Department and the Commission has provided. He feels the stance is a good place for the Department. He shared that our conservation community have key voices and he knows that many national conservation agencies are supportive of the Department's and the Commission's input. He also stated that Congressman Amodei wanted to share that anytime the Commission would like him to come speak at a meeting, he would welcome the opportunity.

E.* Litigation Report – Senior Deputy Attorney General Craig Burkett

Senior Deputy Attorney General Craig Burkett congratulated Chairwoman East for her nomination as Chair. He shared a report regarding the litigation the Department is currently involved in and shared potential litigation involving greater sage grouse that he anticipates the Department's involvement in for the coming future.

F.* Public Works Contracts – Deputy Director Jack Robb
A report will be provided on public work contracts awarded by the Department in the previous year.

Deputy Director Robb explained the reasoning behind sharing the public works contracts with the Commission every year and provided a report of the public works contracts. He shared information on the Cave Lake Dam project that was related to a Commission fieldtrip attended last year in Ely Nevada.

Commissioner Hubbs asked about the Overton contract.

Deputy Director Robb responded that the structure was in a state of disrepair for a number of years and explained the maintenance needed in that area.

Commissioner Hubbs asked if the Overton maintenance covered in the contract will solve the issues of the area.

Deputy Director Robb answered that there would be constant damage in that area.

Commissioner McNinch asked if the work will prevent any major blowouts at Overton.

Deputy Director Robb said that the Lake Mead Hatchery is currently being used to raise viable populations of fish from that location, populations that Southern Nevada rely on. It is a crucial portion of water management and was toured a few years ago when the Commission met in Laughlin Nevada.

Commissioner McNinch asked if the Department was pulling water from the lake in that area.

Deputy Director Robb answered that everything put through the hatchery is raw water and certain fish cannot be raised there with the water temperatures. Four Department staff are residents at the hatcher and care for the station to ensure the survivability of those fish. There are water and fire improvements done for the structure and for the safety of employees at that facility.

Break at 2:40 p.m. – 2:52 p.m.

12.* Mule Deer Enhancement Program – Game Division Administrator Mike Scott – For Possible Action

A presentation on the Nevada Mule Deer Enhancement Program will be given. The Commission will consider recommendations and may choose to provide direction to the Department on the Nevada Mule Deer Enhancement Program. *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. Before reconvening the meeting, public comments will be shared with the Commission prior to taking any action.

Game Division Administrator Mike Scott presented the Department's proposal for the Nevada Mule Deer Enhancement Program and how it correlates to existing initiatives related to current Departmental programs. He explained the process of the program that included teams created by the Department providing concerns related to their assigned areas. The factors contributing to the decline of the mule deer populations would be ranked by priority. Project proposals intended to relieve some of those factors would then be submitted for approvals and conducted.

Discussion ensued relating to the currently drawn hunt groups being the best way to assess the limiting factors of the mule deer population growth.

Commissioner Kiel thanked the Department for the idea and asked what the Department's goal was for a timeline of action.

Division Administrator Scott responded that the teams could be creating right away to begin the ranking process. He shared his hope that by the January meeting, the Department would be able to provide an update on the status of the projects.

Commissioner Pierini shared a story of mule deer population fluctuation and stated that he sees a want from the public to be included in the process.

Division Administrator Scott responded that having sportsmen input throughout the process would be crucial and volunteers for future projects would be needed. More support for the program may be built up with the inclusion of more people.

Discussion was had regarding the different types of projects that would be included in the mule deer enhancement program, including water development and pinion juniper removal projects.

Commissioner McNinch stated that a program such as this has been a long time coming and shared his appreciation for the proposal. He asked the logistics of a person being involved if they resided in an outside area.

Division Administrator Scott answered that the meetings would be public, and the creation of teams would include biologists working with the CABMWs to collaborate. People who are not part of a team are still welcome to participate in the meetings and share their input.

Discussion ensued regarding sharing resource information with the public and a strategic plan to begin the program.

Vice Chairman Barnes shared his support for the program and the CABMW inclusion. He shared his thoughts on the differing factors in different areas, the importance of local input and including a monitoring portion because limiting factors could change over time.

Commissioner Almberg endorsed the program as well stating this program was a large undertaking and thanked Division Administrator Scott for the proposal.

Chairwoman East stated that she had a chance to discuss the program at length with Division Administrator Scott and was thrilled to see it presented. She commended the Department for putting together such a thorough outline and framework that includes anyone who would like to be involved to collaborate and execute solutions.

Division Administrator Scott asked for Commission direction going forward to create the teams and a creation of a Commission Committee to oversee the program proposals.

Break for public comment 3:32 p.m. – 3:37 p.m.

Public comment:

From: Steve Robinson, Washoe CABMW
Sent: Friday, August 14, 2020 12:13 PM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: Mule deer Enhancement

The Washoe CAB enthusiastically supports this program. We have been wanting something like this done for some time to address the dramatic decline in our deer herd. Especially in the Northwest portion of our state.

Most of the items in the Limiting Factor Ranking Sheet should already be known from the great work the Department is currently doing. This should be provided at the outset of the program to speed up the implementation of a Management Action plan.

We do ask that this doesn't become another endless discussion around what is wrong with the deer herd and hope for a speedy implementation of the recommendations.

Some of the items that may be identified as a Limiting Factors, will also be difficult to remedy. Topics such as predator control and feral horses can be controversial but must be addressed if we have any chance at returning our deer herds to healthy sustainable populations. For example, if it is found that feral horses are a limiting factor, we hope the department has the political will to force the Nevada Department of Agriculture and BLM to follow the Wild Horse and Burro Act as it is written.

Washoe residents and CAB have been yelling the loudest over the last several years regarding our deer herd. We also commit to helping the most to research, work on and implement this important program. We would like to thank the Department for proposing this and look forward to working hard on this with you.

Thank you

From: Mike Reese, Clark CABMW
Sent: Friday, August 14, 2020 3:14 PM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: Mule deer enhancement program

The bleeding needs to be stopped and the Clark CAB is very excited that Mr. Scott is proposing a program of this magnitude and we want to first, thank him for his efforts. Secondly, we want to be involved as volunteers and are sure many NGO's will help support with time, labor and funds!!! Please pass this program.

Mike Reese has asked to play a big part in this program!!

From: Cory Lytle, Lincoln CABMW
Sent: Friday, August 14, 2020 3:33 PM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: Mule Deer Enhancement-Public Comment

I appreciate the intent and direction for this proposed program.

The basic "team" and "needs assessment" process should be a positive and consistent approach to the actual "on-the-ground" projects that most sportsmen and women want to see.

I believe the needs assessment framework will also provide a higher quality tool in identifying, prioritizing, and categorizing projects.

There needs to be an emphasis on both new projects as well as maintenance on existing projects.

Thanks for this. Let's make it happen.

From: Jim Cooney, Elko CABMW
Sent: Friday, August 14, 2020 3:35 PM

To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: (no subject)

Let's move this idea forward.

From: Rex Flowers
Sent: Friday, August 14, 2020 3:36 PM
To: Wildlife Commission <wildlifecommission@ndow.org>
Subject: deer

I greatly appreciate the concept and am hoping this can move forward soon. I realize we cannot undue what has happened as of late but without this first step nothing can be accomplished. The management of wildlife and keeping their existence into perpetuity is the foremost responsibility of all of us.

COMMISSIONER MCNINCH MOVED TO APPROVE THE MULE DEER ENHANCEMENT PROGRAM AND DIRECTED THE DEPARTMENT TO BEGIN CREATING TEAMS. HE REQUESTED CHAIRWOMAN EAST TO ESTABLISH A COMMISSION COMMITTEE TO OVERSEE THE PROGRAM. COMMISSION ALMBERG SECONDED THE MOTION. THE MOTION CARRIED 9-0.

13. Big Game Season Setting – Game Division Administrator Mike Scott - Informational
A presentation will be given demonstrating the need for the Game Division to begin working with the County Advisory Boards to recommend changes to Big Game Seasons. Big Game seasons will be set in January 2021 for the 2021-22 and 2022-23 seasons. Starting the process now may reduce the time spent discussing changes to the proposed seasons during the January Wildlife Commission Meeting.

Division Administrator Scott gave an explanation of why Department staff suggested beginning the Big Game Season Setting discussion early. He stated that the Commission meeting that holds the season setting could be challenging regarding some Departmental and CABMW recommendations. He proposed early collaboration with the CABMWs to discuss issues and changes to season settings in hopes to have a template prepared for the Commission's January season setting meeting.

Vice Chairman Barnes thanked Division Administrator Scott for the work he is doing and his involvement of the CABMWs.

Chairwoman East agreed with Vice Chairman Barnes.

14. Future Commission Meetings and Commission Committee Assignments – Secretary Wasley and Chairman – For Possible Action
The next Commission meeting is scheduled for September 25 and 26, 2020, in Las Vegas. The Commission will review and discuss potential agenda items for that meeting. The Commission may change the time and meeting location at this time. The chairman may designate and adjust committee assignments as necessary at this meeting. *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. Before reconvening the meeting, public comments will be shared with the Commission prior to taking any action.

Secretary Wasley stated that the next Commission meeting is scheduled for September 25 and 26, 2020 in Las Vegas. He said that the location of the meeting may need to be changed due to the status of COVID-19 travel and meeting restrictions in Clark County. He shared that the CABMW workshop that was normally held in the August meeting was postponed but can be rescheduled whenever the desire is greatest. The reports given at the September meeting will include the AFWA summer conference and the Wildlife Trust Fund. The fishing regulations will be amended, and Commission General Regulation workshops will include NAC 501 and NAC 502. He also stated a possibility for a Commission appeal and Commission petition.

Chairwoman East had no items to add to Secretary Wasley's list.

Commissioner McNinch acknowledged the upcoming legislation year but stated that it was not too early to begin discussions on the Wildlife Management Area fees.

15. Public Comment Period

Persons wishing to speak are requested to complete a speaker's card and present it to the recording secretary. 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. Before reconvening the meeting, public comments will be shared with the Commission.

Break for public comment 3:55 p.m. – 3:58 p.m.

No public comment.

Chairwoman East adjourned the meeting at 4:00 p.m.