

Nevada Board of Wildlife Commissioners' Meeting **DRAFT Minutes**

Due to the ongoing challenges surrounding COVID-19, this meeting will be held virtually via Zoom in an effort to conduct the meeting more safely.

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

<https://www.youtube.com/channel/UCrFHgHLM0Mza2Hx7og8pFcQ>

**If you wish to make public comment, please use this link for Friday, September 24, 2021.**

<https://us02web.zoom.us/j/83218371595?pwd=b0V2RklyTHgwKzJHbDExcE9iRTlrQT09>

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

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

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

Please provide the Board of Wildlife Commissioner ("Commission") with the complete electronic of written copies of testimony and visual presentations to include as exhibits with the minutes. Minutes of the meeting will be produced in summary format.

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

- |                            |                           |
|----------------------------|---------------------------|
| Chairwoman Tiffany East    | Vice Chair Tommy Caviglia |
| Commissioner Jon AlMBERG   | Commissioner Tom Barnes   |
| Commissioner David McNinch | Commissioner Shane Rogers |
| Commissioner Casey Kiel    | Commissioner Alana Wise   |
| Commissioner Ron Pierini   |                           |

Senior Deputy Attorney General Craig Burkett      Secretary Tony Wasley

Nevada Department of Wildlife personnel in attendance:

- |   |  |
|---|--|
| Deputy Director Jack Robb                 | Management Analyst Kailey Musso                    |
| Deputy Director Bonnie Long               | Executive Assistant Missy Stanford                 |
| Chief Game Warden Mike Maynard            | Fisheries Division Administrator Chris Crookshanks |
| Habitat Division Administrator Alan Jenne | Game Division Administrator Mike Scott             |
| Administrative Assistant Ali Medina       | Wildlife Staff Specialist Cody McKee               |
| Conservation Educator Lauren MacLeod      | Conservation Educator Jessica Wolff                |
| Wildlife Staff Specialist Pat Jackson     | Management Analyst Megan Manfredi                  |

Wildlife Staff Specialist Cody Schroeder  
Wildlife Staff Specialist Mark Freese  
Data and Technology Services Division Administrator Kim Munoz  
Conservation Education Division Administrator Chris Vasey

Diversity Biologist Matt Flores

Public in Attendance:

Paul Dixon, Clark CABMW  
Joe Crim, Pershing CABMW  
Coby Rowe, Washoe CABMW  
Tom Cassinelli, Humboldt CABMW  
Fred Voltz, self  
Rex Flowers, self  
Cathy Smith, self  
David Rickers, self  
Jana Hoefeditz, self  
Karen Boeger, self  
Mike Visher, self  
Judi Caron, self  
Cindy Bentley, self  
Pete Mori, self  
Jill Fritz, self  
Mark Ono, self  
Brian Burris, self  
Shawn Patterson, self

Glenn Bunch, Mineral CABMW  
Mitch McVicars, White Pine CABMW  
Matt Melarkey, Washoe CABMW  
Mike Reese, Clark CABMW  
Jana Wright, self  
Mel Belding, self  
Dana Gentry  
Fauna Tomlinson, self  
Ronald Lara, self  
Alexandra Brenke, self  
Therese Campbell, self  
Rebekah Stetson, self  
William Molini, self  
Bryce Pollock, self  
Colleen Williams, self  
Greg Ott, self  
Beverly Harry, self

**Friday, September 24, 2021 – 8:00 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**

Chairwoman East called the meeting to order at 8:01am. Commissioner McNinch led Commission in the Pledge of Allegiance. NDOW Executive Assistant Missy Stanford called the roll of the Commission. Chairwoman East noted the CABMW members in attendance.

**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.

Chairwoman East clarified that Commissioner Barnes would give the report on agenda item 6F.

**VICE CHAIR CAVIGLIA MOVED TO APPROVE THE AGENDA WITH THE NOTE THAT COMMISSIONER BARNES WILL DO THE REPORT FOR AGENDA ITEM 6F. SECONDED BY COMMISSIONER MCNINCH. MOTION PASSES 9-0.**

**3.\* Approval of Minutes – Chairwoman East – For Possible Action**

Commission minutes may be approved from the August 6, 2021 meeting.

Chairwoman East and Commissioner McNinch wanted some context checked and added.

**COMMISSIONER ROGERS MOVED TO APPROVE THE MINUTES WITH THE NOTED CONTEXT CHANGES. SECONDED BY VICE CHAIR CAVIGLIA. MOTION PASSES 9-0.**

- 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 formally welcomed Commissioner Wise to the Commission. She congratulated Secretary Wasley on his Association of Fish & Wildlife Agencies (AFWA) presidency.

Secretary Wasley stated that any correspondence he receives is sent to the Commissioners. He explained that additional correspondence regarding the bear hunt was received as there was a website that directed people to send correspondence to him, Chairwoman East, and the Governor's office to exercise emergency authority to close the bear hunt this year due to stress on the bears in California that might be retreating from the fires. He stated that in response, the Department wanted to share as much information, data, and knowledge that we have regarding bear populations, distribution, the status of populations, etc. He stated he would speak more to that in a couple minutes. He stated that September 25<sup>th</sup> was National Hunting and Fishing Day and there was a proclamation signed by the Governor proclaiming September 25<sup>th</sup> as Hunting and Fishing Day in Nevada. He stated that it was also Public Lands week. He welcomed Commissioner Wise to the Commission. He announced Chris Crookshanks as the new Fisheries Division Administrator. He explained that some of the challenges that the Commission is contending with; wildlife contests and the bear hunt as it pertains to the fires. He stated that there are falsehoods swirling around both of the issues from both of the extremes and both extremes in these debates are taking to social media platforms to attack the personal character of staff and of Commissioners to drive their personal agenda and narrative. He explained that there are articles out there taking things that he says and things that the Commissioners have said that are twisting words or taking things out of context. He stated he wanted to do three things; he wanted to publicly thank and commend the Commissioners for the time they give to the Commission, noting they all have full time jobs and essentially go uncompensated to not only do seven Commission meetings a year but also legislative session, at the grocery store, on their hunts, etc. He apologized to the Commissioners that they are subject to criticism and scrutiny and personal attacks, it is not warranted. He wanted to publicly condemn those who are making threats, using misstatements characterizing the Commissioners or the staff at the department as lacking a moral compass. He stated that he took great offense to claims that everybody in this Department should be ashamed or lacks a moral compass for the jobs they do. He wanted to publicly defend and support staff and the Governor-appointed officials that make up the Commission. He stated that the Commission and the staff at the Department do more for conservation in a weeks' time than many of the critics do in a lifetime. He reiterated his thanks and commendations to the Commission and the staff, and he could not help but defend staff and condemn false rhetoric to drive personal agendas and narratives.

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

Paul Dixon, Clark CABMW, stated that his CABMW successfully held a hybrid committee meeting at the Clark County Government Chambers. His CABMW members took a tour of Wetlands Park, as well as officials from Clark County Parks & Rec, the City of Las Vegas, the City of Henderson, and Henderson Police Department. He stated that because there were questions regarding fishing at Wetlands Park he felt it was his due diligence to get some answers. He stated that there was good dialog with all of the officials and now everyone is aware as to why there is not fishing there. He met with Clark County

Commissioner Jim Gibson. Mr. Gibson thanked him for bringing attention to Wetlands Park and some of the issues and he hopes it will bring more resources for the upkeep of the park. He explained that he had CABMW members that were also personally attacked in articles that contained misinformation and that his words were twisted to look disingenuous. He explained that there needs to be a healthier discourse on issues that people disagree with. He stated he had an issue raised at his meeting that had to do with an antelope shorter than ears hunt 2181 at the Baker Ranch. He stated that although the Ranch manager was very helpful at telling people where to look for antelope, it turned out that he was not willing to give access onto the Ranch. He explained that Game wardens were spoken to and if we are going to hold a depredation hunt, we need to make sure the ranch manager follows all of the rules that is outlined in the guidance from the Department of Wildlife.

Mitch McVicars, White Pine CABMW, apologized for not getting his CABMW's action report to the commission, their secretary had issues with submitting them. He thanked the Commission and the Department for the Comins Lake project and the Cave Lake Dam project.

## **6. Reports – Informational**

### **A. Association of Fish and Wildlife Agencies 2021 Annual Meeting Update – Secretary Wasley**

A report from the 2021 conference will be provided.

Secretary Wasley provided a report on the 2021 AFWA Conference.

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

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

## **DIRECTOR'S OFFICE**

The Director's Office has been busy closing budgets, responding to numerous public records requests, and engaging in conversations regarding wildlife affected by local fires.

Many Department staff recently attended the Association of Fish and Wildlife Agencies (AFWA) Conference and the Conservation Business Managers Association (CBMA) Conference. These conferences provide staff an opportunity to connect and collaborate with other states on important topics such as licensing technology, bear behavior and ecology, law enforcement business, bird conservation, legal issues, and diversity and inclusion efforts.

## **GAME DIVISION**

**Elk Summit Meeting:** A two-day elk summit meeting was held between NDOW staff, supervisors, and elk biologists in August. Discussion topics included needed improvements to the elk program, harvest management guidelines and main beam length objectives, prioritization of monitoring projects and data access, implementation and standardization of the elk damage, incentive, and associated programs, private lands elk hunts, emergency depredation hunt needs, updates to forms and procedures, and the update to the Statewide Elk Species Management Plan. The second day of the meeting focused on modeling elk populations.

**Bighorn Sheep Surveys:** Bighorn sheep surveys began in August for many California bighorn herds. California sheep survey results are showing mixed results with some herds showing good production, while others like the Santa Rosas showing continued low lamb survival. Desert sheep surveys are currently being conducted throughout Nevada, but survey results are not available at the time of this writing.

**Pacific Flyway Council:** The staff migratory bird biologist and the Game Division Administrator attended the Pacific Flyway Council meeting in Bozeman, Montana in late August. There were relatively few changes to most of the migratory regulations, with the main exception being the limit of Canada geese being increased from four to five.

**Mule Deer Enhancement Program:** Most of the MDEP subcommittees have met and conducted field trips, with a few exceptions. Some of the challenges being observed are simply scheduling meetings or field trips at times when numerous members can attend. Several groups have had members that have simply said they do not have time to participate, while others have conflicts with hunting seasons. We felt it was important to hold field trips to show members mule deer seasonal habitats, and various projects being conducted simply because in-person meetings allow for additional conversations and are more productive. With Covid-19 resulting in setbacks, we may simply need to move forward with meetings being held on zoom if we want to see these groups move forward.

### **HABITAT DIVISION**

**Overton WMA:** NDOW just closed on the purchase of a property that will be added to the Overton Wildlife Management Area in Clark County. This 13-acre property comes with two ponds and a residence. The ponds will provide waterfowl sanctuary and be used for wildlife education purposes, the residence obtained through this purchase will be used to provide on-site housing for Overton WMA employees to provide added security to the area and have personnel available in the event that emergency situations arise.

**Carson Lake and Pasture:** Water deliveries have ended for the year, we received ~4,400 ac-ft of our 5,000 ac-ft starting balance prior to Mid-August TCID shutdown. The Big Water and York units were the two areas that received water.

Additionally, Habitat staff and our DATS division have worked with Kalkomey to establish the hunt permits required on Carson Lake and Pasture for hunters 16 years and older. By the start of youth waterfowl season, which is Oct. 1, the \$60 annual permits available and \$15 daily permits will be available starting on October 25th in accordance with NRS 502.400.

**Sagebrush Ecosystem Technical Team:** The SETT is currently reviewing and finalizing credit and debit projects for enrollment in the Conservation Credit System for the 2021 season. There are three new credit projects and 19 new debit projects collecting data this year or running a GIS desktop analysis to calculate project credits or debits. Seven credit transactions have occurred in 2021 thus far. The SETT is also currently working to revise and update its Strategic Action Plan. The next Sagebrush Ecosystem Council meeting is scheduled for October 1st.

**Habitat Division Staffing Changes:** Katie Andrie, NDOW representative to the SETT recently accepted the Western Region Habitat Supervising Biologist position stationed in the Reno Valley Road office. Katie has been representing NDOW on the SETT in Carson City for over five years and brings a great deal of knowledge of sagebrush systems and sage grouse. Prior to coming to NDOW Katie spent over three and a half years with USGS's sage grouse research team in Nevada.

**Restoration and Rehabilitation:** While Nevada's wildfire season has so far been less severe than years past, NDOW is still conducting restoration efforts on old burns. We have already implemented over 19,000 acres of aerial herbicide applications and will soon add another 9,000 acres of chemically fallowed lands for next year's reseeding applications. Additionally, we are working with the federal land management agencies to put together a restoration plan for priority wildlife habitats that were lost in the Nevada portion of the Tamarack fire.

**Water Development Program:** The southern region crew recently rebuilt the Blacktop guzzler on the Nellis Test and Training Range the weekend of September 18th. This is the last major construction project for the year in the south. Water levels at most guzzlers are acceptable, although fall moisture will be essential to prevent additional water hauling efforts.

**Mountain Home AFB Airspace Expansion:** NDOW is preparing comments on the Mountain Home Air Force Base's proposal to expand their airspace and use of airspace in northern Nevada. The Mountain Home AFB's Special Use Airspace in Nevada extends approximately from McDermitt to the eastern side of the Jarbidge Wilderness. The Draft EIS predicts relatively high increases in sound levels from military overflights, including subsonic and supersonic activities. The increased sound levels could create impacts to bighorn sheep, sage-grouse, mule deer, and other wildlife populations. The increased use of flares in Nevada presents some level of risk for wildfire ignitions.

Commissioner McNinch asked if is there going to be a need for the commission to take a position on airspace.

Habitat Administrator Jenne answered that we are early in the process, this is just an airspace expansion in comparison to Fallon and Nellis testing range in which we are taking a larger ground footprint. This is truly within the air. At this point it is just getting started but it is something that the commission may speak to regarding that impact.

Commissioner McNinch asked to keep us updated and keep us engaged and apprised of the situation

### **CONSERVATION EDUCATION DIVISION**

**Classroom Programming:** In preparation for the Fall school year, Conservation Education staff reached out to school district administrators across the state to spread the word about opportunities for teachers to get involved in our growing educational programs. Feedback from administrators has been very positive and many meetings have been facilitated to answer any questions or concerns they have. A periodic newsletter is being sent to administrators and interested teachers to inform them of upcoming opportunities and how to get involved.

**Events:** Conservation Educators in the Southern Region will be hosting a Project WILD teacher workshop virtually at the end of September. This workshop is a part of the AFWA sponsored Project WILD program. Interest in this program among teachers has been so large that there is a waitlist. Attending this program teachers receive continuing education credits and free educational resources, including the Project WILD curriculum & activity guides.

The Summer Nevada Nature Blitz ended on September 15<sup>th</sup>. Over 8,000 observations were logged.

**Urban Wildlife:** Educators and Law Enforcement have facilitated monthly "bird coordination" meetings to bridge the communication between Audubon, USFWS, NDOW, and Lisa Ross (rehabber), and come up with solutions on managing the surge of baby/injured bird calls we receive in the spring. Goals in mind include being consistent with our education outreach, and (hopefully) increasing the resources we have available for rehabilitation.

**Outreach:** Conservation Education Staff sent multiple emails to lapsed hunters and anglers encouraging them to renew their licenses. One of the emails was sent to more than 13,500 former hunting license holders encouraging them to purchase their licenses with the September 1 opening of many upland game seasons. Another email was sent to almost 20,500 big game tag holders, encouraging them to go fishing while scouting and out on their hunts.

Education Staff and volunteer instructors taught outdoor education seminars and webinars on topics such as firearm handling, hunting waterfowl, small game, pronghorn, and bighorn sheep, getting to know your optics, wild game cooking, and multiple introduction to shotgun, muzzleloader, and rifle shooting classes.

Conservation Education staff has started to curate resources and develop a plan to prioritize making birding more accessible to people throughout Nevada especially for beginning birders. We will be reaching out to partners to help us identify barriers in each region and will tailor efforts accordingly.

**Media Highlight:** NDOW PIO's have been busy conducting numerous interviews on topics including bear activity in the Tahoe Basin, hyperphagia in bears, drought conditions, and the impacts of fires on wildlife. Conservation Education's media monitoring service, Critical Mention, reported a TV audience of almost 222,000 and an audience of more than 16 million for print and online news stories for the month of August. It reports an audience of almost 100,000 for TV and more than 1,000,000 for print and online so far for the month of September.

PIO's have sent press releases on topics including the Governor's signing of the Habitat Conservation Framework Executive Order, a near incident at Tahoe, the announcement of the new Fisheries Division Administrator, and the ceremony to present Nevada Game Warden Sean Flynn with a lifesaving medal.

Vasey: Mid October soft opening of the website

## **WILDLIFE DIVERSITY DIVISION**

**Pygmy Rabbits:** The Game Division and Wildlife Diversity are jointly coordinating a multi-year project with the University of Nevada Reno on pygmy rabbits. The 2021 field season started off initially collaring eight individuals at a study site near Jiggs in northeastern Nevada to confirm safe application of the collars and stability of data collection prior to additional collaring. The initial period has been a great success with just one individual needing slight adjustment of their collar. As of August 15th, we have started to deploy the additional 12 collars, for a total of 20 at the Jiggs site. Another 20 collars will be deployed at another long-term study site near Austin, Nevada as soon as the 20 Jiggs collars are out. Monitoring of animals at both sites will continue through the coming year.

**Bats:** 2021 marked the inaugural year of NDOW's participation in the nationwide North American Bat Monitoring Program (NABat). This collaborative program uses standardized acoustic survey methods to gather data to help assess population status and trends for bats. This summer, Wildlife Diversity biologists conducted 48 passive acoustic surveys in 23 areas across the state between May and July, collecting more than 50,000 echolocation calls. Each of these files will be analyzed and identified to species by our partners Bat Conservation International. Once call analysis has been completed, the results will be uploaded to the USGS NABat Monitoring Program database where it will be compiled with other data from around the country.

**Pika Surveys:** Biologists completed a three-day survey of the Hot Creek Range and the large lava field at Block Rock Summit in Nye County in search of pikas. A total of 21 sites thought to have high quality habitat were checked, but unfortunately, no pika were observed nor any fresh or old sign were found at any location. This survey was the first concentrated pika effort in the Hot Creek Range.

**Small Mammal Surveys:** Small mammal surveys, targeting pale kangaroo mouse, were conducted in September along the westside of Railroad Valley in Nye County. Three sites were targeted within and adjacent to the Chimney Spring Unit of the Wildlife Management Area. One of these sites is a historic site originally trapped in 2001 where pale kangaroo mice were again successfully captured.

**Bio-blitzes:** This past June, NDOW assisted with two bio-blitzes in geographically unique areas: the Basin and Range National Monument and Great Basin National Park. At the Basin and Range NM Bio-

Blitz, 47 participants helped identify 405 species across 1,836 observations. 14 of the observed species were reptiles, of which four are species of conservation priority in the State Wildlife Action Plan. At the Great Basin National Park Bio-Blitz, over 60 participants helped identify 14 species with 92 observations. Four of the species observed were species of conservation priority.

**Small-Game Guzzlers and Habitat Restoration:** NDOW is planting over 1,000 native plants across five locations in the Mormon Mountains across four weekends in October. The restoration centers around five small game guzzlers within the boundary of a wildfire that burned in 2005. Despite the area having 15 years of post-fire recovery time, it remains in the early serial stages of mainly invasive cheat grass. Native perennial species will help to increase the biodiversity of the shrub community, which is lower in desert areas that have burned, suppress cheat grass, create cover and forage for desert tortoise and other species. The restored areas will function as seed islands that will increase the seedbank of the surrounding area and take advantage of the guzzlers being an attractant for wildlife that are seed dispersers.

**Southwestern Willow Flycatchers:** Annual survey and nest monitoring activities for endangered southwestern willow flycatchers wrapped up in August 2021. For flycatchers, NDOW surveyed three areas, and contracted survey work for four additional areas with previous occupancy in southern Nevada. All sites were surveyed a minimum of three times, and all were found to be occupied by breeding flycatchers. Each territory had varying degrees of nest success, with some that fledged young, others that failed for various reasons including brown-headed cowbird nest parasitism, and some had unknown outcomes. Of interest were the multiple occupied and breeding territories for the second straight year at the River Ranch in Pahrnagat Valley. Historically at this private cattle ranch, flycatcher occupancy has been low and sporadic, and breeding attempts have usually failed. A collaborative habitat improvement project was initiated in 2018 by the Fish and Wildlife Service Partners Program, the Red Rock Audubon Society, the ranch owners, and NDOW, involving the removal of decadent willow biomass, installation of a semi-permanent fence around willow patches, and a cattle rotation schedule. Since that time, the habitat has started to improve, and native willow regeneration is occurring. Additional habitat restoration activities are being planned for this fall/winter. At least one nest fledged young at the River Ranch in 2021.

## **FISHERIES DIVISION**

The Fisheries Division has been extremely busy with field biologists finishing up critical field activities before the weather turns colder. Many of our summertime seasonal employees have returned to fall classes at colleges and universities. Challenges have been exasperated with a number of Fisheries vacancies statewide. There are currently two vacant Fisheries staff positions at Reno HQ (Sportfish and Native Aquatic Species) along with two vacant field biologists (Elko and Winnemucca). We are proud to announce that Cody Byrne recently accepted the position of Eastern Region Fisheries Supervising Biologist. Cody brings a wealth of knowledge, strong work ethic, and great attitude. We are certain he will do well in Elko.

**Aquatic Invasive Species Program:** After a busy boating season, many AIS Program Watercraft Inspection Stations in northern Nevada are ramping down activities for the season. Some of these stations had to shut down prematurely due to low water conditions and closed boat ramps caused by ongoing drought conditions. Southern Nevada stations are still fully operational as the boating season continues. Stations at Lake Mead and Alamo operate year-around.

**Water Conditions:** Unfortunately, water conditions continue to remain unfavorable due to drought conditions. It is hoped that cooler fall temperatures will bring much-needed precipitation to many of our waters. Most reservoirs and rivers statewide are currently at all time low water conditions making them susceptible to fish kills. Although some sporadic algae blooms and fish die-offs were experienced, the state has fared extremely well considering conditions. Some localized water conditions are as follows:

- Lahontan Reservoir is currently near 5,000 a.f. (1.7% of capacity) and continues to drop. Aerators have recently been installed to provide much need oxygen to fisheries resources. Rye patch currently sits <7,000 a.f. which is roughly 3.5% of capacity.
- Lake The Truckee River has experienced flows less than 100 c.f.s. for more than a month. NDOW has worked cooperatively with TMWA on two occasions to salvage fish in diversion ditches that were taken offline in the Truckee Meadows. Lake Tahoe elevation has been at or near its natural rim since late-August. Unfortunately, most upstream storage has already been depleted.
- Lake Mead elevations remains at 1,067 feet, an all-time low. This has created problematic situations impacting both boaters and anglers alike. Most launches on the lake are still usable but newly emerged obstacles have proven a challenge for boater safety. Lake elevations are forecasted to continue to drop through December 2021 before it is forecasted to rise again.

**Eastern Region Fisheries:** Eastern Region personnel have been busy conducting stream surveys associated with LCT recovery. Survey work has documented localized population estimates, LCT distribution, barrier efficiency as well as possible new streams for recovery. Native aquatic surveys also continue, primarily associated with Columbia spotted frogs and native mussel species. With listing petitions looming for native species, these surveys are critical in establishing a baseline for current occupied ranges. CSF survey work found frogs in California Creek (Elko County) which had not been documented since 2004.

NDOW staff assisted Great Basin National Park with the chemical eradication of Baker Lake in the South Snake range. The project targeted brook trout and LCT that had been stocked there previous to the park's inception in 1986. The eradication will allow for the future re-introduction of Bonneville Cutthroat Trout which are native to the area.

**Southern Region Fisheries:** Catfish stocking has resumed in the Southern Region urban ponds now that air and water temperatures have proven more conducive.

A final salvage of Pahrump Poolfish was completed at Shoshone ponds in White Pine County. Approximately 8,000 fish were transplanted from the old stock pond into the newly renovated refuge pond. With the completion of this project funded through SNPLMA, the future looks bright for this endangered species.

Central Nevada flash-flooding has caused significant damage to Blue Link Spring (South Gabbs Valley Range) and Silver Peak Pond (recreational sport fishery). NDOW personnel have been working with Federal partners to remove sedimentation at Blue Link while a damage assessment is still pending from Silver Peak Pond.

Annual threatened and endangered species monitoring efforts have been completed for Pahrump Poolfish, Big Spring Spinedace, Moapa Dace, and other endemic non-game species.

**Western Region Fisheries:** The USFWS announced the FY21 Recovery Land Acquisition Grant awards which included the Disaster Peak Ranch acquisition which was a bi-state proposal with Oregon. The acquisition of these ranchlands will facilitate LCT recovery efforts in the McDermitt Creek watershed in Oregon and Nevada.

The Truckee River LCT MOU with FWS and PLPT was recently updated and received final signatures from all parties and is valid through 2026.

LCT survey work in Humboldt County is wrapping up for the season. As expected, stream conditions and resulting LCT numbers are disappointing.

NDEP confirmed a Harmful Algae Bloom at Virginia Lake in late-August. They advised people and pets to avoid contact with the water.

A survey using the Region's electrofishing raft resulted in the capture of 225 Largemouth Bass from the USA Parkway Pond. These fish were transplanted to Kiley Ranch Pond in Spanish Springs.

### **DATA AND TECHNOLOGY SERVICES DIVISION**

**New Staff:** The Data and Technology Services team is proud to have the following people join our Division. In the Information Technology unit, we welcomed Jake Musso. In Licensing unit, we welcomed Ramona Maestes in Ely, Ashley Easterday in Winnemucca, and Kamryn Moloney and Shannon Graham at Head Quarters, in our GIS unit, we welcomed Alice Ready.

**Hunts & Licensing:** The Hunts & Licensing staff have been busy with tag returns. So far this season they have processed 838 returned tags of which 424 tags have gone into the First Come First Server functionality. These tags include both sexes of antelope, mule deer and elk, as well as a couple Desert Big Horn Ram tags. Non-residents have purchased 62% of the FCFS tags. We continue to closely monitor activity within FCFS to ensure fairness. Recently, we have had to suspend a few user accounts for suspicious activity of adding an excessive amount of tags into their cart and never checking out. This type of behavior jeopardizes tags getting into the hands of people who actually want them, and we saw two archery cow elk tags not get purchased before the cutoff date. We have already identified several enhancements that we would like to make to the FCFS program what will prevent this in the future.

The Hunt & Licensing staff recently completed the annual Sage Grouse reservation draw for the WMA and the annual Swan permits. This year's Swan permits sold out in record time; 650 permits were sold out in just a mere 48 hours. In collaboration with the Habitat Division and Kalkomey, we were able to make available the purchase of a daily or annual permits for waterfowl hunting at our newest WMA Carson Lake & Pasture through our NDOW Licensing website.

**Geographic Information System:** The Geographic Information System staff released the HuntNV application which can be found at <https://www.hunt.wildlifenv.com>. The first release of this applications shows a plethora of information about all hunts by unit including, quotas, draw rates, success rates, etc. and can be filtered by species, weapon class, resident as well as draw rates and success rates. They also completed updates to the Harvest Check-in and Road Cruising applications and created some new property maps of antelope tags and the Carson Lake & Pasture WMA.

**Information Technology:** Finally, the Information Technology staff have been working to get equipment upgraded in various locations around the state. They completed an upgrade of server storage capabilities for the Habitat, Diversity and Fiscal Services Divisions. They also completed the set-up of new equipment to get the Lake Mead Hatchery onto the state's network. Internet upgrades were completed for the Valley Road, Ely, and Elko offices.

### **LAW ENFORCEMENT DIVISION**

**Wildlife Investigations:** Several urban area calls and incidents related to deer have occurred throughout the state. Archery hunters pursuing urban deer continue to be a recurring problem for the Elko/Spring Creek area, an injured deer call in Spring Creek, deer stuck in a fence in Ely and Spring Creek, an incident of deer struck by vehicle in the western region, an individual in possession of/raising a mule deer fawn in Ely, an individual was found to be feeding deer in the western region, an unlawful possession for consumption of a deer killed by a fence, and finally a southern region game warden investigated a mule

deer that had been shot with an arrow and perished in a yard in Pioche. The game warden identified the hunter and questioned regarding failure to pursue.

A game warden received a disposition on a camera case from 2020. Guilty on one count of trail camera set past closure and one count of petit larceny.

In the Western Region a game warden investigated a vehicle that had a window shot out on opener of dove on Mason Valley Management area. He felt it was an intentional shot and not shooting at birds related.

**Boating Safety Patrol:** Boating incidents continue as the main boating season winds down.

Samir Hernandez has been fully sentenced in the OUI death case investigated by Friel and Cavazos on the Colorado River the summer of 2020, with a reconstruction by Jordan, LT Walther, and Phillips with Friel and Cavazos assisting.

The final plea agreement is:

- Category B Felony – Operation of a Power Vessel Under the Influence Causing Death
- 48-120 months prison time with NDOC (with 334 days credit of time served)
- \$9500 restitution to be paid to the family
- \$178 administrative fees

A press release was put out on August 13 regarding this conviction.

Game wardens assisted NPS in search and recovery efforts for one of three drownings that occurred in a three-day span. One victim was recovered by Metro Dive Team. NDOW provided support via vessel for the team. In a separate incident, game wardens assisted in the recovery of a victim near 33 Hole on Lake Mead

Game wardens investigated a vessel accident with injury on the Colorado River, an accident on Lake Mohave, and an injury accident on Lake Mead. An OUI arrest was also made in Laughlin on the Colorado River.

In the Southern Region game wardens assisted a party on Lake Mead which was lost and separated from one another and in a separate incident a game warden rescued 12 individuals stranded after the vessel they were associated with had mechanical issues.

A Southern Region game warden responded to a sinking vessel on Lake Mead. The vessel was taking on water, Blackwood was able to secure the vessel and transport with occupants to the marina prior to it being completely swamped.

**Public Safety:** Western region game wardens assisted with the Tahoe fire evacuation patrol, helping prevent looting of evacuated structures.

**Headquarters:** Boating Education Coordinator Aaron Meier, Southern Region Boating Educator Nick Duhe, and several staff members from other Divisions and the Directors Office coordinated and organized on many fronts for the US Coast Guard Medal Presentation Ceremony Friday, Aug . 27 in Las Vegas. Game warden Flynn was awarded the USCG Silver Lifesaving Medal and game wardens Humphries, and Hamblin received lifesaving awards from the USCG at that ceremony. The Department is very proud of their efforts and professionalism.

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

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

Senior Deputy Attorney General (DAG) Burkett gave a report on the litigation. *A copy of the report can be found on the NDOW website.*

DAG Burkett stated that DAG Tori Sundheim who is the attorney handling the water law cases for the Department for the last two years has accepted a position with the Public Utilities Commission (PUCN), so he and one of the three water law attorneys will work on those cases until DAG Sundheim is replaced.

Chairwoman East asked about the status of the first case on the litigation report, The Truckee Irrigation District.

DAG Burkett answered that there is no update at this time.

**E.\* Wildlife Trust Fund Annual Report – Deputy Director Bonnie Long**

A report will be provided on the investment and expenditure of money in the Wildlife Trust Fund for the period of July 1, 2020 to June 30, 2021 pursuant to NRS 501.3585.

NDOW Deputy Director Bonnie Long provided a background and a report on the investment and expenditures in the Wildlife Trust Fund. *A copy of the report can be found on the NDOW website.*

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

*Break 9:46 – 10am*

**F. Landowner Compensation Tag Committee Report – Chairwoman East**

A report will be provided on the recent Landowner Compensation Tag Committee.

*Committee webpage:*

[http://www.ndow.org/Public\\_Meetings/Committees/Landowner\\_Compensation\\_Tag/](http://www.ndow.org/Public_Meetings/Committees/Landowner_Compensation_Tag/)

Commissioner Barnes stated that the Landowner Compensation Tag Committee last meeting was in January of 2020, where they discussed protocols for landowner’s accounts.

Game Division Administrator Mike Scott gave an overview and update on the protocol and explained the difficulties of deer counts.

**G. Tag Allocation and Application Hunt Committee (TAAHC) Report – Committee Chairman Tommy Caviglia**

A report will be provided on the recent TAAHC meeting. *Committee webpage:*

[http://www.ndow.org/Public\\_Meetings/Committees/Tag\\_Allocation\\_and\\_Application\\_Hunt/](http://www.ndow.org/Public_Meetings/Committees/Tag_Allocation_and_Application_Hunt/)

Committee Chairman Caviglia gave a report on the September 20, 2021 TAAHC Committee Meeting.

**H. Administrative Procedures, Regulations and Policy (APRP) Committee Report – Commissioner and Committee Chairman McNinch**

A report will be provided on the recent APRP Committee Meeting. *Committee webpage:*

[http://www.ndow.org/Public\\_Meetings/Committees/Administrative\\_Procedures\\_Regulations\\_and\\_Policy/](http://www.ndow.org/Public_Meetings/Committees/Administrative_Procedures_Regulations_and_Policy/)

Committee Chairman McNinch provided a report on the September 23, 2021 APRP Committee meeting. He explained that the committee intends to review all of the Commission policies. At their meeting they reviewed Commission Policies 67, 26A, 1, 4, 10, 11 and had conversation on 24. Policy 67, Federal Horses and Burros; considered some proposed language that was supplied by the Coalition of Healthy

Lands letter. Hope to tie the policy into those efforts. The Department will get together with folks from the Coalition to make some changes to the policy. Policy 26A, Transparency; has to do with ungulates. Changes in state law that will affect the policy, we need to clean that up. The department will provide some language and bring it back. Policy 1, General Guidelines for the Commission; revision, will be brought to the Commission. Policy 4, Petition Process and Adoption of Regulations; see more of this the department will bring back proposed language. Policy 10, Wildlife Heritage Tags and Vendors; heritage tags and vendors, proposed language, changes made to reflect when we consider those, we want to make that clear to have that done by the first calendar meeting of the year. Policy 11, Wildlife Heritage Grants; ranking system, there are some further discussions the Department would like to have to bring back suggestions. Policy 24, Hunting Opportunities Among Weapons and Hunter Groups; did not discuss as part of the agenda, asked that the TAAHC Committee review this policy.

**I. Living with Wildlife Presentation – Conservation Educators Jessica Wolff and Lauren MacLeod**

A presentation will be provided on living with wildlife.

Conservation Educators Jessica Wolff and Lauren MacLeod shared a presentation on living with wildlife. *A copy of the presentation can be found on the NDOW website.*

**J. Update on the Governors Executive Order – Wildlife Staff Specialist Mark Freese**  
The Department will give a presentation on the Governor’s recently issued Executive Order creating the Habitat Conservation Framework.

Habitat Administrator Alan Jenne provided a presentation on the Governor’s recently issued Executive order creating the Habitat Conservation Framework. *A copy of the presentation can be found on the NDOW website.*

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

**A.\* Commission Regulation 21-15, Fishing Seasons and Regulations for January 1, 2022, through December 31, 2023 – Fisheries Division Administrator Chris Crookshanks – For Possible Action**

The Commission will establish fishing seasons, bag, and possession limits for the period of January 1, 2022, through December 31, 2023.

Fisheries Division Administrator Chris Crookshanks reviewed the support material sent in advance to the Commissioners, County Advisory Board to Manage Wildlife Chairmen and posted on the Nevada Department of Wildlife website for the public for the Fishing Seasons and Regulations for January 1, 2022, through December 31, 2023.

*No public comment.*

**COMMISSIONER MCNINCH MOVED TO APPROVE COMMISSION REGULATION 21-15 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER KIEL SECONDED THE MOTION. MOTION PASSED 9-0.**

*Break 11:26 – 12:21*

**8. Commission General Regulations – Adoption/Public Comment Allowed**

**A.\* Commission General Regulation 488, Landowner Compensation Tags, LCB File No. R083-19 – Game Division Administrator Mike Scott – For Possible Action**

The Commission will consider adopting changes to Chapter 502 of the Nevada Administrative Code (NAC). This regulation would provide direction for allocating landowner deer and antelope compensation tags if owner applicants cumulatively qualify for compensation tags in excess of the statutory limit. This regulation was considered during a workshop in September 2019.

Game Division Administrator Mike Scott reviewed the support material sent in advance to the Commissioners, County Advisory Board to Manage Wildlife Chairmen and posted on the Nevada Department of Wildlife website for Landowner Compensation Tags.

Commissioner McNinch questioned if the language presented was from the Department or the Legislative Counsel Bureau.

Administrator Scott confirmed it to be the Departments preferred language.

Commissioner Barnes queried if procedurally a vote could be taken on the preferred Department language or must it return to Committee.

Management Analyst Kailey Musso provided the three options available. Option one, using the Department's preferred language - the Legislative Counsel Bureau had approved for the Commission to adopt the version of their preference. Option two, requesting an extension, seeing that the regulation was closing in on its two-year deadline. Option three, start the regulation process from scratch, meaning resubmitting the regulation to LCB, and holding a workshop in order to move to adoption.

Commissioner Barnes shared comments from a letter written by Pete Mori. The letter looked for a solution to obtaining a proper count, seeing that animals move off the property during counts. Mr. Mori wondered if documentation could be provided to supplement a count and could it be future discussed at the Committee level for consistency across the board.

Commissioner Kiel shared that the number one goal was to address the two and a half percent cap and wondered when there would be danger of running the statutory limit.

Administrator Mike Scott responded the Department was not in danger of exceeding the cap.

Commissioner Kiel stated he felt the language was now more restrictive in respect to working with landowners and did not provide flexibility.

Vice Chair Caviglia questioned if the two and a half percent cap was in Nevada Revised Statute.

Administrator Mike Scott confirmed that it was in NRS previously having been one and a half percent. The Department would have exceeded the one and a half percent in 2017 but the Legislature stepped in and increased the limit to two and a half percent. Lastly, he added that the division only counts the animals on the property at the time the count occurs to maintain equality across the board, providing the divisions limited availability to return and do a recount.

Commissioner Almborg felt the language addressed how to move forward procedurally should the cap be reached. In respect to counts, the Commissioner felt a discussion during the Committee would be appropriate.

Commissioner McNinch, Commissioner Kiel, and Commissioner Barnes all agreed that a further discussion should occur during the Committee meeting, noting Pete Mori's solution of using video for confirmation of animals on the property.

*Public comment*

Paul Dixon, Clark CABMW, provided the following statement: Hello Chairwoman East and Commissioners. The question that was brought up at my Advisory Board meeting, and I am kind of swung from the hip, as our mule deer population continues to decline and we stay under a drought, the amount of usage on cultivated land is going to go up. Do we have a calculation from the Department of Wildlife that says if our deer herd estimated population gets to this level, call it seventy thousand, we're going to have to throw into account this degradation of tags over two and a half percent, do we know what that number is? How critical are we to getting at that de-minimus deer herd where we are going to have to be forced into doing this? We may not be there now, but it may be in a few years if we continue this decline that were on. That was the question, I didn't have an answer I thought it was between sixty and seventy thousand that we would basically be knocking up against that's two and a half percent door if we just maintained existing usage of agricultural land. Thank you that's my only question.

Administrator Mike Scott replied there was no pre-calculated number.

*Public comment reopened due to technical difficulties.*

Pete Mori, private citizen, provided the following statement: The comments that I have from what Mike mentioned pertaining to my letter was that it kind of reinforces the fact that they do their best to try to set up these times and if the animals aren't there then the landowner calls him back, they may not have the time to come back. Therefore, the video or any other technology reinforces the fact that if some type of evidence proof were displayed by the landowner it would help in the fact that the counter wouldn't have to come back again and there's proof that the animals are on the property. You cannot write a regulation that is perfect, you can't run a program that is perfect, all you can do is take a good stab at it. However, you guys want to handle it I'm comfortable. I believe in this Commission; you guys have an open mind and try to make the best decision given what you have to work with at the time. If you decide to pass this today, I would appreciate if you leave the language as is, thank you for the opportunity to comment.

Vice Chair Caviglia asked that the Landowner Compensation Tag Committee address Pete Mori's concerns as an agenda item but would like to see the regulation pass today.

Commissioner Kiel voiced his desire to adopt section three forward and discuss the remaining sections in Committee.

Vice Chair Caviglia addressed his concern of the word "count" being added to various areas in the language.

Commissioner Alberg noted he would like to discuss using video to help supplement landowner counts at the Committee level.

**VICE CHAIR CAVIGLIA MOVED TO APPROVE COMMISSION GENERAL REGULATION 488, LANDOWNER COMPENSATION TAGS, LCB FILE NO. R083-19 AS PRESENTED WITH THE NOTE THAT THE LANDOWNER COMPENSATION COMMITTEE WILL REVIEW SECTION TWO OF THE REGULATION AT THE COMMITTEE. COMMISSIONER ALMBERG SECONDED THE MOTION. MOTION PASSED 9-0.**

**B.\* Commission General Regulation 489, NAC 503.172, Shed Antler Season, R082-19 – Chief Game Warden Mike Maynard – For Possible Action**

The Board of Wildlife Commissioners will consider adopting changes to NAC 501 and NAC 503 to change the demerits for violation of the shed antler closure, increase the

demerits for a violation of that regulation and require an online class in order to collect or possess shed antlers in the field. This regulation was brought as a petition by Elko CABMW in August 2019 and was considered during a workshop in September 2019 and August 2021.

Management Analyst Kailey Musso provided the three options available to move forward with this regulation. Option one, using the Department preferred language, the Legislative Counsel Bureau had approved for the Commission to adopt the version of their preference. Option two, requesting an extension, seeing that the regulation was closing in on its two-year deadline. Option three, start the regulation process from scratch, meaning resubmitting the regulation to LCB, and holding a workshop to move to adoption

Commissioner McNinch suggested coordinating season dates with various states. He noted that he recently spoke with Chairman Kevin from the Utah Resource Board to see where they stood.

Commissioner Barnes felt the regulation discriminated against residents; non-residents would simply pay a fine while residents would be hit with demerit points.

Chief Game Warden Mike Maynard replied that non-residents could be cited for violating an existing statute or regulation such as everyone else. Adding that there is only so much that could be done, any more would be beyond the scope of the statutory authority.

Vice Chair Caviglia believed what was written today was better than what currently existed. He went on to ask if with the Wildlife Interstate Compact would hunters who had their licenses revoked in Nevada have their licenses revoked in their resident state.

Chief Game Warden Mike Maynard stated that similar offenses in other states would need to have occurred for them to recognize the ramification in our state. He ended by pointing out it would be entirely up to the other state.

Deputy Attorney General Craig Burkett reiterated that if the state does not have a similar statute, the Department won't be able to restrict their licenses in that state.

#### *Public Comment*

Paul Dixon, Clark CABMW, provided the following statement: Are we looking at having our surrounding states, where a majority of these shed collectors come from, carry over demerit points that were given in Nevada? Most of the people that collect shed also have hunting and fishing licenses in other States and it could we impact their ability to get a hunting or fishing license in their home state by reciprocity. Maybe not now but it's something to look at in the future if we continue to see violation issues and maybe something we could look at. That was the only thought we had from Clark County, we agree that we should adopt what's presented then continue to change it in time as necessary, thank you.

Mitch McVicars, White Pine CABMW, provided the following statement: Our CABMW was opposed to the language. We talked about dates, we talked about non-resident issues, we are in favor of the shed class just to get the numbers. That is where we stood with this agenda item, thank you.

Rex Flowers, private citizen, provided the following statement: I had two small issues, the nine demerit points for taking sheds during the close season, in your next agenda item you're going to talk about demerits again and clean up language there and the commercial take of crayfish without proper licensing, the demerit is six points. Now I know it's not a bighorn sheep, it's still poaching and at six points but we're going to take a cast off from an animal and charge nine demerits for that, that seems a little out of whack.

The other problem is further down in this regulation in Section 2(1)(B) it says that you must take the class for the license between January 1 and April 30 to participate between May 1 and June 30, now every other license that we have you can buy at anytime throughout the year. I don't understand why we would not allow people, I could understand understands January 1 being the initial start date I could understand June 30th being the last day you could take the class, but as with myself if I decide I want to go up to Wildhorse and go fishing in May and say "I got to grab me a license so if I see sheds I can pick up" I can't pick him up because I'm not going to decide to go up to Wildhorse till maybe May or June and I won't be able to qualify to do that so I think that is a problem I would say that you could take that class from January 1 to June 30th it's online it isn't putting anybody out thank you very much.

Karen Boeger, Back Country Hunters and Anglers, provided the following statement: I have had, as has my Back Country Hunters and Anglers organization, concerns about this issue for a long time and given some deep involvement in White Pine County years ago, which has been kind of Ground Zero for some of this issue. So what I'm going to suggest right now has to do for the future and maybe some things that we can think about and that's the fact that it seems to me the primary issues are the large collections primarily for commercial purposes and also for the amount of vehicles that go off route across sensitive territory at a sensitive time of the year when it's really wet so it seems to me that some sort of partnership with the feds, and I know the state versus feds thing is pretty potent in the rural counties but for this cause I think it could be good because the destruction of habitat in the spring can be something that the feds could monitor but also on public lands there is a fee for gathering stuff that's out there and once the sheds are off an animal there are no longer wildlife right so for instance there is a fee for rock counting and so maybe that is also consideration for those who gather in great numbers and also just maybe even working together to decrease off route travel.

Vice Chair Caviglia recognized Rex Flowers' concern and agreed the online class timeframe should be adjusted in the language.

Chairwoman East struggled with the nine demerit points and would like to see it drop to six. She also agreed with the comments of the class timeframe.

Vice Chair Caviglia wanted to point out that non-residents were not solely collecting sheds, residents do as well. He went on to add that the purpose of the nine demerit points was to have more impact on our residents.

Commissioner Alberg was open to dropping the demerits.

**VICE CHAIR CAVIGLIA MOVED TO APPROVE COMMISSION GENERAL REGULATION 489, SHED ANTLER SEASON, R082-19 AS PRESENTED WITH THE PROPOSED CHANGE THAT SECTION 2 NAC 503.172 (B)(1) REMOVE THE PORTION STATING "AS PROOF THAT AT ANY TIME FROM JANUARY 1 TO APRIL 30, INCLUSIVE" AND THAT SECTION 2 NAC 503.172 (2)(II) REMOVE THE IDENTICAL LANGUAGE. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 9-0.**

**C.\* Commission General Regulation 494 – NAC 501 Regulation Simplification, LCB File No. R163-20 – Management Analyst Kailey Musso – For Possible Action**

The Commission will consider adopting changes to NAC 501 recommended by the Regulation Simplification Committee. This regulation was considered during a workshop at the September 2020 meeting.

Management Analyst Musso reviewed the support material sent in advance to the Commissioners, County Advisory Board to Manage Wildlife Chairmen and posted on the Nevada Department of Wildlife website for the public for NAC 501 Regulation Simplification.

*Public Comment*

Rex Flowers, private citizen, provided the following statement: Commercial taking of crayfishing except in accordance with the permit issued pursuant to NAC 503.540, I think that instead of being six demerits it should be 9 demerits. If we're going to put teeth on shed hunting, we need to put it in illegal trade of crayfish and this specifically says commercial, so that is an illegal trade, thank you.

Chief Game Warden Mike Maynard didn't know if nine demerits were necessary but would support the Commission in their decision.

Management Analyst Musso stated the nine demerits was not consistent with the demerits in that demerit section.

Commissioner Pierini believed it should be six demerit points.

**CHAIRWOMAN EAST MOVED TO APPROVE COMMISSION GENERAL REGUALTION 494 AS PRESENTED BY THE DEPARTMENT. COMMISSIONER MCNINCH SECONDED THE MOTION. MOTION PASSED 9-0.**

*Break 2pm – 2:15*

**9. Commission General Regulations – Workshop/Public Comment Allowed**

**A.\* Commission General Regulation 499, Bonus Point Only Application Period – Management Analyst Megan Manfredi – For Possible Action**

The Commission will review draft language amending NAC 502 chapters that would decouple the hunt application periods from the 7-day bonus point only application period and create a separate period for bonus point only purchases that would facilitate a more timely draw process and provide increased opportunity for bonus point purchase. The change also defines what “awarded” means to a successful draw applicant.

Management Analyst Megan Manfredi reviewed the support material sent in advance to the Commissioners, County Advisory Board to Manage Wildlife Chairmen and posted on the Nevada Department of Wildlife website for the Bonus Point Only Application Period.

Vice Chair Caviglia asked if someone applied during the regular application period for everything minus antelope, at that time they could also submit a bonus point application for antelope.

Management Analyst Megan Manfredi replied yes.

*Public Comment*

Paul Dixon, Clark CABMW, provided the following statement: At our CABMW meeting we had several members of the public that were concerned that if we change to having a bonus point only system that runs longer so we can do the draw sooner it's going to get confusing for people. They ask and I would request that NDOW offer some public education or when you're applying for things a notice box comes up to explain what's different. There's a lot of people it took a while to get electronic, the fact matter is we have electronic system we've used for a few years and it's working. People are getting used to it, now we're going to make a change and it's for the better but even good changes can be problematic for some people. The request was that NDOW do everything in their power to make sure that they do public education so anybody who's applying for tag understands the new process, so they don't get confused.

Chairwoman East expressed that the Department does multiple emails and texts.

**CHAIRWOMAN EAST MOVED TO APPROVE COMMISSION GENERAL REGULATION 499, BONUS POINT ONLY APPLICATION PERIOD AS PRESENTED BY THE DEPARTMENT. COMMISSIONER ALMBERG SECONDED THE MOTION. MOTION PASSED 9-0.**

**10.\* Coalition for Healthy Lands Letter – Chairwoman East – For Possible Action**

The Coalition for Healthy Nevada Lands has asked the Commission to sign on to the US Department of the Interior Secretary, Debra Haaland. The Commission may discuss and vote to take relevant action.

Chairwoman East asked the Commission members what they would like to do, whether it be sign on, create their own letter or both.

Commissioners had discussion and agreed to sign on to the letter as well as creating their own support letter.

*Public comment*

Brian Burris, self, stated that he is in full support of the Commissions' support of this letter. He thinks its advantageous for the Commission submit a letter as well. He encouraged wildlife NGO's to also be signatory on this letter. He stated that as the Youth Director for Wildlife and Habitat Improvement of Nevada, he will be signing on as signatory as well.

Fred Voltz, self, the sub-text of the proposed letter has little to do with humane treatment for wild horses and burros. Instead, the Coalition members seek to eliminate competition for food and water sources so that the animals they target for recreational killing will be sufficiently numerous and healthy for NDOW licensees. There are several problems and glaring factual omissions in the submitted letter. First, the USDA's 2020 statistics show that Nevada has almost 12 times the cattle, sheep and hogs destroying the landscape and consuming large amounts of scarce water to irrigate 500 square miles of hay and alfalfa fields for feed vs. the BLM's suspect guesstimates of the number of mobile wild horses and burros. While the Coates study is cited to overdramatize the impact on sage grouse from wild horses and burros, there isn't even a footnote about the far greater impact of free-roaming cattle on leased BLM public lands to do an unchronicled amount of damage to fragile flora and fauna and guzzling limited surface water. The far greater impact of cattle has been completely ignored by the authors when they fail to propose decreasing the number of cattle on the fragile Nevada landscape. Second, in reviewing the 2021 BLM round-up tactics and results, multiple horses have been fatally injured when chased by helicopters and running for their lives in fear. A flawed adoption program has given money to alleged adopters, only to see imprisoned horses sent off to slaughter in another jurisdiction. There are too few private pasture homes for these horses who only seek their freedom, just as humans want for themselves. If horses are found to be malnourished, blind, incurring broken legs because of the BLM helicopter chases or suffering from some other disease, the BLM just kills them all. Would we do this with human beings in similar circumstances? Of course not. Humane fertility control significantly increased from current levels would be a far more productive and less expensive process than underperforming helicopter roundups that terrorize, then place the horses and burros in overcrowded pens without any ability to even find shelter from the weather. If the BLM was not recklessly operating massive horse prisons, it could save the money it otherwise wastes incarcerating innocent animals who have committed no crime but to exist. This letter does not

deserve endorsement by the Commission because it is disrespectful and detrimental to wild horses and burros, whose protection is part of your unambiguous statutory responsibility for the well-being of all Nevada wildlife species as integral parts of the ecosystem.

Mitch McVicars, White Pine CABMW, stated that his CABMW is in support of the Commission signing onto this letter and his CABMW is going to write their own letter of support. He stated that livestock grazing has been reduced and there are a lot less sheep and cattle, but the horses have definitely been a big problem, with the MDEP programs, he believes we are going to see a lot of push that the horses are affecting our mule deer. He believes that this goes hand in hand with what we are all after.

Karen Boeger, self, stated that the Coalition is very appreciative of the Commission considering signing on to their letter. She explained that they feel it would broaden their hope for making this a very broad amalgam of entities and organizations so that congress understands that this is coming from a widespread call for what we call "humane action", which is to reduce our populations of horses and burros to where the habitat can support them as well as other species. The Coalition saw this as an opportunity because there is a new secretary of the interior and thought it very important that Nevada's bring this issue to her attention. In Nevada, we are ground zero for wild horses and burros and at this moment since we are the driest state, and the population of those animals is 400% over what it was estimated that the habitat can support. We recognize that you as wildlife commission know the importance of the habitat. We cannot expect wildlife to exist on a bare plot of land and its all about conserving, protecting, restoring habitat so that those creatures can survive in health out there. She stated that this is also about following the act. Those who know of the history of this and the years of collaboration and consensus that it took to get to the act was very broad just like the broad demonstration of organizations that they are hoping to establish, and it very much follows the multiple use sustained yield act. She thinks that while many people are grateful that horses and burros are part of the multiple use..... **3-minute mark.**

Rebekah Stetson, self, congratulated Secretary Wasley on his AFWA presidency. She stated she greatly appreciates the Commission signing onto the letter or sending their own letter. She addressed comments from Fred Voltz; there is not an ideal solution to the over population of horses and burros, but it is much more inhumane to have animals die of dehydration and starvation on the range than to actually doing something. Folks who are anti any type of management should take a hard look at what that means and what humanity of an animal actual is. She stated she has seen things starved to death and die of dehydration. She stated that options are not ideal, but the Coalition is doing something to try to manage the issues. They are actively trying to manage for better solutions and that's part of this letter. Getting more money into Nevada for management. She stated that in regard to cows, they are not on the range 100% of the time, cows are managed and plenty of tools to do so. For horses, there are very few options and they're on the range 100% of the time and are completely unmanaged outside from when there are gathers. She explained that the law does mandate through the wild horse and burro act that we manage for thriving ecological balance. There is a component where we have to do something as opposed to doing nothing. She thanked the commission and offered to answer questions as needed.

Paul Dixon, Clark CABMW, stated that his CABMW did vote for the Commission to sign on to the letter and/or write their own letter. They wanted to make sure that NDOW is fully engaged in the process outlined in the letter and that they endeavor to take the most effective actions possible to achieve these goals. They had a lot of discussion as what those should be. He stated his CABMW is waiting to get a something from the District Attorney of the legality of the CABMW submitting their own letter of support for this. He stated that Judi Caron said that Washoe County was not allowed to submit a letter so he asked their DA to take a look to make sure his CABMW can submit a letter. He stated that last horse round up in Southern Nevada resulted in 98% of the horses removed to be euthanized because they were emaciated, starved, and malnourished. He stated that during a 20-year drought, the horses are suffering greatly because they are not being managed the way they should be, and he was heartbroken to see that that many horses had to be euthanized.

Therese Campbell, self, echoed Dixon's remarks. She stated that she felt encouraged that this is something that NGOs and government entities can agree on. She explained that this is not a perfect proposal, but it is a great first step especially in the days where issues are so polarized. She stated Nevada is not only the driest state, but it also has the largest number of feral burros and horses in the boundaries of the state. She stated that because we have this 20-year drought, we have more of a crisis going on with the feral animals who are suffering, the wildlife that is suffering, the habitat because its being degraded and a crisis with humans that are suffering because lands are being degraded. She encouraged and supported the NBWCs signing on to the letter and submitting their own.

Chairwoman East stated that it was suggested that the Commission write its own letter giving more strength. She stated that for the record the Commission would be joining the following groups signing on to the letter:

The Nevada Wildlife Federation  
NBU – Fallon and Reno Chapters  
Trout Unlimited  
Friends of Nevada Wilderness  
Backcountry Hunters & Anglers – UT, NV, AZ, ID, CO, OR, CA, & MT Chapters  
Coalition for Nevada's Wildlife  
Nevada Chapter of the Wildlife Society  
Nevada Waterfowl Association  
Sagebrush Ecosystem Council

Commissioner McNinch stated that this letter being proposed to sign on developed by the Coalition for Healthy Nevada Lands fits nicely and its basis is a document referred to as *The Path Forward for Management of BLMs Wild Horses and Burros* which contains a four-tiered approach as a proposal to deal with the wild horse problem; gathers and removals, population growth suppression and strategies, public & private partnerships, and adoptions. He emphasized that it is not just one group trying to push an agenda and he wanted to read some of the signatories into the record; the ASPCA, American Farm Bureau Association, the Society for Range Management, the Humane Society Legislative Fund, the Public Lands Council, Return to Freedom Wildhorse Conservation, National Horse and Burro Rangeland Management Coalition, Humane Society of the United States, the National Cattleman's Beef Association, American Mustang Foundation, a handful of other government and non-government entities.

**COMMISSIONER MCNINCH MADE A MOTION TO SIGN ON TO THE LETTER AS WELL AS THE COMMISSION SUBMITTING ITS OWN LETTER. SECONDED BY COMMISSIONER BARNES. MOTION PASSES 9-0.**

**11. Wildlife Contests – Commissioner McNinch – Informational**

Commissioner McNinch will present to the Commission, for consideration and discussion at a future meeting, various regulatory approaches and strategies used to address concerns surrounding wildlife contests.

Commissioner McNinch asked the Department to bring back language to discuss at the November commission meeting. He suggested we propose language similar to Arizona's language and clarified the intent of his language. He suggested the language reads similarly to: *A person shall not, by any means, participate in, organize, promote, sponsor, or solicit participation in a contest where a participant uses or intends to use any device or implement to capture or kill predatory animals or fur-bearing animals as defined under statute. For the purpose of this subsection "contest" means, a competition among participants where participants must register or record entry and pay a fee, and prizes or cash are awarded to winning or successful participants.* He emphasized that the intent of the language does not preclude the following: calling/hunting coyotes, someone from protecting their livestock, family pets, etc.

from coyotes, family/friend groups getting together to hunt coyotes, trapping or shooting coyotes for their pelts, someone from doing their part to remove coyotes for conservation or disease prevention or control, anyone from promoting, organizing, conducting or participating in other events intended to raise money for conservation or celebrate comradery, taking of any fur bearing mammal in accordance with applicable requirements, and promoting, organizing, conducting or participating in other wildlife contests, such as big buck contest, fishing derbies, or any other unprotected or furbearing mammals. He stated that his intent is for the Department to draft language in a forum that can be brought back so that we can talk about it.

Chairwoman East agreed with Commissioner McNinch's points. She reaffirmed that if these issues are not addressed by the Commission, they would be addressed in other platforms and that is not the preference. She asked Commissioner McNinch to work with the Department to bring back some language for discussion at the November Commission meeting.

Commissioner McNinch reassured the public that he takes their public comments seriously when considering things. He stated that he understands the public attacking actions or inactions, processes, thoughts, and feelings but when it turns personal, it has gone too far and there is no need for it. He asked the public for their understanding and to stop the rhetoric.

## **12. Future Commission Meetings and Commission Committee Assignments – Secretary Wasley and Chairwoman East – For Possible Action**

The next Commission meeting is scheduled for November 5 and 6, 2021. The Commission will review and discuss potential agenda items for that meeting. The Commission may change the date, time, and meeting location at this time. The chairman may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

Chairwoman East reviewed and updated her Committee Assignments. *A list of the updated Committee Assignments can be found on the NDOW website.*

Secretary Wasley listed future Commission agenda items:

- Next meeting is scheduled for November 5<sup>th</sup> & 6<sup>th</sup>
- Taking Raptors for Falconry Seasons and Quotas (set in even-numbered years, amended in odd-numbered years)
- Noncommercial Collection Seasons and Limits for Live, Unprotected Reptiles and Amphibians (set in even-numbered years, amended in odd-numbered years)
- The Kirch Award
- Predation Management Status Report
- APRP Committee Report
- TAAHC Committee Report
- Bonus Point Regulation
- Elk Species Management Plan
- Wildlife Contests

## **13. Public Comment Period**

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

Paul Dixon, Clark CABMW, stated that there is a mistake in the Big Game Nevada Hunt Regulations and Seasons Book on page 51. He read NAC 502.390 "Except as otherwise provided in section 5, when a person reaches any wildlife which the person has killed, he or she must validate his or her tag or permit

by clearly punching out the spaces necessary to properly identify the physical description of the animal, including its sex and antler points, where appropriate, and the day and month of the kill” but the Big Game Hunting book says “When a person harvests and animal, they must validate the tag by clearly notching or marking out the spaces necessary to properly identify the date of the harvest and the animal’s physical characteristics, including sex and antler points. (Refer to NAC 502.390)”. He explained that a gentleman had two wardens go to his house because he marked out his tag rather than punching out his tag. He was told by Lieutenant Walther is that NDOW will evaluate all tags but not issuing citations as long as its clearly marked or punched this year but that we should decide whether we are going to change the NAC or the Big Game Hunt book for clarification.

Joel Blakeslee, self, stated that he wanted to make comments about the dissertation he just heard about where the word “preclude” was used. He stated that what being proposed is going to preclude doing away with everything. He said think about what was said and that people that are putting forth this on the contests. *[voice was muffled, unable to capture everything that was said]*

Bryce Pollock, self, stated that he has contributed to conservation since he was born. He stated that as a participant this last spring, offered an alternative and reality-based narrative, the competition takes place in a small rural community, it is not open to outside competitors. He continued that all teams are community members and families. He was on a team and spent the day with his brother, in total they had 13 coyotes harvested between 100 people, it does not sound like a lot but its not about the number, it’s a community and a family event. He stated that many pairs consist of parents sharing the outdoors with their kids. He explained that the event ends with a banquet that generates revenue for a nonprofit conservation group. He stated that spending a day practicing predator management with your family and enjoying a meal within a small community is not a senseless, barbaric activities that antihunting groups will lead you to believe they are. He explained that with the proceeds from this competition, the group has completed the following projects; added holding tanks to increase the capacity of two big game guzzlers, repaired the collapsed rain collection tarps for a big game guzzler and a chukar guzzler, they have removed pinyon juniper encroaching around springs to restore brush lands and restore habitats. He does not see a statewide ban of an activity that his family has been participating in for generations as a compromise He thanked the Commissioner for their time and consideration of the matter.

Seeing no other public comment, Chairwoman East adjourned the meeting.

Adjourned at 3:21pm

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

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