

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

CGRs removed from agenda

**Meeting Location**

Washoe County Administrative Building A  
Commission Chambers  
1001 E. Ninth Street  
Reno, NV 89512

**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, January 27, 2023.**

<https://us02web.zoom.us/j/84425950709?pwd=MUG3S3AzZ21sL01DaEIEQjBEak9rUT09>

Passcode: 780597

**If you wish to make public comment, please use this link for Saturday, January 28, 2023**

<https://us02web.zoom.us/j/87527206774?pwd=YzNZSHZtNmNsaFhvdjNzYVJpVEhyUT09>

Passcode: 684785

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

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

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

Nevada Board of Wildlife Commissioners present for the meeting:

Chairman Tommy Caviglia  
Commissioner Eddie Booth  
Commissioner Casey Kiel  
Commissioner Mario Walther

Commissioner Tom Barnes  
Commissioner Tiffany East  
Commissioner David McNinch  
Commissioner Alana Wise

Senior Deputy Attorney General Craig Burkett

Secretary Alan Jenne

Nevada Department of Wildlife personnel in attendance:

Administrative Assistant Cameron Tull	Budget Analyst Zeida Albert
Staff Game Warden Jake Kreamer	Wildlife Staff Specialist Jasmine Kleiber
Game Division Administrator Mike Scott	Program Officer Chrissy Rose
Field Biologist Cooper Munson	Wildlife Staff Specialist Cody McKee
Fisheries Division Administrator Chris Crookshanks	Wildlife Staff Specialist Matt Maples
Staff Game Warden Christie Knight	Program Officer Alejandra Medina
Field Biologist Joe Bennet	Field Biologist Carl Lackey
Wildlife Staff Specialist Mike Cox	Wildlife Staff Specialist Lee Davis
Administrative Assistant Hollie Timmons	Wildlife Staff Specialist Mark Freese
Wildlife Staff Specialist, Pat Jackson	Conservation Educator Aaron Keller
Field Biologist Tom Donham	Staff Conservation Educator Aaron Meier
Wildlife Staff Specialist Cody Schroeder	Executive Assistant Meghan Beyer
Wildlife Diversity Administrator Jennifer Newmark	
Data and Technology Services Division Administrator Kim Munoz	

Nevada Department of Wildlife personnel in attendance via Zoom:

Public in Attendance:

Paul Howell, Douglas CABMW	Joe Crim, Pershing CABMW
Glenn Bunch, Mineral CABMW	Jim Cooney, Elko CABMW
Marlene Bunch, Mineral CABMW	Steve Robinson, Washoe CABMW
Worth Nelson, Lander CABMW	Chrissy Pope, Nye CABMW
Rex Flowers, private citizen	Mel Belding, private citizen
Dr. Sean Sultaire, University of Montana	Fauna Tomlinson, private citizen
Sean Shea, private citizen	

Public in Attendance via Zoom:

Michael Jurad, Humboldt CABMW	Joe Crawford, Lyon CABMW
John Hiatt, Clark CABMW	Mitch McVicars, White Pine CABMW
Paul Dixon, Clark CABMW	Ryan Browne, Washoe CABMW
Rick Duenas, private citizen	Larry Allen, private citizen
Joel Blakeslee, private citizen	Judi Caron, private citizen
Jana Wright, private citizen	Fred Voltz, private citizen

**Friday, January 27, 2023 – 9:00 a.m.**

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

<https://us02web.zoom.us/j/84425950709?pwd=MUg3S3AzZ21sL01DaEIEQjBEak9rUT09>

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

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

attendance.

**2. Approval of Agenda – Chairman Tommy Caviglia – For Possible Action**

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

Chairman Caviglia introduced Item #2.

*No CABMW comment.*

*No public comment.*

**COMMISSIONER EAST MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. SECONDED BY COMMISSIONER BARNES. MOTION APPROVED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

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

Commission minutes may be approved from the November 4 and 5, 2022 meeting.

Chairman Caviglia introduced Item #3.

Commissioner McNinch asked if the word female should be inserted into the first sentence under Bear Program in the Game Division Activity Report.

Game Division Administrator Mike Scott stated that two units were closed due to female harvest limits being met and one was closed due to total harvest limits being met.

Commissioner McNinch asked if the words “Bighorn sheep” or “sheep test” could be placed after “Santa Rosa California” at the bottom of page five, so that everyone would know what was being referenced. He pointed out on page 42, at the top of the page, where he was discussing an “or”, he asked for clarification on what that was saying.

Executive Assistant Meghan Beyer answered that she would need to take a closer look and would make corrections.

Commissioner McNinch corrected the name written as Karen Taylor to Caron Tayloe. He pointed out on page 48, that “as presented” was stated twice and that the second was not listed. He asked what the word “los” on page 53 was referencing.

Executive Assistant Meghan Beyer acknowledged the mistype and stated she would correct it. It should read “ayas.”

Chairman Caviglia asked if there were additional comments.

Commissioner Barnes stated that he would abstain from voting on the minutes since he was not present on the second day of the Commission on November 5, 2023.

*No CABMW comment.*

*No public comment.*

**COMMISSIONER MCNINCH MADE A MOTION TO APPROVE MEETING MINUTES FOR THE NOVEMBER COMMISSION MEETING WITH THE NOTED CHANGES. COMMISSIONER WALTHER SECONDED THE MOTION. MOTION PASSED 7-0. COMMISSIONER BARNES ABSTAINED AND VICE CHAIRMAN ROGERS WAS ABSENT.**

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

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

Chairman Caviglia introduced Item #4. He noted that Commissioner Ron Pierini resigned from the Commission and wished him all the best. He introduced and welcomed Commissioner Eddie Booth as the new Commissioner. He welcomed the new Director of the Nevada Department of Wildlife, Alan Jenne. He noted that he had received some correspondence that the Department was aware of and acknowledged the new Governor's Executive Order 2023-003 pertaining to all boards and commissions in the state. He explained that it halted creation of new regulations and required all state agencies to reduce current regulations by a number of ten by the date of May 1, 2023. He acknowledged that this would require some effort and discussion on both the Department and the Commission's part and that it could potentially lead to the creation of a committee to address this task. He noted that the Commission meeting in April would be an opportunity to address the Governor's Executive Order prior to May 1, 2023.

Secretary Jenne explained that the Department received clarification from the Governor's Office and as a result produced the amended agenda that was provided by the Department, which included removal of all Commission General Regulations (CGR) to comply with the Executive Order. The Department was granted exceptions, specifically for Commission Regulations (CR) that will be presented for adoption during this Commission meeting. He reminded the Commission that the Department performed a major clean-up of regulations in 2021 and that discussions were ongoing with the Governor's Office to get clarification on whether that would be taken into consideration as compliance with Executive Order 2023-003. He suggested that a committee be established that could meet in March and April and be ready to execute the directive given, with clear guidance from the Governor's Office.

Deputy Attorney General (DAG) Burkett reassured the Commission that the Attorney General's Office had been very proactive in seeking further clarification on the exact intent of the directive. The purpose of the directive appears to be to make government more efficient and discussions will be ongoing with the Governor's Office to clarify exactly what that means to the Commission.

Commissioner East asked how this would apply to mandates required through legislation to develop regulations, specifically CGR 500, Subdivision Map Review and how we should address that moving forward.

DAG Burkett stated that they will advise their clients to fully comply with the directive. Arguments have been made in reference to an exception within the directive that include those actions "essential to internal operations" that apply to the subdivision map review and have been made known to the Governor's Office. Everyone understands that this Commission must comply with statute and the Governor's Office understands that. His office will keep all parties updated and communication lines open.

Commissioner McNinch asked whether we would need to address previous regulations passed by the Commission.

DAG Burkett assured the Commission that all the previous efforts by the Department and the Commission to streamline regulations and policy have been conveyed to the Governor's Office. Those efforts won't necessarily count, but will most likely be taken into consideration in future decisions by the Governor's Office.

Chairman Caviglia stated that it would be beneficial to create a committee as soon as possible to provide suggestions if necessary and to be able to present them to the public to provide input in a future Commission meeting prior to the May 1, 2023 deadline.

Commissioner McNinch congratulated Secretary Jenne on his promotion.

- 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.

Chairman Caviglia presented Item #5.

*No CABMW comment.*

## **6. Reports – Informational**

- A. Department Activity Report – Secretary Alan Jenne and Division Administrators**  
A report will be provided on Nevada Department of Wildlife activities.

Chairman Caviglia presented Item #6A.

## **DIRECTOR'S OFFICE**

Secretary Jenne presented the Director's Office Division Activity Report.

The Director's Office has a new makeup to kick off 2023. We are sad to part with Director Tony Wasley after 10 years as Director and a lifetime of service to the agency. Director Wasley served on several statewide and national boards and councils. He served as the president for Association of Fish and Wildlife Agencies and is widely recognized as a well-respected leader on national conservation issues. We hope and look forward to working with him in a different capacity on conservation issues for a long time to come. Habitat Division Administrator Alan Jenne has accepted the Director position after almost 30 years with the Department.

Deputy Director Jack Robb has also been appointed as the Director of the Department of Administration. Deputy Director Robb has served Nevada's wildlife in many different roles throughout his lifetime including serving on the Board of Nevada Bighorn's Unlimited and on the Nevada Board of Wildlife Commissioners. He looks forward to working with NDOW in a new capacity and will continue to enjoy Nevada's natural resources.

The Nevada Department of Wildlife and Nevada's wildlife thank them both for their service. The Director's Office also recently welcomed Cameron Tull as the Administrative Assistant III. Cameron comes from private industry and is excited to start his service with the state while working to protect Nevada's natural resources.

Management Analyst Kailey Musso is on maternity leave after welcoming a healthy baby boy. Program Officer Alejandra Medina will be helping with legislative tracking and the Legislative Committee meetings.

The Director's Office has been busy preparing for the upcoming legislative session meeting with legislators, Legislative Counsel Bureau (LCB) staff, and conservation partners. The Department's primary focus has been preparing for the upcoming session and pre-session budget presentation to the Legislative Commission's Budget Subcommittee on February 1<sup>st</sup>.

The Director's Office has been busy responding to multiple requests from the Governor's Office and Governor's Finance Office addressing the state's ongoing vacancy challenges and budgetary items in preparation for the upcoming legislative session. The Director's Office has also been keeping up with multiple public records requests.

The following regulation was approved by the Legislative Commission on consent agenda and are effective as of December 27, 2022.

**R090-21, CGR 508 – Antler Points**, A regulation revising the definitions of “antler point,” “spike elk,” and “spike elk only”. (Contact: Cody McKee)

**Temporary Regulation CGR 510 – FCFS Prevention of Unfair Advantages is now in place.** This regulation establishes provisions for suspension for unfair advantages. This regulation authorizes the Department to suspend an account for unfair advantages while using the FCFS program (for example: bots). (Contact: Megan Manfredi)

## **GAME DIVISION**

Wildlife Staff Specialist Cody Schroeder presented the Game Division Activity Report.

**Bighorn Sheep:** Desert bighorn captures were conducted November 11 – 16 in southern and central Nevada. The primary effort was the ongoing Test and Remove project on Department Of Defense's Nevada Test and Training Range (NTTR) with expansion to the Bare Mountain herd that has connectivity with the NTTR. Twenty-three Bighorn were captured and sampled for *Mycoplasma ovipneumoniae* (M.ovi.). In addition, a total of 18 sheep were captured on the Department of Energy's Nevada National Security Site, the Specter Range, the South Monitor Range and the Hot Creek Range to document connectivity with adjacent herds and potential for pathogen transmission.

Game Staff recently met with woolgrowers to build a stronger relationship and open line of communication with our respective wild and domestic sheep operations. The meeting provided great dialog and information sharing and mutual respect to keep wild and domestic sheep separated as best we can. Their trailing routes, shearing sites, and private-land grazing have the potential to allow interaction with the Granite Range, Virginia Mountains, Lake Range, and Sahwave Mountain bighorn sheep herds.

NDOW staff received a report of 10 domestic sheep in the Egan Range in occupied desert bighorn habitat. NDOW personnel worked with Department of Agriculture and the sub-lessee of the permittee to remove all 10 animals from the landscape.

**Elk:** Game Staff, Wildlife Health, and Eastern Region biologists met recently to discuss and summarize findings from investigations related to Seasonal Elk Mortality Syndrome occurring primarily in Hunt Unit 067. Department personnel expect to complete a report summarizing preliminary findings in Spring 2023.

**Moose:** Faculty at Texas A&M University in College Station have begun preliminary analyses of movement and habitat use of Nevada moose. The objectives of this project are to identify important habitat features, estimate habitat, and identify potential limiting factors for moose expansion in Nevada.

Department personnel plan to capture and deploy up-to 5 radio-collars on moose in northeastern Nevada. Emphasis will be placed on areas where captures have not occurred to broaden the Department's understanding of suitable moose habitat in Nevada.

**Mule Deer:** The Mule Deer Enhancement Program continues to implement projects approved from FY2022 including various habitat enhancement projects and radio collaring efforts to improve knowledge of mule deer ecology, movements, and habitat use.

Mule deer captures have been completed in northern Washoe County where 36 mule deer were captured and tagged in various units throughout the Areas 1 and 2. Overall, 18 adult bucks and 17 adult does were captured and collared as part of this on-going effort to study mule deer ecology in northern Washoe County. Capture work was also completed in Unit 033 was part of a cooperative effort with the U.S. Fish and Wildlife Service to map migration corridors and seasonal habitat use on the Sheldon National Wildlife Refuge and surrounding areas.

**Pronghorn:** Post season surveys are largely completed although some late season surveys are still being conducted. Well above average snow is making access difficult for some ground-based surveys. Game Division staff is working with a private contractor to develop a new population model for pronghorn that will be similar to the integrated population models for mule deer and pronghorn in several other western states.

**Sage-Grouse:** Sage-grouse wing analysis was conducted in December of 2022. A total of 656 wings were analyzed consisting of 307 adults and 349 juveniles. A production ratio of 1.65 chicks per hen was estimated which is the highest value observed since 2013. Nest success was estimated at 51.5% which is significantly higher than the long-term average of 44.6%. These values should lead to increased population sizes.

A Sage-grouse was found positive for Highly Pathogenic Avian Influenza (H5N1) near Summit Lake Indian Reservation in northwestern Nevada. The bird was captured in October, outfitted with a radio transmitter by Summit Lake personnel and later found dead in November of 2022. This is the first known case of HPAI in Sage-grouse in Nevada and throughout the range.

**Upland Game:** Game Division staff are attempting to capture depredating wild turkeys from Hunt Unit 091 in extreme northeastern Nevada. Due to HPAI, additional testing requirements are necessary before birds are released elsewhere. If found negative for HPAI, captured birds will likely go to the Mason Valley Wildlife Management Area. To date a total of 5 turkeys have been captured with trapping efforts continuing.

**Columbian Sharp-tailed Grouse:** Colorado Division of Parks and Wildlife approved the Department's request for up to 20 sharp-tailed grouse from northwestern Colorado to augment the current population in the Bull Run Basin in Elko County. The Game Division is initializing coordination efforts to conduct this capture, transport and release effort in April of 2023.

**Migratory Game Birds:** For calendar year 2022, a total of 2,112 migratory birds, including 1,696 ducks, 400 mourning doves, and 16 band-tailed pigeons were marked by NDOW Game and Habitat Division personnel, on a total of 5 Wildlife Management Areas in compliance with the Pacific Flyway and U.S. Fish and Wildlife Service programs.

## **HABITAT DIVISION**

Wildlife Staff Specialist Matt Maples presented the Habitat Division Activity Report.

**Technical Review Program:** Several large projects started in the last month, including Greenlink North Transmission Line, BLM sage-grouse plan revision, Section 368 Energy Corridors RMP revision, and the Copper Rays Solar Project. Staff continue to work on a number of existing projects including Goldrush Mine EIS, Cross-Tie Transmission Line, Rhyolite Ridge Lithium, South Railroad Mine EIS, Esmeralda Solar Complex, BLM Statewide RPM amendment, and Whirlwind Geothermal. Additionally, habitat staff gave an internal NEPA workshop with the Diversity Division and anticipate expanding this to other NDOW divisions in the coming months. These workshops will help staff provide constructive and effective feedback during federal planning and permitting processes.

**Habitat Conservation Framework:** The Department hosted a series of local working group sessions on the Sagebrush Habitat Plan. Meetings were held in Winnemucca, Elko, Ely, and Reno during the week of January 16<sup>th</sup>. Another session is scheduled for January 31<sup>st</sup> in Las Vegas. The focus of these meetings was to receive public input on the mapping products and tools that will be used to help prioritize sagebrush habitat and future conservation efforts.

**Wildlife Management Areas:** The annual Ely Rotary Fishing Derby will be held at Comins Lake on January 28<sup>th</sup>. This is the second year the Derby will be held on the Steptoe Valley WMA due to ongoing maintenance at Cave Lake. Last year the derby had over 600 participants and the Rotary Club gave out \$8,000 of scholarships to local students from funds raised during this event.

**Fire Rehabilitation and Restoration:** In October, Western Region completed herbicide application on 6,400 acres at Dry Valley Rim and 3,430 acres of the 2022 Cherry Gulch Fire – these will be reseeded in the fall of 2023. Western Region assisted BLM is reseeding nearly 900 acres of the Virginia Mountains Greenstrip Project to reduce cheatgrass and limit wildfire spread in the future. Also, in collaboration with BLM, NDOW will be seeding approximately 4,200 acres of the 2017 Draw Fire and 2,000 acres of the 2012 Gilbert Creek Fire. These are older fires that had limited success and are now being seeded again with a mix of native and non-native species. NDOW is also seeding 3,000 acres of the Dry Valley Rim Project, which is a multi-phase project that includes herbicide application that is followed-up with seeding to reduce cheatgrass and medusahead on degraded rangelands.

**Water Development Program:** The southern region crew started the 2023 build season on January 21 with the Falcon rebuild in the Specters. The southern region crew has an additional seven builds scheduled with volunteers from the Fraternity of the Desert Bighorn and other conservation groups. Additionally, the crew will complete annual maintenance flights in the middle of February. The February maintenance flights will hopefully confirm that substantial precipitation received since last fall has filled many guzzlers plagued by drought over the last several years. The northern crew is coordinating with sportsman-conservation groups and is in the process of finalizing their 2023 schedule, which will include new guzzlers in the Trinity Range, Soldier Meadows, the Fallon NAS training range, and in Butte Valley southeast of Elko. The volunteer build season is especially important for the water development program as not only do volunteers provide tremendous support in constructing the projects, but their time and miles serve as in-kind match, which covers the state portion of the Pittman-Robertson Grant for this program.

## **CONSERVATION EDUCATION DIVISION**

Staff Conservation Educator Aaron Keller presented the Conservation Education Division Activity Report.

**Events:** NDOW staff and conservation educators teamed up to host the 2023 Sheep Show and Youth Wildlife Conservation Experience in Reno. Thursday and Friday of the event we had 590 students participate in career presentations, educational tables with skins and skulls, archery lessons, and much more. On Saturday the event was open to the public and we set a new attendance record by registering 1,245 kids with hundreds more families mistakenly bypassing the registration table. NDOW also hosted a booth inside of the Sheep Show for visitors to buy licenses, guzzler books and to learn more about hunting and fishing in Nevada. As always, the event was well attended.

Our annual National Archery in the Schools Program (NASP) tournaments are here again. We will be hosting two tournaments again this year. One will be held in the western region at Wasting Arrows on January 19<sup>th</sup> and 20<sup>th</sup> and the other will be in the southern region at the South Point Hotel & Casino on February 1<sup>st</sup>. More than 650 competitors are registered to shoot this year.

**Education:** Educators are facilitating Trout in the Classroom teacher trainings and scheduling egg pickups as we speak. After testing it out last year, educators will continue to offer many different options to participate in the program virtually. Teachers can get an in-classroom tank, watch the virtual live-streamed tank on the TIC website, attend scheduled live webinars with our angler educators, and watch the recorded webinars on YouTube if they miss the live presentation.

Know Your Nevada is in full swing in classrooms, and several regions have recruited more teachers to the program and volunteers trained to facilitate the program.

Volunteer Instructor appreciation and award dinners have been taking place across the state honoring our volunteer instructors for all of our programs including hunter education, angler education, wildlife education, and archery education. The award includes years of service awards. Many of instructors have been with us for decades and some with over 40 years of service. Other awards include above and beyond.

**Outreach:** The Nevada Department of Wildlife sent an email to hunters informing them about the Spring Turkey application period. The email had a 60% open rate and led to NDOW receiving more than 660 applications on the first day of the application period compared to less than 100 last year.

Conservation Education staff ended 2022 with NDOW's annual 25 Days of Fishmas campaign on social media to promote fishing across the state. The campaign is always popular and generates a lot of engagement on social media with many followers sending in photos for staff to share on NDOW's social media platforms.

NDOW conducted a statewide survey of Nevada's adult population to learn more about people's opinions and values as it relates to nature, wildlife, time spent outdoors, and personal health. Since its conclusion Conservation Education staff has sought opportunities to share that information with others and most recently presented some of the findings to the Nevada Recreation Shared Stewardship Group and the Lander County Commissioners.

A Chronic Wasting Disease (CWD) messaging campaign is currently running statewide with specific messaging to tag holders and hunters going out of state.

**Media Highlight:** From November through January, Conservation Educations staff distributed numerous press releases on a variety of topics including bear awareness, Mountain lion awareness, hunting safety, poaching, and the agency's new leadership. Since November, the Department has had a reach of 120 million people through media channels.

Commissioner East asked if the statewide survey was available to the Commissioners.

Educator Aaron Keller said he would provide it.

## **WILDLIFE DIVERSITY DIVISION**

Wildlife Diversity Administrator Jennifer Newmark presented the Wildlife Diversity Division Activity Report.

**Staff Updates:** Wildlife Diversity has added two new members to our team. We are pleased to welcome Joey Danielson as our new Ely field biologist. Joey attended Christopher Newport University on the east coast but did the majority of his field work here in Nevada focusing on bats. He conducted a long-term banding study on the bats at Rose Guano cave and frequently has helped NDOW on a number of wildlife surveys of abandoned mines. Most recently he worked at Great Basin National Park on a variety of projects, including reptiles and birds. Joey started with the Division early this January.

We have also filled our wildlife staff specialist position at our headquarters office. Jonathan Young will be starting with the Division on February 6<sup>th</sup>. Currently he is the lead wildlife biologist and ecologist at the Presidio National Park in San Francisco. In this role, Jonathan has experience in a variety of wildlife, including designing projects for all kinds of species, working with the public on the urban wildlife interface, and building programming to connect visitors with nature. We are excited to have him join our team and with this, Wildlife Diversity will be fully staffed for the first time in many years.

**Wildlife Diversity Annual Coordination Meeting:** This is just in time as we begin to tackle implementing our newly revised state wildlife action plan. Although the plan has not yet been approved by the US Fish and Wildlife Service, the Division is beginning discussions on how we tackle implementation. A note on the approval process from the US Fish and Wildlife Service – the plan was submitted to the Service in September. At that point, the Service, along with one state reviewer (Oregon in our case) review the plan to ensure the eight required elements are met. This process generally takes several months so it is not unusual that we have not received any feedback yet.

The entire Wildlife Diversity team held our annual coordination meeting January 17 – 20 in Reno. As part of this meeting, the Division developed a timeline of when we will periodically shift species focus and begin and end various projects. This timeline will help the Division adequately plan specific work over the course of the 10-year lifespan of the Wildlife Action Plan and help us develop management outcomes for several species we have not yet concentrated on. We also spent a day working with a facilitator to develop a strategic framework for responding to new developments, which included developing priority species lists for various projects and habitat types.

**Wildlife Diversity Field Projects:** The winter months are a slower period of field work in general although Wildlife Diversity does have a few projects we are currently working on. In the Tahoe Basin, staff are conducting annual camera tracking of snowshoe hares and Pacific Marten. In particular, snowshoe hare surveys were very productive this year due to the great snowpack and cold temperatures we had in November and December.

During the whole month of January, staff and volunteers are conducting the annual winter raptor survey. We have more than 65 standard routes across the state that are surveyed each year. Pending any weather issues, we are anticipating that all routes will be covered this year.

Finally, staff are preparing for our annual bat winter hibernation survey where we conduct disease surveillance for White Nose Syndrome and the fungus responsible for the disease. We plan to sample at least 10 sites, some of which are extremely difficult to get to, especially with all the recent snow. We also plan to conduct spring sampling this year for the first time. Thankfully we have yet to discover any evidence of White Nose syndrome in Nevada.

Commissioner McNinch asked if Administrator Newmark could explain the State Wildlife Action Plan(SWAP) and how it ties into funding.

Administrator Newmark explained that it is a 10-year plan for that NDOW and their partners develop. It includes all main biological priorities for the state. It makes the state eligible for state wildlife grants, the main funding source for wildlife diversity and the native fish program within the Fisheries division. It would also make the Department eligible for Recovering Americas Wildlife Act (RAWA) funds if that should pass in the future. It would provide 1.3 B to implement the SWAP. 267 species of greatest conservation need have been identified in the plan, including game species, birds, mammals, reptiles, native fish and mollusks. Also included are 67 invertebrate species like butterflies and bees.

Commissioner McNinch asked if it included game species.

Administrator Newmark stated that she did.

## **FISHERIES DIVISION**

Fisheries Division Administrator Chris Crookshanks presented the Fisheries Division Activity Report.

With the winter season upon us, many Fisheries Division staff statewide took time off around the holidays to spend needed time with family and friends. Cold weather means most biologists are busy analyzing data from the 2022 field season and writing required Field Trip and Job Progress reports. Winter is also meeting season for Fisheries personnel. Interagency coordination, species recovery, and planning meetings are traditionally held in the winter when biologists are not in the field. Fisheries HQ staff recently made trips to all three regions to discuss emerging Fisheries issues along with work program and planning for the 2023 field season.

The winter of 2022 / 2023 is off to a roaring start! As of early-January, all Nevada hydrological basins were well above long-term averages with many over 200% of normal. We can only hope for the rain and snow to continue.

The Nevada Department of Wildlife has been coordinating with UNR in the establishment of a Cooperative Research Unit. The unit leader position was recently awarded to Jeff Falke from Fairbanks, Alaska. Fisheries Division and NDOW personnel are currently identifying, and prioritizing research needs and priorities.

**Fish Hatcheries:** Gallagher Hatchery has spent the past couple months spawning Rainbow Trout in an effort to reach our needed allotment for the 2024 stocking season. With ongoing hatchery vacancies, Eastern Region biologists have provided a much-needed hand to reach our goal of 600,000 eggs. Fish hatchery HQ staff has been working with Great Basin National Park personnel to remove or replace a 60-year-old pipeline along Snake Creek which supplements flow to our Spring Creek Rearing Station near Baker, Nevada.

**Native Aquatic Species / Sportfish Program:** The Dixie Valley Toad was recently emergency listed as an endangered species by the US Fish & Wildlife Service (USFWS). The listing determination was in large part due to a proposed geothermal power plant adjacent to the toads' habitat. In addition, a petition to list the Western Ridged Mussel was recently filed with the USFWS. Fisheries Headquarters staff have been coordinating with federal partners and attending a multitude of meetings in matters relating to both petitions. Fisheries HQ staff spent a considerable effort in assisting the Conservation Education Division with the production and editing of the 2023 Nevada Fishing Regulations booklet. We are extremely proud of the end result.

**Eastern Region Fisheries:** The hard water fishing season is currently underway in eastern Nevada. Fishing reports from waters such as South Fork Reservoir and Wildhorse Reservoir have been excellent. The application period for the new Battle Mountain fisheries biologist position recently closed and we received a surprisingly high number of qualified applicants. Interviews for the position will be held and a selection made shortly.

**Southern Region Fisheries:** The fall Razorback Roundup on Lake Mohave was recently conducted by Southern Region Fisheries personnel. Weather and windy conditions made for adverse survey conditions. Southern Region Fisheries Biologists participated in the CRAB (Colorado River Aquatic Biologist) Meeting in January. The annual meeting gives fisheries professionals from many different agencies an opportunity to coordinate and collaborate on issues on the lower Colorado River.

**Western Region Fisheries:** NDOW recently learned that the planned draining of Marlette Lake and Hobart Reservoir, which is being conducted to allow for repair of those dams and outlet structures, will be postponed at least a year until proper permits can be secured by contractors. Subsequent to the closing of Kiley Ranch (Lennar) Pond, an electroshocking survey was conducted. Although survey conditions were not ideal (i.e., cold water temperatures), the survey found populations of Green Sunfish, Common Carp, and Largemouth Bass. Additional survey work will be conducted in the spring to determine relative abundance of these species to inform future management direction and stocking plans for this new public fishery.

## **DATA AND TECHNOLOGY SERVICES (DATS) DIVISION**

DATS Program Officer Chrissy Rose presented the DATS Division Activity Report.

In the Hunt and Licensing Units, we closed out the 2022 License Sales with a one percent decrease in hunting license sales (107,010) and a seven percent decrease in fishing license sales (151,132) from the prior year sales.

The First Come First Serve Program has ended for the season. This year we made available 983 Big Game Tags, which was only seven fewer tags than in 2021. The following tags went to FCFS:

- 158 Antelope Horns Longer than Ears Tags
- 15 Antelope Horns Shorter than Ears Tags
- 7 Junior Mule Deer Antlered/Antlerless Tags
- 572 Antlered Mule Deer Tags
- 16 Antlerless Mule Deer Tags
- 108 Antlered (Bull) Elk Tags
- 2 Depredation Antlered (Bull) Elk Tags
- 74 Antlerless (Cow) Elk Tags
- 10 Spike Elk Tags
- 13 Nelson Desert Bighorn Sheep Ram Tags
- 6 Nelson Desert Bighorn Sheep Ewe Tags

On January 1<sup>st</sup>, our annual vessel auto registration renewal process went off smoothly. Over 21,000 vessels or half of the total vessels having been registered for the 2023 year. We brought in over \$700,000, which is our single largest daily income. Per Nevada statute, half of all vessel registration fees go to our state's education system. Kalkomey completed the fulfillment of those registrations in just five days.

Applications for the Spring Turkey Hunt opened on January 16<sup>th</sup> and the Licensing and Hunt staff are preparing for the Non-resident Guided Mule Deer Hunt that opens on February 6<sup>th</sup>.

The 2022 Big Game tag holders have until January 31<sup>st</sup> to submit their harvest return cards or there is a \$50 penalty assigned to their account and they'll be unable to apply for big game in 2023 until the penalty is paid and return card is submitted.

The Licensing unit will be conducting site visits to all licensing agents statewide in February. This hasn't been done since the system was put into place five years ago.

In the Geographic Information System, staff are working on new Trap Survey for the Game Division, updating the Raptors Nest application for the Diversity Division and the NASP school web map for the ConEd Division.

In the Information Technology, staff have been deploying new Windows 11 computers, upgrading the operating systems on server, adding the Game Division tablets to our Mobile Device Management system, and implementing Windows Update Servers for HQ and regional offices.

Lastly, Kalkomey has announced that they will be selling the Agency Management System (AMS) to Gordon Darby, Texas's licensing vendor. The Department is currently in the process of assigning the Kalkomey contract to Gordon Darby through the Nevada Board of Examiners. Once this acquisition is finalized, the Department will start the process of extending the contract with Gordon Darby. Gordon Darby plans on keeping the existing Licensing System and making enhancements to what we have, which means not changes for our customers.

Commissioner McNinch acknowledged the effort of the Department has made to make the transition from Kalkomey to Gordon Darby as easy as possible for customers and thanked all involved.

## **LAW ENFORCEMENT DIVISION**

Game Warden Captain Jake Kreamer presented the Law Enforcement Division Activity Report.

Law Enforcement Division Administrator Mike Maynard has retired.

**Overview:** Law Enforcement Division game wardens, since early November of 2022, have conducted hunt and boating patrols across the state, contacting numerous sportsmen and women, as well as boaters and members of the public. Since our last Commission meeting, wardens have contacted 35 boaters, 935 hunters and anglers, 49 members of the public for public safety concerns, 3 off-highway vehicle operators, 8 persons in a community relations setting, and 157 non-consumptive users. These contacts resulted in the issuance of 23 criminal citations and 30 warnings.

**Wildlife LE:** Wardens in the Eastern Region have responded to and dealt with multiple calls of injured or deceased deer where no foul play was suspected. We responded to a Game Division Biologist's request for assistance with a Mtn. lion check in. The hunter had harvested a Mountain lion and was checking it in with only a picture on a cell phone of the tag purchase transaction as proof of the tag. After interviewing the individual, a citation was issued for hunting without a tag in possession. Wardens in Area 7 conducted a lion hunter patrol via snowmobile.

Wardens have responded to multiple instances of wanton waste of waterfowl. We responded to a call from Carlin PD, which resulted in hunter contact, investigation, and issuance of 3 citations for failure to make a reasonable effort to retrieve waterfowl. Game wardens also continued a separate investigation into wasted/dumped geese and ducks. And finally, a game warden investigated nearly thirty dumped chukar, which were determined to be farm raised birds.

Eastern Region staff have taken reports and are investigating multiple Spring Creek residences potentially feeding deer. Western Region wardens are investigating a similar occurrence of feeding big game in the Tahoe Basin, as well as investigating an archery deer harvest where the final harvest was completed with a firearm, not the authorized archery equipment.

Western and Eastern region wardens collaborated on a case in the Western Region of multiple Mountain lions suspected of being harvested while in leg-hold traps. In the Southern region, wardens have responded to urban wildlife calls involving Mountain lions and bobcats. Game wardens in the Southern region responded to and rescued three individuals who could not get back to their vehicle while hunting area 267.

A game warden in the Southern region is coordinating interviews on behalf of Indiana Conservation for a suspect located in Las Vegas.

Finally, wardens in the Western Region investigated a zoo that is having issues with their animal inventory. Citations are forthcoming.

**Boating LE:** Boating activity is in its lowest level during these winter months, with the lion's share of activity taking place in Laughlin, which accounts for almost all of our contacts during this period.

Also of note is that we are entering into a program with the National Association of State Boating Law Administrators (NASBLA) to seek accreditation of our marine officer training program and bring it up to the national standard. This effort, when complete, will allow LE Division to become self-sufficient trainers for our boating officers in every discipline they need, which will eventually save the state and Department significant funds while simultaneously increasing the level of training, and the capacity of our recreational boating safety program.

**HQ/Admin:** We have gone live as of this month in body worn camera deployment to all officers in the division. Thanks to the tireless work of Game Warden Captain Brady Phillips, we were able to augment dedicated state dollars with federal grant money in order to fully outfit each game warden with a body worn camera, bringing our division in line with this modern law enforcement equipment. We foresee a great benefit to our citizens, our Department and our officers by utilizing body worn cameras.

LE Division has just put the finishing touches on a peer support program that will allow specially trained staff to serve our wardens as peer support personnel following critical incidents, as well as situations of a non-critical nature that nonetheless may pose challenging to our wardens. Peer support staff will be able to assist our wardens in both their professional and personal lives because we know that these two spheres often overlap.

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

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

Chairman Caviglia introduced Item #6B.

Deputy Attorney General Burkett explained that this was the shortest litigation report ever provided to the Commission after having cleaned it up and the removal of one of the water law issues that Commissioner East previously commented on. There is a settlement conference in February involving the Walker River Indian Tribe and their claim for water rights beyond those allocated in the Walker River Decree that would be attended by Deputy Director Mike Scott. The Mark Smith Defamation case, our second settlement conference which is sitting before the Supreme Court, was taken to trial last February and found in the Department's favor awarding roughly \$90,000 in fees and costs. We will

have remediation next month and will attempt to address trying to resolve that claim, which the plaintiff has appealed after the Department was awarded those fees. The defendant is appealing the Department's win in court. He added that he was very appreciative of Governor Lombardo's appointment of Alan Jenne as Director of the Nevada Department of Wildlife.

Commissioner East thanked DAG Burkett and clarified that she wondered why they had been on the document for so long and that if they needed to be removed then they should be removed. She asked if she would be needed in any capacity during the petition process of the Collard case, number four on the litigation report.

DAG Burkett stated that they would not need her and that it would simply be an oral argument.

Commissioner East pointed out that he was found guilty in 2021.

DAG Burkett stated that it would be two years since the date the suspension began when they hear oral argument.

Commissioner East asked if he could seek renumeration if the judge found in his favor.

DAG Burkett answered that from their perspective, the only relief he would have is to bring this back to the Commission for reconsideration of the suspension length. That is their position.

Commissioner East asked if he could seek monetary damages.

DAG Burkett reiterated their position and in his opinion he could not seek monetary damages.

Chairman Caviglia asked how quickly he would expect a response after oral arguments.

DAG Burkett answered that it was at their leisure and his office is not concerned about the passage of time.

**C. Legislative Committee Report - Committee Chairwoman Tiffany East**

A report will be provided on the recent Legislative Committee meeting.

Chairman Caviglia introduced Item #6C.

Commissioner East reported that the Legislative Committee met prior to the Commission Meeting. She noted that February 17, 2023 is Wildlife Day at the Legislature and several Commissioners would attend to support that. She stated that there would be Legislative Committee meetings prior to Commission meetings in February, March and May and that there would be a Commission meeting in April devoted to legislative items. The Senate Natural Resources Committee meets Tuesdays and Thursdays and there are two new members, Senator Julie Pazina and Senator Edgar Flores. The Assembly meets Mondays and Thursdays and there are two new members, Assemblywoman Lesley Cohen and Assemblywoman Natha Anderson, the Chair and Vice Chair. There are 27 Bill Draft Requests (BDR) that will be monitored, including those that pertain to energy, livestock, water, revising provisions that govern wildlife, the establishment of an interim study on the makeup of agencies that govern natural resources and the removal of the 80 percent mandate for predator control. She noted that Commissioner Walther and Commissioner McNinch would be our designated representatives for this session, along with our public representative on the committee, Mr. Young, who will assist. A list of current BDRs can be found at the following link:

<https://www.ndow.org/events/legislative-committee-january-27-2023-meeting/>

**D.\* Wildlife Heritage Account Report – Deputy Director Jordan Goshert**

A report will be provided on the funds available (interest and principal) for expenditure from the Heritage account in the upcoming year and an update on available principal balance.

Chairman Caviglia introduced Item #6D.

Secretary Jenne presented the Wildlife Heritage Account Report. All support material can be found at the link below:

<https://www.ndow.org/events/january-2023-commission-meeting/>

*Chairman Caviglia recessed at 10:20am.*

*Chairman Caviglia reconvened at 10:35am.*

**E.\* Draft Fiscal Year 2024 Predation Management Plan – Wildlife Staff Specialist Pat Jackson – For Possible Action**

The draft Fiscal Year 2024 Predation Management Plan will be presented to the Commission for initial review. Following this review, the draft plan will be updated and shared with the State Predatory Animal and Rodent Committee (PARC). All comments from the PARC, County Advisory Boards to Manage Wildlife, and any other interested entity will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at their March 2023 meeting. The Commission will receive an update at the March 2023 meeting from the Wildlife Damage Management Committee and may provide additional direction at that time.

Chairman Caviglia introduced Item #6E.

Wildlife Staff Specialist Pat Jackson presented the Fiscal Year 2024 Draft Predation Management Plan. He noted it was similar to previous years, however there had been a slight change in dollar amounts and there was an additional project added.

Dr. Sean Sultaire from the University of Montana, gave a presentation on Project 46, which focused on the occurrence of mule deer, feral horses, and Mountain lions in Northwest Nevada.

All PowerPoint presentations can be found at the link below:

<https://www.ndow.org/events/january-2023-commission-meeting/>

Commissioner Kiel thanked Staff Specialist Jackson for addressing Project 47 in support of the Mule Deer Enhancement Program. In regard to the three-dollar Predator Fee, he asked if Staff Specialist Jackson had any thoughts on the disparity in funding amounts or if there were any additional sources that could potentially provide funds.

Staff Specialist Jackson stated that he was not concerned at the moment, that it takes two years to receive the total revenue. While recently the three-dollar fee had increased, this year there was a reduction in the sale of licenses which translates to a total range of \$900,000 to \$1M. The Department has flexibility should it be necessary to adjust and shift from what has been initially proposed. He noted that Policy 23 allows the Department to come back to the Commission and make necessary changes if needed.

Commissioner McNinch asked with regard to Project 44, if the Department had considered applying resources towards sheep habitat as a management tool, minimizing the need for predator removal, considering the fact that habitat conditions may be impacting the herd negatively. He asked if there was an opportunity to shift from only performing predator removal to an increased focus on habitat and removing predators only when necessary.

Staff Specialist Jackson restated for clarity that Commissioner McNinch was asking if the Department could pivot towards addressing habitat for Bighorn sheep, should that prove a more effective management tool than predator control.

Commissioner McNinch stated that was where he was headed, that currently the plan requires predator control but asked if it could possibly shift to a habitat focus that could alleviate the need for the predator project currently being utilized.

Staff Specialist Jackson stated that they were not currently working with the Habitat Division on Bighorn sheep habitat in that area. The habitat language within the Predator Plan was meant to convey that there was currently a substantial drought occurring in the Great Basin. He explained that the herd in question was a small, struggling herd and Mountain lion removal occurs during an important time to prevent predation on Bighorn sheep that is well documented. There would need to be discussions internally with Mike Cox and the new area game biologist on further investigation into whether that is an applicable option.

Commissioner East asked what projects would be impacted if the legislature passed the removal of the 80 percent mandate requirement of the Predator Fee.

Staff Specialist Jackson clarified Commissioner East's question.

Commissioner East stated that she knew it would be a department wide issue but could he see an initial impact that we should plan for.

Staff Specialist Jackson answered that he didn't anticipate changing any of the projects and that the Department will do the best that they can based off what the legislature decides.

Commissioner East asked if there was any evidence from Project 46 that would allow us to make changes prior to the study being completed. Are there any recommendations that could be made in the next year, for example in Heritage Projects, where we could begin to effect change in that area and move it along or would it skew the study.

Dr. Sean Sultaire stated that it would be too early to make any recommendations right now, but that in possibly three to four months time, more data on population estimates, interaction between species, and habitat will be available to draw from.

Commissioner East thanked him.

Chairman Caviglia asked if Staff Specialist Jackson anticipated being able to provide information described in item 1U, to the updated plan that would come to Commission for approval this year.

Staff Specialist Jackson stated that he would provide all that was required by Policy 23.

Chairman Caviglia asked in regard to the 80 percent mandate, if we typically spend the full 80 percent or if we only plan to spend 80 percent.

Staff Specialist Jackson stated that it was passed in the 2015 legislative session. Several fiscal years prior to that the Department met or exceeded the 80 percent, but during the Covid pandemic and through turnover in Wildlife Services, we did not meet that requirement. Currently, the Department is working with Wildlife Services and the Director, Mark Ono, is in the process of hiring more staff and growing that program.

Chairman Caviglia asked if there were any consequences for the Department if it doesn't utilize the full 80 percent on lethal removal.

Staff Specialist Jackson stated that he believed there were none.

DAG Burkett explained that when special circumstances occur outside of the control of the Department they have a defense for an inability to comply with statute. Multiple agencies have the same problem.

Chairman Caviglia stated that on several of these projects that are maintained, all of those funds were not utilized even though the record shows those funds under the lethal column. In reference to Project 37, he pointed out that the previous year the Department noted the personnel issue with Wildlife Services, as well as not receiving a large response from contractors and asked if criteria could be changed to address the issue with contractors so that the Department could reach 80 percent. He asked if there had been any more discussion on that.

Staff Specialist Jackson answered that he had no discussions about the private contractor component and that Mark Ono had hired two and a half additional staff to perform Mountain lion work across the state. One was hired before the November Commission Meeting and two were hired after. The previous conversations pertaining to hiring guides centered around how that would be handled by Law Enforcement. A concern was that one day, guides would be working for a client and the next for the State. Wildlife Services is permitted to use trail cameras throughout the year on the Department's behalf and utilizing those cameras for one species, while possibly benefitting another was a concern. He stated that he would revisit that with leadership and Law Enforcement.

Chairman Caviglia stated that if there was a lack of interest by contractors, something should be adjusted internally to help with that issue. In regard to the new Project 47, it references 37 and 38 and he asked how that process would be put together if Project 37 and 38 are being implemented through Project 47, when they have clearly defined criteria. He also asked why the Department would pull money from those two projects and add another \$100,000 to Project 47.

Staff Specialist Jackson stated that funding could be increased in Projects 37 and 38 for lethal control or be increased in Project 47. The statewide Mule Deer Enhancement Program is tied to counties, so we see different projects in different counties. The relationship between mule deer and predator is substantially more confounding and complicated than multiple other species but the prey species will be protected from the predator species we remove. The word predation may be limiting and as far as documenting that predation is limiting and I would seek the input of the State Predatory Animal and Rodent Committee (PARC), the Wildlife Damage Management Committee (WDMC) and the Commission as to when we should or shouldn't utilize predator control for the protection of mule deer.

Chairman Caviglia asked if there would need to be a clear definition of when Project 47 would go into effect.

Staff Specialist Jackson stated that he didn't think it would need to go into policy since there aren't any other projects represented in the policy. Suggestions made through public meetings can be included in the Project 47 language.

Chairman Caviglia asked who would determine when this project would go into effect. He stated that many in the Mule Deer Enhancement Committee that would like to start utilizing funds to kill predators right away. He asked who would make the final decision to start implementing this project.

Staff Specialist Jackson stated that it would be a combination of the Mule Deer Oversight Committee, external collaborators and the Department. He noted that he was in a tough position, having been thoroughly immersed in the literature as far as previous attempts at increasing mule deer populations, fawn survival, etc. He had reached out to other statewide colleagues, those who have studied predator/prey dynamics extensively. It is a tough target to hit, a high bar to reach and he understood the appetite these teams have. He noted that he found it hard to defend much of what they are asking, but he didn't want them to feel unheard. He wasn't sure how to answer Chairman Caviglia's question at that time.

Chairman Caviglia stated that his main concern was that another project would be created, that would sit there and funds would go unused.

Secretary Jenne stated that the Department was trying to provide an opportunity to fully consider what was being presented by the Mule Deer Enhancement Teams. The Department was trying to contemplate whether this is a good project that meets the necessary standard to implement actions. Can we then take advantage of those two other projects to go after the predators in that scenario. We are trying to answer the question "how do we assess this." This affords the Department the opportunity to bring in more professionals, more science and more collaborators that can help in addressing this piece.

Commissioner McNinch stated that from his perspective the Department was recognizing the efforts of the Mule Deer Enhancement Program, providing the program its own designated funds for more specific issues that are being developed or may arise. The Department is required to provide a scientific foundation for everything they do and is in a difficult position having to manage predators to the extent necessary based on science, while many interests outside the agency are telling them they need to do more predator removal than what they are currently doing. This is a good example as to why there is a bill in the legislature that would remove the 80 percent mandate. The Department is telling us that they are not able to spend all those funds on predator removal. Staff Specialist Jackson is trying to answer the question and be respectful to the Commission and to the statutory requirement, as well as those parties interested in wildlife, both for and against predator removal. He stated that he appreciated what Staff Specialist Jackson was trying to do and that the legislative proposal may require the Commission to have a broader conversation about the 80 percent.

Staff Specialist Jackson thanked Commissioner McNinch. He described a conversation he had with a colleague from Idaho who participated in a very large study, very close to the Nevada border, removing coyotes and Mountain lions for the sake of Mule deer. The question being when is the lethal removal of coyotes and Mountain lions the most defensible with regard to protecting Mule deer. The answer was if you have a robust spring, a good fawn crop, a good enough summer with few abiotic related mortalities, and a lack of other prey for predators through a mild winter, then those conditions would warrant lethal removal of coyotes that would benefit over winter survival of fawns. Staff Specialist Jackson noted that these kind of conditions are not always easy to ascertain or predict, but he wanted to reassure the Commission and the public that he didn't take this challenge lightly.

Commissioner McNinch thanked Staff Specialist Jackson for his hard work and acknowledged his efforts. He recognized the Commissioners were able to interact more with the Department than the public and that it is a balancing act to reassure all parties that the Department is doing everything it can.

Secretary Jenne stated that agency is required to make decisions based on science. We needed to create an opportunity to evaluate the projects being brought forward by that team. He reminded the Commission that the discussion often times becomes an either/or scenario, predators or habitat, when there is actually a lot of gray area. This project is an opportunity to consider all proposals being recommended by the Mule deer program, to evaluate each of them and contemplate the science behind it.

Paul Dixon, representing Clark CABMW, stated his approval of Staff Specialist Jackson's efforts, that he has added valuable content to the plan and that Clark CABMW agrees that he has put forth a solid plan. He noted that he would support something more balanced, that wasn't 80 percent, but that Staff Specialist Jackson's plan is well thought out and well prepared.

Mel Belding, private citizen, stated that the term 80 percent gets thrown around often, that we are spending 80 percent of one million dollars to kill predators, but wanted to emphasize that it is something that is being attempted. He pointed out that there had been projects where tens of thousands of dollars had been spent and resulted in no lethal removal. He stated that he had a conversation with the state senator who proposed the 80 percent requirement and asked him how much of that 80 percent could be used for monitoring. He stated that the individual didn't know. He offered that a percentage of the 80 percent could be used for monitoring or data collection, and isn't only to be used to kill predators. He acknowledged that there was a slight decrease in hunting licenses sold last year, but that there was a higher number of applications by those applicants. He added that that is where the three-dollar fee is taken from, not from hunting licenses sold as was mentioned by the staff.

Fred Voltz, private citizen, stated that "There is a key missing element from the proposed predator management plan concerning removal projects. How can success or failure be measured if there is no specific target number and there are no specific costs reported per removed animal after the fact? Moreover, how can efficiency and effectiveness of these projects be measured without specific numeric goals measured against outcomes? Do we even have a guesstimate of how many Mountain lions live in Nevada or what is an optimal number?"

Chairman Caviglia asked whether it was necessary to make a motion.

Staff Specialist Jackson stated that the Commission could make a motion for the plan to be brought back to the Commission after being discussed at the State Predatory Animal and Rodent Committee (PARC) and the Wildlife Management Damage Committee allowing comments to be incorporated into the plan from those committees. He emphasized that Nevada is unique in that the state has a fee for predator management that can be applied to both lethal and nonlethal practices. He stated that he maintains a three-dollar fee bibliography that demonstrates the various presentations, papers and work, which is updated and on the Department's website.

**COMMISSIONER BARNES MADE A MOTION TO MOVE THE DRAFT MANAGEMENT PLAN FORWARD FOR CONSIDERATION AT THE STATE PREDATORY ANIMAL AND RODENT COMMITTEE AND THE WILDLIFE DAMAGE MANAGEMENT CONTROL COMMITTEE BEFORE RETURNING TO THE NEVADA BOARD OF WILDLIFE COMMISSIONERS MEETING FOR APPROVAL. COMMISSIONER KIEL SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

**F. Western Association of Fish and Wildlife Agencies Mid-Winter Conference (WAFWA) – Secretary Alan Jenne and Commissioner David McNinch**

A report will be provided summarizing the events and important news from the conference.

Chairman Caviglia introduced Item #6F.

Secretary Jenne provided a report on the WAFWA Mid-Winter Conference. He stated that it was a very informative opportunity, that there had been some turnover, but that under the newest director's leadership, there had been more productive director discussions. This provided a better understanding of the structure of the agency and the thought process pertaining to committees, work groups and initiatives moving forward. It offered an excellent opportunity to learn and see the bigger picture. Items discussed included:

- 1.) Updates from the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (USFWS), US Department of Agriculture – Natural Resources Conservation Service (USDA-NRCS)
- 2.) Concerns about state staffing, recruitment, retention across many agencies
- 3.) BLM - Annual and Invasive Treatment EIS - to find a more focused approach to treat annual invasive grasses across BLM lands Also a Rejuvra (pesticide) EIS to get evaluated so that herbicide can be used on public lands. Allows a chemical fallow of sites that could last three to five years. We have used this in Nevada on private lands and done some targeted approach that holds back annual invasives but allows rooted perennials to expand. It's an extremely important tool to fight annual invasives and the ability to use that on BLM lands would be a huge lift.
  - a. Sage grouse approved Resource Management Plan Amendment – Department will see an admin draft in the near future - Final EIS Feb 2024
- 4.) FWS – Lead Restrictions on Wildlife Refuges – start with seven refuges over two years
- 5.) Sagebrush Executive Oversight Committee dealing with Sagebrush and Sage grouse
- 6.) Bi-Partisan Infrastructure Law and the Inflation Reduction Funds - it is immense.
  - a. FWS - 50mil to put towards Sagebrush Ecosystems , Nevada received 2 mil.
  - b. NRCS-USDA - 18B for climate smart practices for the next five years. WAFWA has been highlighting the need for consideration for western states practices to deal with annual invasives and Sagebrush Habitats.
- 7.) WAFWA Sage grouse Conservation Assessment - the state of the state of the bird, population numbers, impacts on habitat.
- 8.) Creation of a SWAP working group to provide lessons learned for other states.
- 9.) America the Beautiful – 80 million – where to prioritize those funds, WAFWA drafted a letter,
- 10.) Resolution on Horse and Burros
- 11.) Western Elks Symposium – February 21<sup>st</sup> -23<sup>rd</sup> – Missoula Montana
- 12.) Deer and Elk Meeting - May 15<sup>th</sup> -18<sup>th</sup> Flagstaff, AZ
- 13.) Summer WAFWA Meeting – July 9<sup>th</sup> -14<sup>th</sup> - Santa Fe, NM

Commissioner McNinch explained that WAFWA has a standing committee for commissioners to attend and that they are unique in offering that opportunity. It provides a place at the table to learn, interact, and participate in the process. He agreed with Secretary Jenne's point earlier, that with the new Executive Director, it had resulted in a more valuable experience. He described his own experience attending these meetings and compared his first meeting involving a thorough reading of reports from each state and with a Q and A after. This experience has evolved into receiving presentations and white papers to have a better understanding of specific issues. They brought in a facilitator to encourage conversations on how commissions operate, interactions with their public interests and how to create a better system.

1. State Reports –
  - a. AZ - Fair Chase Committee – Utilize algorithms to see where certain ideas may be on the ethical spectrum
  - b. Capacity Issues – state agencies – Commission to realize those constraints
  - c. Resident vs Non resident Conversation
  - d. Hunting and Recreational Access
  - e. Washington State Commissioner – has been attending for years, a cultural war within their Commission, anti-hunters have made it onto the Commission, her term is expiring. "It's transferred the need to be heard from one interest to another, there's been no improvement." Similar to what is happening in Nevada.
2. RAWA didn't pass but looking forward to helping get that across the finish line.
3. Public Input – how to receive, ask, process. How to engage groups not often heard from.
4. DNA samples in the water, now doing that with air samples from a bird study, cool thing!
5. Commissioners committee asked the Directors what they want from Commissioners. One major point was that the board can do a better job of explaining why they did what they did. Understand the agencies limitations and capacity issues.

*Chairman Caviglia recessed for lunch at 12:03pm.*

*Chairman Caviglia reconvened at 1:23pm.*

**G. Habitat Conservation Framework Presentation – Wildlife Staff Specialist Mark Freese**

An update will be provided on the status of the Habitat Conservation Framework and associated Sagebrush Habitat and Wildlife Connectivity Plans.

Chairman Caviglia introduced Item #6G.

Wildlife Staff Specialist Mark Freese presented the Habitat Conservation Framework or more specifically the Nevada Sagebrush Habitat Plan. He noted that they had just started the process, traveling across the state to present this information and invite the public, constituents and stakeholders to comment and participate. They have been intentional in not developing a product or defining the process with the hope of receiving constructive feedback from all parties involved. The PowerPoint presentation can be found at the following link:

<https://www.ndow.org/events/january-2023-commission-meeting/>

Commissioner Walther asked if Staff Specialist Freese could provide clarity on the bottlenecks mentioned in the presentation. For example, with NEPA, is it a source of funding issue, staffing issue, etc.

Staff Specialist Freese stated that the bottlenecks were mostly related to capacity, for example the retention issue within state agencies. In regard to NEPA, increased litigation makes the process more difficult as well. It would be beneficial to have the discussion with our federal partners, to find other

avenues of funding like the Infrastructure bill, to distinguish new NEPA pathways for funding. It really depends on the districts and agencies that we work with. Some are very familiar and efficient with NEPA and have employees that can perform those tasks well and others don't. He reiterated the capacity element.

Commissioner Walther stated that his answer was helpful and that he would circle back with him.

Commissioner McNinch asked if there was a possibility of creating a seedbank.

Staff Specialist Freese stated that it should be considered.

Commissioner McNinch stated that he believed it would be a good opportunity and money would be well spent. He noted that the Legislature might be able to provide help.

Secretary Jenne stated that the Department does have access to a seedbank in Ely, NV through an agreement with the BLM. There are ongoing discussions on native seed strategy for the state.

Commissioner McNinch stated that he would love to move towards that and asked to be informed if there was anything that the Commission could do to further those efforts.

**H. Avi Kwa' Ame National Monument Report – Wildlife Staff Specialist Jasmine Kleiber**

An update will be provided on the Avi Kwa' Ame (Spirit Monument) National Monument, near Laughlin.

Chairman Caviglia introduced Item #6H.

Wildlife Staff Specialist Jasmine Kleiber presented a report on the Avi Kwa' Ame National Monument.

The PowerPoint presentation can be found at the following link:

<https://www.ndow.org/events/january-2023-commission-meeting/>

Chair Caviglia asked if there had been discussions on what access will look like for the public.

Staff Specialist Kleiber stated that there had been discussions with multiple parties, including the Council on Environmental Quality, charged with creating the proclamation language, the BLM, responsible for administering this monument and other conservation partners. The role of the Department had been to express where there might be management concerns that should be captured in the language should this designation move forward.

Chairman Caviglia pointed out that green energy is prevalent in this area. There was a proposal to create wind farms and that north of this area in El Dorado Valley it is inundated with a large solar field. The designation of this monument is an effort to keep this land from being developed.

Staff Specialist Kleiber stated that in 2013 a landowner sued the BLM over the authorization of a large industrial wind farm, which was factored into conversations with conservation groups and tribes on how this designation would provide protective measures that might limit development should a similar situation arise in the future.

**I. Naval Air Station (NAS) Fallon Range Training Complex – Wildlife Staff Specialist Matt Maples**

An update will be provided on the passage of legislation expanding the NAS Fallon Range Training Complex.

Chairman Caviglia introduced Item #61.

Wildlife Staff Specialist Matt Maples presented a report on the NAS Fallon Range Training Complex.

The PowerPoint presentation can be found at the following link:

<https://www.ndow.org/events/january-2023-commission-meeting/>

Commissioner Barnes asked if there was any discussion on the U.S. Navy utilizing their own aircraft to manage fires they start.

Staff Specialist Maples stated that he didn't recall seeing that in the plan. There may be some consideration in entering into a cooperative agreement with the BLM and possibly Churchill Co. That isn't for certain, but it appears that they are maintaining partnerships with firefighting agencies to provide a faster response on the range.

Commissioner Barnes stated that the quicker they send aircraft to put out the fire, the better.

Staff Specialist Maples stated that they have provided assistance in the past and the Draft Wildland Management Plan would be available for public comment in the Spring for review. It is an additional opportunity to engage with the U.S. Navy and provide recommendations.

Commissioner East asked if the slide with the map of Alternative three could be displayed on the screen again. She stated that it was disheartening, but that she appreciated the military and the defense of our country. She asked if the guzzlers located within the areas shown on the slide would have to be moved or replaced.

Staff Specialist Maples stated that they would not be destroyed or moved, that it will prove more challenging for the Department to access and monitor those units, a longer process. Traditionally, the Department has had a good relationship with NAS Fallon and has been able to access and monitor the guzzlers. He explained that the word "impacted" used in the slides referred to them being located within the withdrawn lands. In some cases they will not be publicly accessible, but they will still provide resources for wildlife and the Department will still be able to maintain them.

Commissioner East asked if the wildlife would still access the guzzlers due to the bombing in the area. She asked if the wildlife would move.

Staff specialist Maples stated that the Bighorn sheep on Fairview Peak and Slade Mountain had grown dramatically and continued to grow successfully despite the bombing range located on the west side of that mountain. He stated that he wouldn't anticipate that to change, but that as new target areas are developed, habitat would be impacted and the sheep and other wildlife may or may not choose to use the area. Many of the target areas are significant in size, but the entirety of these withdrawals, called the Weapon Danger Zone, are so large as to provide a significant buffer when pilots do make mistakes, that someone on the ground has less than an infinitesimal chance of being injured, whether it be due to pilot error or equipment malfunction. The Weapon Danger Zones are created for public safety compared to the relatively small target areas. None of those areas are on top of guzzlers.

Commissioner McNinch stated that there had been a presentation provided by the U.S. Navy in Hawthorne and that there is a risk to being labelled as "unpatriotic" if you make comments on this

subject, however, our concerns are wildlife related. Sportsmen will have access, but the public won't. He asked a rhetorical question, what's next, when is the next expansion and when will it stop. He noted that a similar proposal had been made in the southern portion of Nevada and asked if it was approved.

Staff Specialist Maples stated that it didn't pass as part of the National Defense Authorization Act, that it was still active and that he would anticipate that it would eventually.

Commissioner McNinch agreed that it would eventually follow the same path and that by then, the discussion would be focused back on the NAS Fallon Range again. He asked when will Nevadans have done their part. He stated that he was disheartened by it as well. He understood that it is a necessary evil and that it was a reality that the U.S. needs to be prepared, but that our natural resources take a back seat.

Commissioner Kiel asked if the Department was aware of any timeline as to when physical barriers would be changed or erected.

Staff Specialist Maples stated that the U.S. Navy is obligated to complete commitments agreed upon in the Record of Decision, those required by Congress in legislation. Once that had been accomplished, the Secretary of the Navy must write a letter to Congress stating that those commitments have been fulfilled. Those projects that will delay the process, for example, rerouting Highway 361 and portions of Pole Line Road, will delay it for a considerable amount of time. It is unclear exactly in what order the U.S. Navy will complete these tasks, therefore we anticipate several years of work, including both the NEPA process and construction. The Department was unable to provide a firm timeline.

Commissioner Kiel thanked Staff Specialist Maples.

Chair Caviglia stated that in regard to what was mentioned previously in the meeting about picking up ordinance, he had been fortunate to hunt often on the Nevada Test and Training Range and there was not only old ordinance, but new ordinance was quite prevalent as well. He stated that he was unsure of how the military would be able to ensure a thorough clean-up of the expended ordinance, especially in the middle of the desert in Central Nevada.

**7. Administrative Procedures, Regulations and Policy (APRP) Committee – Committee Chairman David McNinch – For Possible Action**

The APRP Committee has concluded with committee meetings and will focus on the last four policies through the Commission.

Chairman Caviglia introduced Item #7.

**A.\* Commission Policy 11- Heritage Grants – Second Reading – APRP Committee Chairman David McNinch and Wildlife Staff Specialist Mark Freese– For Possible Action**

The Committee will review Commission Policy 11 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.

Chairman Caviglia introduced Item #7A.

Commissioner McNinch stated that these were the final four policies and that they could be finalized today. He stated that in addition to Policy 11, there was a Heritage Grant Manual being presented with changes that didn't go through the APRP Committee. He explained that he had some suggested changes to the manual and questions for Staff Specialist Freese. He asked if it would be preferred to approve the policy and bring the manual back after some discussion between himself and Staff Specialist Freese to minimize conversation.

Staff Specialist Freese offered to provide a brief overview of the changes made to the manual.

Commissioner McNinch agreed.

Staff Specialist Freese noted that there were quite a few minor edits throughout the manual, but that the Department did add the language “the Department will rank and score project proposals based on project viability and resource enhancement potential.” He stated that there were three substantial changes made:

1. Page six – New guidance on principal projects recommended by the Heritage Committee at the June 24, 2022 meeting asking “to cap principal projects at 50 percent of the amount of available funds per year and send to the APRP Committee for discussion.”
2. Section III – The application process for NDOW employees- The Department was in the process of finalizing a new relational database that will help to track and report on projects. This was used last year for special reserve accounts. This year employees will be asked to insert their Heritage Proposals into that process. This change clarifies the internal process through the database.
3. Section IV - The Department developed and used scoring and ranking criteria last year and have made changes based on lessons learned. The intention to finalize criteria through this year’s process.

Secretary Jenne explained that Policy 11 only points to the Heritage Manual, with language stating that the Heritage Manual will guide the process. The Heritage Committee provided guidance for the use of the funds that exceed five million. The APRP provides language and approves Policy 11. In this situation, we are utilizing two Committees, APRP and Heritage in this process so that the Commission is fully aware of everything. The manual provided a rationale for way the Department was ranking projects. Previously, we did not have a matrix that drove those decisions and this provided transparency on that process and is reflected in the language change.

DAG Burkett asked whether the Grant Manual was an internal document for the Department or something the Commission would need to approve.

Commissioner McNinch stated that he had the same question until he read the title “Nevada Board of Wildlife Commissioners Wildlife Heritage Program Grant Manual” and assumed it fell under the Board’s authority. He noted that his suggestions pertained to clarification, for example shall versus must.

DAG Burkett stated that his reluctance was due to the Heritage Manual not being on the agenda. The Commission was able to pass the policy but unable to pass on the manual.

Secretary Jenne quoted the first page of Policy 11 under Policy, which stated “Furthermore, all awards shall be made in the form of grant awards as prescribed by the Department’s Heritage Program Grant Manual.”

Commissioner McNinch agreed that a clarification should be made.

Secretary Jenne suggested to remove the Heritage Manual from discussion, discuss Commissioner McNinch’s suggested changes and bring it back to the next Commission meeting as an agenda item.

Commissioner McNinch agreed.

Chairman Caviglia stated that he had the same questions as Commissioner McNinch and agreed with Secretary Jenne’s suggestion. He stated that the Commission had previous discussions on the noted

change on page six and that there had never been an official decision made on how we reconcile the process between the two committees.

Secretary Jenne stated that he would consult with DAG Burkett on the matter. He reiterated that the intention was to be fully transparent with the process, to provide both committees an opportunity to comment and allow the Board of Wildlife Commissioners an opportunity to approve or reject what was put forward.

Commissioner McNinch thanked the Department and suggested to bring the manual back to the Commission.

Chairman Caviglia agreed and directed the discussion back to Policy 11.

Commissioner McNinch stated that Policy 11 was ready to be adopted.

Commissioner East noted a space was needed within the language.

Commissioner McNinch stated that his version had a space. He suggested that in the future, when revisiting policies, the Commission should separate them into three or four groups to offset them so that the process was not so time consuming.

Commissioner Wise pointed out that in Policy 11 it stated that it was the Department's Heritage Grant Program Manual, making sure that everyone was aware of that fact before approving the policy.

Commissioner McNinch stated that the manual referenced the Department's internal process, which would lead him to conclude that it would stay under the Department, with the Commissioner's providing suggested changes. On the other hand, if the Commission decided to consider this a Board of Commissioners document, it could be brought back to the Commission to create language to reflect that.

*No CABMW comment.*

*No public comment.*

**COMMISSIONER MCNINCH MADE A MOTION TO APPROVE POLICY 11. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

**B.\* Commission Policy 23 – Predation Management – Second Reading – APRP Committee Chairman David McNinch and Game Division Administrator Mike Scott– For Possible Action**

The Committee will review Commission Policy 23 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.

Chairman Caviglia presented Item #7B.

Game Division Administrator Mike Scott stated that there were necessary changes, including removal of language pointed out by Staff Specialist Pat Jackson, but asked if Commissioner McNinch would like to speak first.

Commissioner McNinch pointed out that policy 25, which had already been adopted, had quite a bit of ambiguity with Policy 23. Policy 23 had been cleaned up and reflected more accurately what had been implemented through the Predation Management Plan, which the Commission was comfortable with.

Administrator Scott pointed out that the Department does not undertake habitat or conservation education projects through the Predation Management Plan. He suggested to strike the language in the policy where it states that habitat or conservation education projects can be used.

Staff Specialist Pat Jackson stated that Policy 23 was passed in 2013 and amended in 2016. At the March 2022 Commission in Boulder City Commissioner McNinch asked that it be reviewed. The Department mistakenly used the 2013 version rather than the amended 2016 version. He noted that in 2015, the legislature removed conservation education as an acceptable expense for the three-dollar predator fee, which was reflected in the 2016 version. This was a mistake and he suggested to remove antiquated language.

Commissioner McNinch stated that he didn't believe the current version of Policy 23 contained antiquated language. He directed attention to the bottom of page three under Predation Management Plan and Report Procedures, adding that he believed the amendments from the 2016 version were represented within that paragraph where it stated "If Habitat or Conservation Education projects are proposed, they should identify wildlife habitat management activities..."

Staff Specialist Jackson Administrator Scott directed attention to page two, letter (d) stating that it should be struck, as well as the section at the bottom of page three and the top of page four, the first paragraph under number one.

Commissioner McNinch agreed. He asked DAG Burkett for clarification on whether the mandate provided that "the money can be spent" or "must be spent."

DAG Burkett stated that NAC 502.253 was clear on what funding could or couldn't be utilized under the Predator Fee program. It is clear that there is no educational component.

Commissioner McNinch stated that he thought the appropriate portions had been removed and that the paragraph referenced was the final result. He restated that section (d) on page two should be removed.

Chairman Caviglia asked for clarification on whether it was just education or both education and habitat that needed to be removed.

Administrator Scott stated that it was education.

Commissioner McNinch stated that the word "and" should be removed from the end of c and added to the end of (b).

Administrator Scott pointed out the paragraph at the bottom of page three, remove "or conservation education" and then strike all language after "non-predatory animals" at the end of that same sentence. The last change is at the top of page four, in the first paragraph under number one. Strike the words "Education Programs" and move the words "and/or" just after "Research Projects."

Commissioner East asked if "Education" should be removed from 1C, and moved to just after "Research Project" as well.

Commissioner McNinch agreed.

Commissioner Walther directed attention to the first page, the last sentence under the section titled NEED". He asked whether the Commission should revisit the language in light of education not having been included in authorized activities within the policy.

Commissioner McNinch agreed that it was a statement that was no longer carried out through this policy. However, he would like to see that statement in language somewhere because it is important to educate the public on the importance of predatory control and predators. He asked if the Commission would like to move forward with the policy or bring it back to the next Commission meeting.

Administrator Scott recommended to bring it back to ensure its accuracy.

Commissioner McNinch apologized for the long process and stated that they would bring it back to the next Commission meeting.

Administrator Scott assured Commissioner McNinch that fault was not placed solely on him and that the Department needed to make updates and ensure the document reflected the correct language.

Commissioner McNinch asked if there were any other comments on the policy.

Chairman Caviglia noted that it was an action item and should be taken out for comment.

*No CABMW comment.*

*No public comment.*

**C.\* Commission Policy 61 – Water Rights – Third Reading – APRP Committee Chairman David McNinch and Secretary Alan Jenne – For Possible Action**

The Commission will review Commission Policy 61 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.

Chairman Caviglia introduced Item #7C.

Commissioner McNinch noted that this was the third time to hear this policy and that it was ready to move forward for adoption.

Commissioner Barnes briefly explained that he and Secretary Jenne had discussed this policy at length which resulted in a version that was not perfect, but acceptable to all parties. He stated he was comfortable moving forward.

*No CABMW comment.*

*No public comment.*

Commissioner McNinch began to make a motion to approve, however, Commissioner Walther asked to note the editorial change on page two, adding a “t” to the end of the word join to make “File joint applications.”

**COMMISSIONER MCNINCH MADE A MOTION TO APPROVE POLICY 61 AS PRESENTED WITH THE NOTED CHANGE. COMMISSIONER EAST SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

**D.\* Commission Policy 62 - Mitigation Policy- Second Reading – APRP Committee Chairman David McNinch and Wildlife Staff Specialist Jasmine Kleiber – For Possible Action**

The Committee will review Commission Policy 62 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.

Chairman Caviglia introduced Item #7D.

Commissioner McNinch asked Staff Specialist Kleiber to present Policy 62.

Staff Specialist Kleiber noted that there were numerous changes to Policy 62 discussed previously at the November Commission meeting, but that the clean version was provided in the support material. Those changes included:

- 1.) Editorial changes in the policy background section and throughout the policy.
- 2.) Reference to the Department participating in the NEPA planning for development projects
- 3.) Identification of indirect and cumulative impacts in addition to direct impacts to wildlife and habitats
- 4.) Simplification of the mitigation hierarchy to include avoid, minimize and mitigate to emphasize avoidance and mitigation efforts prior to mitigation
- 5.) A clearer objective statement
- 6.) Development of best management practices
- 7.) Required design features and other avoidance in minimization measures for use in planning
- 8.) Addition of reference to the Federal Land and Policy Management Act regulations that guide BLM public land administration
- 9.) General clean-up of the policy section and clarification of procedures implementing this policy specifically to the mitigation hierarchy.

Chairman Caviglia pointed out that at the bottom of page five, fifth line up from the bottom, a comma is needed after "Necessary" and the letter extra letter "a" in front of "Activities" should be removed.

Commissioner Walther pointed out that on page six, at the end of the first sentence in the first paragraph there is an "I" after "under the" that should be removed.

*No CABMW comment.*

*No public comment.*

Secretary Jenne pointed out that on the first page, under background in the third paragraph, the word "to" should be added after "due."

Commissioner McNinch stated that he would make a motion to approve.

**COMMISSIONER MCNINCH MADE A MOTION TO APPROVE POLICY 62 AS PRESENTED WITH THE NOTED CHANGES. COMMISSIONER EAST SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

**~~8. Commission General Regulations – Workshop – Public Comment Allowed~~**

**~~A.\* Commission General Regulation 500, Subdivision Map Review – Wildlife Staff Specialist Jasmine Kleiber – For Possible Action~~**

~~The Commission will hold a second workshop to consider amending Nevada Administrative Code (NAC) 278 to provide for the Department review of tentative subdivision map(s) and inclusion of recommendations for methods to avoid or minimize impacts to wildlife, mitigation measures, best management practices or required design features, and provide for collection of associated fees to the Department for carrying out such reviews.~~

**~~B.\* Commission General Regulation 506, Possession of Golden Eagles Under Certain Circumstances – Wildlife Diversity Administrator Jennifer Newmark – For Possible Action~~**

~~The Commission will hold a second workshop to consider amending Nevada Administrative Code (NAC) 503 to allow for possession of a golden eagle under certain circumstances.~~

**9. 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.

*No public comment.*

*Chairman Caviglia adjourned the meeting at 3:00pm.*

**Saturday, January 28, 2023 – 8:00 a.m.**

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

<https://us02web.zoom.us/j/87527206774?pwd=YzNZSHZtNmNsaFhvdjNzYVJpVEhyUT09>

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

**Chairman Caviglia called the meeting to order at 8:00am. Commissioner Booth led the Commission in the Pledge of Allegiance. Executive Assistant Meghan Beyer called the roll of the Commission. Vice Chair Rogers was absent. Chair Caviglia made note of the CABMW members in attendance.**

**11. Approval of Agenda – Chairman Tommy Caviglia– For Possible Action**

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

Chairman Caviglia introduced Item 11.

*No CABMW comment.*

*No public comment.*

**COMMISSIONER EAST MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIR ROGERS WAS ABSENT.**

**12. Member Items/Announcements and Correspondence – Chairman Tommy Caviglia – Informational**

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

Commissioner Caviglia introduced Item 12. He noted that all correspondence provided to the Commission was shared with the Department.

Secretary Jenne agreed.

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

*No CABMW comment.*

**14. Commission General Regulations – For Possible Action – Public Comment Allowed**

**~~A.\* Commission General Regulation 502, Junior Hunt and Turkey Program – Game Division Administrator Mike Scott and Management Analyst Megan Manfredi – For Possible Action~~**

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

**~~B.\* Commission General Regulation 509, License and Vessel Product Refunds- Temporary Regulation – Program Officer Alejandra Medina – For Possible Action~~**

~~The Commission will consider and may take action to approve amending Nevada Administrative Code (NAC) 502 and 488 to allow the Department authority to provide refunds on licenses and vessel products.~~

**15. Commission Regulations – For Possible Action – Public Comment Allowed**

**A.\* Commission Regulation 23-04, 2023-2024 and 2024-2025 Big Game Seasons – Wildlife Staff Specialists Mike Cox, Cody Schroeder, and Cody McKee – For Possible Action**

The Commission will consider and may take action to approve the 2023-2024 and 2024-2025 hunting seasons and dates for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat, including limits, hunting hours, special hunt eligibility, animal sex, physical characteristics, hunt boundary restrictions, and legal weapon requirements, and emergency depredation hunt structure and statewide quota.

Chairman Caviglia introduced Item #15A.

Game Division Wildlife Staff Specialist Cody Schroeder discussed antelope big game seasons. He noted that the main changes this year are focused on moving the antelope horns longer than ears muzzleloader season dates to the earlier season hunt structure to improve hunt success. He noted the proposed addition of a special boundary hunt centered around the Great Basin Ranch properties.

Chairman Caviglia asked if hunters would need to contact the ranch manager to gain access to the property for the special boundary hunt.

Staff Specialist Schroeder confirmed that hunters will need to contact the ranch and organize with them.

Joe Crim, representing Pershing CABMW, stated his approval for the earlier season dates for muzzleloader and archery.

Michael Jurad, representing Humboldt CABMW, felt that the muzzleloader season being moved up takes away time for the archery hunters. Would like the muzzleloader season at a different time. He stated that he does not like the split early and late season for the antelope hunt 2151 unit 041 and 042, as well as the antelope hunt 2251 units 041, 042. He would like to see both back to a single season.

*No public comment*

Chairman Caviglia asked for thought on the CABMW comments.

Wildlife Staff Specialist Schroeder answered that data shows there is more hunt success earlier in the season, but there is no biological reason to move the season.

Chairman Caviglia asked for thought on the split of 041 and 042.

Staff Specialist Schroeder stated that the split is designed to alleviate the crowding problem and spread-out pressure in the unit area.

Chairman Caviglia asked the Commission for any other comment.

**COMMISSIONER KIEL MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-04, 2023-2024 AND 2024-2025 BIG GAME SEASONS SECTIONS TITLED:**

- **RESIDENT ANTELOPE HORNS LONGER THAN EARS ANY LEGAL WEAPON HUNT 2151 AS PRESENTED.**
- **NONRESIDENT ANTELOPE HORNS LONGER THAN EARS ANY LEGAL WEAPON HUNT 2251 AS PRESENTED.**
- **RESIDENT ANTELOPE HORNS LONGER THAN EARS MUZZLELOADER HUNT 2171 AS PRESENTED.**

- **NONRESIDENT ANTELOPE HORNS LONGER THAN EARS MUZZLELOADER HUNT 2271 AS PRESENTED.**
- **RESIDENT ANTELOPE HORNS LONGER THAN EARS ARCHERY HUNT 2161 AS PRESENTED.**
- **NONRESIDENT ANTELOPE HORNS LONGER THAN EARS ARCHERY HUNT 2261 AS PRESENTED.**
- **RESIDENT ANTELOPE HORNS SHORTER THAN EARS ANY LEGAL WEAPON HUNT 2181 AS PRESENTED.**

**COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS ABSENT.**

Chairman Caviglia shifted to Elk.

Wildlife Staff Specialist Cody McKee presented on Elk seasons. He mentioned that wilderness hunts are not included this year due to the high success rate of the hunt. By closing the wilderness hunts the Department can offer more tags in the standard cow hunt and achieve the same harvest.

Chrissy Pope, representing Nye CABMW, noted that two tags were issued for the wilderness hunt last year. Due to the low volume of cows harvested she believes the wilderness hunt should remain open.

Sean Shea, private citizen, thanked the Department for listening to the Washoe CABMW.

Chairman Caviglia noted that White Pine CABMW had quite a few comments on the Elk hunts, but no one was there to comment.

Staff Specialist McKee stated that there were many CABMW recommendations that were not shared and asked if they should go over them.

Chairman Caviglia agreed and noted that Clark County wanted to define hunt boundaries, and Elko asked about splitting 078 and 107 from the other units.

Staff Specialist McKee started by addressing Chrissy Pope's comment and noted that you can still backpack into the wilderness area with a standard tag. He thanked Mr. Shea for his comment. He addressed the Elko CABMW recommendation to split 078, 105-107. He stated that the Department supported that recommendation. He noted a White Pine suggestion to split area 13 into an early and late season. Staff Specialist McKee explained that that change would be ok with the Department. However, the Department cannot approve of splitting 111-115 for bull hunts due to the implementation on the incentive tag program. If 111-115 are split into individual units, the value of some tags will plummet in value and others will skyrocket. White Pine County also suggested closing spike hunts in area 11. Staff Specialist McKee stated it is not necessary due to low harvest in the area last year. Nye County suggested keeping the unit 251 depredation cow hunt open. The Department suggested closing that hunt due to low harvest in prior years, however if the CABMW is supportive of it then the Department would be open to keeping it open.

Chairman Caviglia stated he had no problem splitting out 078, 105-107. He supported the spike hunt as well as splitting area 13. He also agreed with Cody that it is unwise to split 111-115 at this time.

Commissioner Barnes stated his support for Elko's recommendation.

Commissioner East asked if the Commission would accept the Elko CABMW recommendation.

Staff Specialist McKee suggested moving ahead with the antlered changes.

Chairman Caviglia stated he would run through all changes.

Staff Specialist McKee clarified the changes as follows: splitting 108, 131, 132 into an early and late for rifle season, resident and non-resident. The next proposed change was for spike elk unit groups 111, 112 early and late, 113 early and late, and 114, 115 early and late. He noted the Department does not think it is necessary to close those seasons. For antlerless and spike, any legal weapon the recommendation was specific to 078 105-107 and 109 early. The Elko CABMW recommended splitting the early season into two different unit groups, one containing 078 107, and the other containing 105, 106 and 109. Nye County recommended to add a 162 wilderness only cow hunt for rifle season running Oct 1 – Oct 20. The last recommendation was not closing the antlerless hunt in unit 251.

Chairman Caviglia stated he had no problem getting rid of the wilderness hunt, as well as the antlerless hunt in 251 due to the low harvest.

*No public comment.*

**CHAIRMAN CAVIGLIA MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-04, 2023-2024 AND 2024-2025 BIG GAME SEASONS SECTION TITLED:**

- **RESIDENT ELK ANTLERED ANY LEGAL WEAPON DEPREDATION HUNT 4102 AS PRESENTED.**
- **RESIDENT ELK ANTLERED ANY LEGAL WEAPON HUNT 4151 AS PRESENTED WITH CHANGE TO UNIT 108, 131, 132, BREAKING INTO AN EARLY HUNT AND A LATE HUNT.**
- **NONRESIDENT ELK ANY LEGAL WEAPON HUNT 4251 TO MAKE THE SAME CHANGE ON HUNT UNIT 108, 131, 132.**
- **RESIDENT ELK ANTLERED MUZZLELOADER HUNT 4156 AS PRESENTED.**
- **NON-RESIDENT ELK ANTLERED MUZZLELOADER HUNT 4256 AS PRESENTED.**
- **RESIDENT ELK ANTLERED ARCHERY HUNT 4161 AS PRESENTED.**
- **NON-RESIDENT ELK ANTLERED ARCHERY HUNT 4261 AS PRESENTED.**
- **RESIDENT ELK SPIKE ANY LEGAL WEAPON HUNT 4651 AS PRESENTED WITH NOTED CHANGE TO BREAK UNIT GROUP 078, 107 INTO ITS OWN GROUP AND 105, 106, AND 109 INTO ITS OWN GROUP.**
- **RESIDENT ELK ANTLERLESS 4181 AS PRESENTED WITH NOTED CHANGE TO BREAK UNIT GROUP 078, 107 INTO ITS OWN GROUP AND 105, 106, AND 109 INTO ITS OWN GROUP.**
- **NON-RESIDENT ELK ANTLERLESS ANY LEGAL WEAPON HUNT 4281 AS PRESENTED WITH NOTED CHANGE TO BREAK UNIT GROUP 078, 107 INTO ITS OWN GROUP AND 105, 106, AND 109 INTO ITS OWN GROUP.**

- **RESIDENT ELK ANTLERLESS MUZZLELOADER HUNT 4176 AS PRESENTED.**
- **NON-RESIDENT ELK ANTLERLESS MUZZLELOADER HUNT 4276 AS PRESENTED.**
- **RESIDENT ELK ANTLERLESS ARCHERY HUNT 4111 AS PRESENTED.**
- **NON-RESIDENT ELK ANTLERLESS ARCHERY HUNT 4211 AS PRESENTED.**
- **RESIDENT ELK ANTLERLESS ANY LEGAL WEAPON DEPREDATION HUNT 4107 AS PRESENTED.**

**MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

Wildlife Staff Specialist Cox presented on Bighorn sheep and Mountain goat seasons. He noted that drought, disease, and even Mountain lion predation has contributed to declining herd size, therefore he expects lower quotas for Bighorn sheep.

Chairman Caviglia noticed hunt 272 was dropped.

Staff Specialist Cox replied that was not the Department's intention, unit group 272 should be added to hunt 3151.

Chairman Caviglia stated a concern that if we have a dry water year that the hunt will be too easy as the sheep will gather at the Mormon Mountains for water. He mentioned support for the unit 173 north hunt. He noted that a lack of cell service might make reporting kills difficult, which can lead to over harvesting.

Staff Specialist Cox agreed with the Chairman's concern and noted that a similar thing had happened in Montana. They went over their sub quota.

Commissioner Booth questioned the hunt structure where a low quota can be met and leave several hunters without the possibility of hunting.

Staff Specialist Cox confirmed that the hunt structure can allow that scenario to happen.

Commissioner Booth voiced his displeasure with that kind of hunt structure.

Staff Specialist Cox recognized and respected Commissioner Booth's comments.

Commissioner McNinch noted that sportsmen are still eligible for other hunts. He stated that the gamble might excite some sportsmen.

Staff Specialist Cox stated his neutrality on the subject.

Chairman Caviglia stated that this hunt would provide a rare opportunity to complete a difficult hunt.

Commissioner Kiel stated he was unsure of the one horned ram hunts, but was happy to hear how successful they were.

Chairman Caviglia shared his appreciation for the one horned ram hunt.

Staff Specialist Cox moved on to California Bighorn sheep. He stated that horn length was really low this year. He said it was a tough year for the sheep herds. He explained that unit groups 011, 012, 013, 014 were combined due to the declining health of the herd.

Staff Specialist Cox moved on to Rocky Mountain Bighorn sheep. He mentioned the addition of unit group 102, in the Ruby Mountains.

Staff Specialist Cox moved on to Mountain goats. He stated that tag quota is likely to stay the same as last year.

Southern Region Game Supervisor Joe Bennett addressed Commissioner Kiel's comments and stated that they had checked in a minimum of four one-horned rams so far. Next, he commented on the 171 North hunt. He explained that while some have suggested that the hunt would be too easy, the reality is that the conditions during the season make the sheep difficult to access. He commented on an incident involving sportsmen that were accessing Pine Water Cave illegally. Those individuals are facing a lifetime ban. Due to these infractions he suggested 280 and 281 will have similar restrictions as 252 which changes the language from "portions of NTTR" to "on NTTR". He recommended the closing of 282 due to low heard numbers.

Chairman Caviglia clarified the language change.

Game Supervisor Bennett confirmed.

Staff Specialist Cox talked about the issue on Nevada Test and Training Range (NTTR). He said that one more violation will mean the south range will be closed.

Chairman Caviglia noted that sportsmen are told before entering the NTTR exactly what you can and can't do, but some people don't listen.

Commissioner McNinch suggested a lifetime ban in Nevada if a violation occurs on the NTTR.

Commissioner East asked Staff Specialist Cox why the tags in the first-come first-serve pool were initially returned.

Staff Specialist Cox stated that Nevada always had more tags returned than other states, but could not provide a specific reason.

Chairman Caviglia asked if units 011, 012, 013, 014 were being combined to justify the tags. He was concerned that too many rams would be killed.

Staff Specialist Cox replied that the connectivity of the land between 012 and 014 is a big reason for combining the units. He suggested one tag for 011 and 013 and combining 012 and 014.

Chairman Caviglia suggested pulling the hunt for now.

Staff Specialist Cox said the Department would continue to put resources in the area to increase the health of the rams up there.

Commissioner Wise commented on Desert Bighorn archery hunt in 271 and 242. She asked why it's being added with the water issues in those units.

Staff Specialist Cox stated that he would be ok pulling the hunts in 272 and 242.

Steve Robinson, representing Washoe CABMW, stated that the Washoe CABMW was against the combining of 011, 012, 013, and 014. He suggested closing 011, 013, and 014 for this year.

Chrissy Pope, representing Nye CABMW, commented on 173 North by suggesting a management hunt or labeling it a wilderness hunt. She worried about lack of cell service in the area, although she noted that this type of hunt had been successful in Montana. She commented that the Nye CABMW supported the 173 North hunt.

Michael Jurad, representing Humboldt CABMW, did not support the combination of 011, 012, 013, and 014. He was worried about over hunting there. He suggested one tag in each unit separately.

Joe Crawford, representing Lyon CABMW, stated his support of the Department's recommendations. However, he was worried that the structure of the 173 North hunt would encourage sportsmen to shoot the first ram they see. He supported a tag limit of three and a quota limit of three tags for the unit.

Sean Shea, private citizen, stated his agreement with Commissioner McNinch on the lifetime bans for NTTR violations. He commented on 271 and 242 stating that the hunt should not be pulled. Next, he commented on 173 North. He wanted to make sure specialty tags couldn't go in there. Lastly, he voiced his disagreement on the combination of units 011, 012, 013, and 014. He said the horn length is very low in the area.

Mel Belding, private citizen, supported the Department's recommendation on Desert Bighorn and thinks splitting 181 is a good idea. He does not support the Ewe hunt and is against the combination of 011, 012, 013, and 014.

Rex Flowers, private citizen, stated he would like to see 011, 013, and 014 closed with one tag in 012. He was not worried about over hunting in 173.

Commissioner East wanted the ewe hunt explained.

Staff Specialist Cox explained that the ewe population in unit 161 had been at carrying capacity. He explained that a lot of sheep had died due to low resources and we needed to manage the herd better.

Commissioner East appreciated the explanation.

Commissioner Walther asked Mike Cox to comment on closing 011, 013, and 014 and keeping 012 open.

Staff Specialist Cox agreed that there were few rams, but noted that they are extremely difficult to find. He reiterated that combining 012 and 014 would be ok and was fine with closing 011 and 013. He committed to putting resources to Mountain lion predation in those areas.

Commissioner McNinch commented that it might be a good idea to close 011 and 013 and asked for Administrator Scott's approval.

Staff Specialist Cox stated he isn't worried either way it goes.

Commissioner McNinch stated that 012 and 014 has sheep, however he noted they might be short-horned.

Staff Specialist Cox commented that horns are shorter statewide due to low resources and animals are putting energy into their bodies.

Commissioner McNinch stated he was open to keeping 012 and 014 open and combined.

Staff Specialist Cox explained that 012 and 014 should stay together due to the movement of the animals between the units.

Commissioner McNinch noted that keeping 012 and 014 together would also be good due to the difficulty of hunting in 014.

**COMMISSIONER KIEL MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-04, 2023-2024 AND 2024-2025 BIG GAME SEASONS SECTIONS TITLED:**

- **RESIDENT NELSON (DESERT) BIGHORN SHEEP ANY RAM ANY LEGAL WEAPON HUNT 3151 AS PRESENTED WITH THE ADDITION OF UNIT GROUP 272, AND THE SEASON DATES FOR UNITS 280 AND 281 THE ENDING DATE SHOULD BE JANUARY 1<sup>ST</sup>. IN THE FOOTNOTES THE 3<sup>RD</sup> ASTERIK SHOULD BE INCLUSIVE OF ALL OF UNITS 252, 280, AND 281.**
- **NONRESIDENT NELSON (DESERT) BIGHORN SHEEP ANY RAM ANY LEGAL WEAPON HUNT 3251 AS PRESENTED.**
- **RESIDENT NELSON (DESERT) BIGHORN SHEEP ANY RAM ARCHERY HUNT 3161 AS PRESENTED BUT PULLING OUT UNIT GROUPS 272 AND 242.**
- **NONRESIDENT NELSON (DESERT) BIGHORN SHEEP ANY RAM ARCHERY HUNT 3261 AS PRESENTED.**
- **RESIDENT NELSON (DESERT) BIGHORN SHEEP MANAGEMENT RAM ONE HORN ANY LEGAL WEAPON HUNT 3171 AS PRESENTED.**
- **RESIDENT NELSON (DESERT) BIGHORN SHEEP ANY RAM MANAGEMENT RAM ACCESS LIMITED ANY LEGAL WEAPON HUNT 3172 AS PRESENTED WITH THE FOLLOWING CHANGES: 2024-2023 SEASON SHOULD READ 2023-2024 SEASON, DROP ITEM 4 IN FOOTNOTE.**
- **RESIDENT NELSON (DESERT) BIGHORN SHEEP ANY EWE ANY LEGAL WEAPON HUNT 3181 AS PRESENTED.**
- **NONRESIDENT NELSON (DESERT) BIGHORN SHEEP ANY EWE ANY LEGAL WEAPON HUNT 3281 AS PRESENTED.**
- **RESIDENT CALIFORNIA BIGHORN SHEEP ANY RAM ANY LEGAL WEAPON HUNT 8151 AS PRESENTED WITH THE FOLLOWING CHANGES: DROP UNIT GROUPS 011 AND 013 AND COMBINE 012 AND 014.**
- **NONRESIDENT CALIFORNIA BIGHORN SHEEP ANY RAM ANY LEGAL WEAPON HUNT 8251 AS PRESENTED.**

- **RESIDENT ROCKY MOUNTAIN BIGHORN SHEEP ANY RAM ANY LEGAL WEAPON HUNT 9151 AS PRESENTED.**
- **RESIDENT MOUNTAIN GOAT ANY GOAT ANY LEAGAL WEAPON HUNT 7151 AS PRESENTED.**
- **NONRESIDENT MOUNTAIN GOAT ANY GOAT ANY LEAGAL WEAPON HUNT 7251 AS PRESENTED.**

Chairman Caviglia asked to strike “portion of unit 252” in memo item number four in reference to the NTTR language.

**COMMISSIONER KIEL AMMENDED THE MOTION TO INCLUDE THE NOTED CHANGE TO THE NTTR LANGUAGE. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

*Chairman Caviglia recessed at 10:05am.*

*Chairman Caviglia reconvened at 10:23am.*

Chairman Caviglia shifted to Mule deer.

Wildlife Staff Specialist Cody Schroeder presented on Mule deer. He recommended splitting junior antler and antlerless hunts. He recommended closing unit 051 antlerless. He recommended separating out unit 045 from the 043, 044, 046 unit group.

Commissioner McNinch asked the Commission what the goal of the junior hunt was and why the Department was pulling the doe hunt out.

Chairman Caviglia noted that juniors were still getting opportunity to hunt and juniors should mirror non junior hunts.

Commissioner East asked Staff Specialist Schroeder how population numbers were looking in the 011 through 015 area.

Staff Specialist Schroeder stated that it was too early to tell, but all things considered they looked pretty good.

Commissioner East asked if there were any units that they would consider closing.

Staff Specialist Schroeder confirmed that there was not any recommendation to close any units in 011-015.

Commissioner McNinch asked how many does were harvested by juniors each year.

Staff Specialist Schroeder stated that on average 18 percent of juniors reported that they harvest an antlerless deer each year.

Commissioner McNinch asked if we take the antlerless hunts out of areas that do not have a doe hunt, what will the impact be on junior hunting opportunities in those areas.

Staff Specialist Schroeder stated that the biological affect is zero. However, it will take tags away from juniors.

Commissioner McNinch added that if quotas on doe hunts were reduced then that opportunity for juniors would be reduced even further.

Staff Specialist Schroeder stated that it was too early to comment on quotas right now.

Commissioner McNinch replied that he was concerned that we are pulling away from the initial intent to give juniors more opportunity. He mentioned that the chairman of the Mule deer working group was also concerned about taking opportunity away from juniors.

Staff Specialist Schroeder added his personal opinion is that it would be a mistake to remove the junior doe hunts, however the Department was following through with the TAAHC committee request.

Commissioner McNinch disagreed with the decision but appreciated the Department for sticking with the Committee's request.

Commissioner Barnes voiced his concerns for the health of the animals in Elko due to the harsh winter. He suggested some discussion on closing the season.

Chairman Caviglia asked about the 25 percent of tags set aside for juniors.

Staff Specialist Schroeder stated it's a formula based on demand for the tags. He asked if that answered Chairman Caviglia's question.

Chairman Caviglia replied that it kind of does.

Staff Specialist Schroeder stated that there was more demand for junior tags than there are available. They have to limit the junior tags so it doesn't take away from adults.

Chairman Caviglia commented on how much the junior demand has grown.

Commissioner McNinch clarified that he wasn't advocating that every child should get a tag, but he was advocating for opportunity for the juniors who do get tags.

Chairman Caviglia stated that there was a public perception element to it. A lot of the public does not like that juniors get to kill does.

Commissioner Walther asked if the youth hunt in Nevada had always allowed juniors to hunt doe.

Game Division Administrator Mike Scott provided a history on youth hunts. He confirmed that it started as an antlerless hunt and was moved to either sex shortly after.

Commissioner East mentioned that juniors could apply for a regular tag and that there were other opportunities for them.

Commissioner McNinch commented that he had more questions on this topic, but that they might be better suited for the conversation around CGR 502.

Jim Cooney, representing Elko CABMW, suggested antlered only in area 6, 7, 8, and 10 for hunt 1107. He also suggested closing all unit groups for both years for hunt 1181.

Worth Nelson, representing Lander CABMW, supported removing the junior antlerless tags.

Glen Bunch, representing Mineral CABMW, suggested making the junior hunt antlered only.

Joe Crim, representing Pershing CABMW, supported removing the antlerless hunts.

Michael Jurad, representing Humboldt CABMW, wanted to see unit 045 stay with unit group 043, 044, and 046. Next, he asked if there was a disease event in the deer population in Washoe County. He also agreed with Elko County, he thought there should be no doe hunts in area 6 and 7.

Sean Shea, private citizen, noted that the season for 081 is set too late. He requested an early archery season in 081.

Commissioner East asked for a date recommendation on the early archery season.

Mr. Shea suggested August 10<sup>th</sup> – September 9<sup>th</sup>.

Rex Flowers, private citizen, supported removing the youth hunt for antlerless deer.

Mel Belding, private citizen, suggested giving youth a preference point instead of a bonus point to make it more fair for youth to get a tag. He also supported Elko County in ending the antlerless deer hunts.

Commissioner Wise asked the Department to comment on the differences in opinion on the antlerless deer hunts.

Staff Specialist Schroeder reiterated the Department strongly supported the antlerless hunts. He noted that the antlerless hunts are for both opportunity and management. He noted that the biological impact was negligible and there was huge demand for these hunts. He asked Tom Donham to speak.

Eastern Region Game Division Supervisor Tom Donham echoed everything Staff Specialist Schroeder said. He confirmed the antlerless hunts had no impact on the herd health.

Commissioner East asked Staff Specialist Schroeder for comments on Sean Shea's suggestion of an early archery season in unit 081.

Staff Specialist Schroeder commented that he didn't have any strong reason to be against it.

Commissioner East asked for comment on whether there was a disease event in the deer population in Washoe county.

Staff Specialist Schroeder noted that there were diseases among the deer population, but no emerging disease events at this time.

Chairman Caviglia voiced support of the antlerless hunts. Next, he asked about the White Pine suggestion to split area 13.

Staff Specialist Schroeder noted that there was no area biologist in that area, but that a split was unnecessary.

Chairman Caviglia asked about the recommendation on area 10.

Game Biologist Donham answered that the harvest in that area remained very low. He stated that an influenced quota might create more pressure in the area, that a change would be unnecessary. He thought that the perceived increase in congestion was due to the more modern way people hunt.

Chairman Caviglia suggested the Department investigate splitting area 10 and 13 so there was more data to go off of.

Commissioner Barnes stated that splitting area 10 had been talked about for a long time. He suggested there was probably a reason why it had never been split and thought we should leave it for now. He also mentioned his support for the antlerless hunts. He stated that if a harsh winter leaves the herd in bad health, then we could adjust the quotas down the line.

Commissioner Wise agreed with dealing with antlerless hunts via quotas.

Commissioner McNinch noted he didn't support where the Commission was at with the Junior hunt.

**COMMISSIONER WISE MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-04, 2023-2024 AND 2024-2025 BIG GAME SEASONS SECTIONS TITLED:**

- **RESIDENT JUNIOR MULE DEER ANTLERED OR ANTLERLESS ARCHERY, MUZZLELOADER, OR ANY LEGAL WEAPON HUNT 1107 AS PRESENTED.**
- **RESIDENT JUNIOR MULE DEER ANTLERED ONLY ARCHERY, MUZZLELOADER, OR ANY LEGAL WEAPON HUNT 1107 AS PRESENTED.**

**COMMISSIONER EAST SECONDED THE MOTION . MOTION PASSED 7-1 COMMISSIONER MCNINCH OPPOSED. VICE CHAIRMAN ROGERS WAS ABSENT**

**COMMISSIONER WISE MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-04, 2023-2024 AND 2024-2025 BIG GAME SEASONS SECTIONS TITLED:**

- **RESIDENT MULE DEER ANTLERLESS ANY LEGAL WEAPON HUNT 1181 AS PRESENTED.**
- **RESIDENT AND NONRESIDENT MULE DEER ANTLERED ANY LEGAL WEAPON HUNT RESIDENT 1331 AND NONRESIDENT 1332 AS PRESENTED.**
- **RESIDENT AND NONRESIDENT MULE DEER ANTLERED MUZZLELOADER HUNT RESIDENT 1371 AND NONRESIDENT 1372 AS PRESENTED.**
- **RESIDENT AND NONRESIDENT MULE DEER ANTLERED ARCHERY HUNT RESIDENT 1341 AND NONRESIDENT 1342 WITH NOTED CHANGE ADDING AN EARLY SEASON HUNT OF AUGUST 10<sup>TH</sup>-SEPTEMBER 9<sup>TH</sup> IN UNIT 081.**

**COMMISSIONER KIEL SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

Staff Specialist Schroeder asked if the Commission needed to address landowner hunts.

Chairman Caviglia stated it did.

Staff Specialist McKee presented on Antlerless Elk Landowner Hunts. He recommended increasing the limit of tags the landowners could have from 25 to 50, as well as adding requirements for landowners to provide a list of the hunters on their property.

Chairman Caviglia asked how many landowners were enrolled in the program.

Staff Specialist McKee estimated around ten to twelve.

Chairman Caviglia asked where these landowners were.

Staff Specialist McKee answered they were all over Nevada.

Commissioner East asked Cody to explain the jump from 25 tags to 50.

Staff Specialist McKee stated it was due to an increase in Elk feeding on crops on the landowner's property.

Chairman Caviglia asked how the Department determined the number of tags to give each landowner.

Staff Specialist McKee stated it was a case-by-case basis.

*No CABMW comment*

*No public comment*

**COMMISSIONER EAST MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-04, 2023-2024 AND 2024-2025 BIG GAME SEASONS SECTION TITLED 2023 AND 2024 ANTLERLESS ELK LANDOWNER HUNT. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

Staff Specialist McKee stated that the Department omitted a season table from the Commission Regulation. The Department would add it to the March Commission agenda.

*Chairman Caviglia recessed for lunch at 11:39am.*

*Chairman Caviglia reconvened at 1:04pm.*

**B.\* Commission Regulation 23-05, 2023 Black Bear Seasons – Wildlife Staff Specialist Pat Jackson – For Possible Action**

The Commission will consider and may take action to approve the 2023 hunting season dates, open management units, hunting hours, special regulations, animal sex, legal weapon requirements, hunt boundary restrictions, and dates and times for indoctrination courses for black bear.

Chairman Caviglia introduced item #15B

Wildlife Staff Specialist Pat Jackson presented Black bear seasons. He recommended sportsmen to select a preference of 1, 2, or 3 for the three unit groups.

Commissioner East asked if sportsmen would apply for a specific unit group, then select a preference of 1, 2, or 3.

Staff Specialist Jackson confirmed.

Commissioner McNinch asked why.

Staff Specialist Jackson replied that this system created three smaller hunts instead of one large hunt.

Chairman Caviglia asked for further clarification.

Staff Specialist Jackson stated that each person would only be able to draw a tag in one of the three unit groups.

Paul Howell, representing Douglas CABMW, opposed splitting the hunt into three units. He believes hunters will shoot the first bear they see due to the restrictions.

Steve Robinson, representing Washoe CABMW, mentioned public comment has changed his opinion on this topic. He, like the public comments, is in full support of the three separate units. Next, Steve suggested adding language to require sportsmen to remove all edible portions of meat for the bear hunt.

John Hiatt, representing Clark CABMW, suggested that the language of the CR was unclear. He referenced the last sentence of the 2<sup>nd</sup> paragraph. He wanted the wording clarified. He wanted to see some more bear info added such as how many bears were in Nevada, how many were killed by cars every year, how many were relocated, and how many were euthanized.

Joe Crawford, representing Lyon CABMW, felt that separating the three units would reduce opportunity.

Sean Shea, private citizen stated he was against the separation of the three units. He believed the change would cause a race to shoot bears.

Fred Voltz, private citizen stated, "Once again, we face another trophy bear hunting season, unjustified by anything more than licensee convenience, opportunity and success. We have seen wildly fluctuating species numbers for the years bear numbers have been guesstimated. We still have no management plan in place for bears, so "the science" often cited as the ultimate, objective truth, is nonexistent. There has been no analysis of the eco-system impact of arbitrarily removing bears and disrupting bear families. It would be illuminating for the support materials to display the year-by-year total bear deaths since the hunt's revival from all sources—hunters, vehicles and NDOW-inflicted casualties—along with the annual guesstimated state population numbers in documentation presented to this Commission. In survey after survey, we unequivocally know the public continues to largely oppose the annual bear hunt as unnecessary, wasteful and regressive. Yet this Commission continues to ignore Nevadans' desires and environmental best interests it is duty-bound to serve."

Chairman Caviglia asked if there would be a total female harvest limit for the whole unit group, or if it would be for each one of the individual units.

Staff Specialist Jackson confirmed unique harvest limits for each unit group.

Commissioner East asked if "Removing all edible portions of meat" was in statute.

Staff Specialist Jackson stated that a bear was classified as a predator.

Deputy Attorney General Craig Burkett stated it was unlawful to waste Black bear under a combination of the statute and regulation.

Division Administrator Scott cited the regulation book where it specified what meat was required to be taken with the exception of Mountain lion and bears.

DAG Burkett read the regulation book aloud and stated the regulation definition of “edible” was more broad and the book was more specific.

Commissioner McNinch asked if that implied that the whole animal needed to be taken.

DAG Burkett said he wouldn't comment on the specifics.

Commissioner McNinch clarified that the book was referencing all animals except for Mountain lion and Black bear, therefore NRS and NAC apply.

DAG Burkett replied he would look for further definition.

Commissioner Kiel asked if separating units would cause problems with bears crossing into another unit.

Staff Specialist Jackson replied that it would be as common as any other animal crossing units.

Commissioner McNinch explained that the bear hunt had very low public support. He went on to describe an email he received from a guide that claimed another guiding service was removing bears and was contributing to the quotas being filled and the season being closed early. He was worried that this form of hunting will hurt the bear population. Commissioner McNinch claimed he would not support a bear hunt.

Commissioner East stated she was on the fence about splitting the units. She believed it might make the hunt too difficult.

Chairman Caviglia stated he was torn as well. He thought the three separate units might not alleviate the problem of the quota filling too quickly.

Commissioner East asked DAG Burkett if he had found any more clarification on what is edible.

DAG Burkett read the NAC 503. 0047 which was labeled “edible portion interpreted”.

Division Administrator Scott explained that the reason for the three separate unit proposal was because of the way the season went last year. In three weeks all three units were closed. This idea was to prolong the season.

Chairman Caviglia asked how quickly the second unit was closed after the first.

Division Administrator Scott stated it was just ten days and that two units were closed due to female harvest. He stated that there is no biological reason and mentioned that the bear population was growing, so it wasn't necessary to make this change. The Department just thought it might help the problem.

Chairman Caviglia asked when the seasons would typically close.

Staff Specialist Jackson replied that this was the first time all three seasons had been closed early.

DAG Burkett spoke after finding a definitive answer to the edible portion questions. He stated that a bear was a “big game mammal” and therefore the edible portion requirements applied to the Black bear.

Commissioner Wise asked if we should change the big game manual or to go back and change the NRS.

DAG Burkett suggested the Department change the regulation book.

Chairman Caviglia didn't see how breaking up the units would help prolong the season. He thought last year might have been an anomaly.

Commissioner Kiel agreed.

**COMMISSIONER KIEL MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-05 BLACK BEAR SEASON AS PRESENTED WITH THE EXCEPTION OF BREAKING OUT THE THREE SEPARATE UNIT GROUPS.**

Commissioner McNinch asked what if it wasn't an anomaly.

Commissioner Barnes replied that there would be more data in two years and we could change it then.

Staff Specialist Jackson commented that we could change it next year.

Commissioner McNinch stated that he believed we would still have conflict between sportsmen's ideals of taking females versus males.

Chairman Caviglia asked if the motion still stood.

Commissioner Kiel confirmed it did.

**COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 7-1. COMMISSIONER MCNINCH OPPOSED. VICE CHAIRMAN ROGERS WAS ABSENT.**

**C.\* Commission Regulation 23-06 2023-2024 Mountain Lion Season and Harvest Limits – Wildlife Staff Specialist Pat Jackson – For Possible Action**

The Commission will consider and may take action to approve the 2023-2024 mountain lion hunting season open units, harvest limits by unit group, hunting hours, and special regulations.

Chairman Caviglia introduced item #15C.

Staff Specialist Jackson presented CR 23-06. There were no changes from last year's recommendations. He recommended a statewide harvest limit of 247 and a maintenance interstate hunt 091 with Utah.

Commissioner East asked what hunt 091 was for.

Staff Specialist Jackson confirmed that residents of Utah can come into Nevada and hunt in unit 091.

Commissioner East asked how many lions had been taken out of the 247 allowed per year.

Staff Specialist Jackson answered the average was 180 per year and most recent surveys showed about 120 had been taken so far this year. He mentioned we had never reached the max of 247.

Sean Shea, private citizen, noted that wording of the CR was confusing. He cited wording that says, "harvest limits by unit group". He noted that there was no limit by unit group as we use a statewide harvest limit.

John Hiatt, representing Clark CABMW, suggested closing the season from January to the middle of April so Mountain lions have time to raise their young. He also mentioned that the public did not like that hunters shot lions at very close range.

Joe Crawford, representing Lyon CABMW, supported the lion hunt, but was worried that a lion would be tranquilized and it would make the meat dangerous for consumption.

Fred Voltz, private citizen stated, "After yesterday's overwhelming focus in the predator management plan directed toward mountain lions, we have yet another mountain lion agenda item. What's missing from the various study references cited in yesterday's predator elimination plan and today's proposed 365/24/7 hunting season is the effect of mountain lions' disappearance because of hunting and human-instigated predator control activities. A 2013 study by two Washington State University researchers, Kaylie Peebles and Robert Wielgus, titled "Effects of Remedial Sport Hunting on Cougar Complaints and Livestock Depredations," found that 'remedial hunting' increases livestock predation and complaints of human-mountain lion conflicts. The study revealed that each additional mountain lion on the landscape increased predation and human-cougar complaints by 5%, but each additional animal killed on the landscape increased complaints by 50%. The dose-response relationship with remedial hunting (that, is, 100% elimination of adult cougars) lead to a 150-340% increase in livestock-human conflicts. Given the largely nocturnal nature of mountain lions' movements, why are we allowing hunting during daytime hours? Given at least one formal study that suggests killing mountain lions worsens unwanted interactions with people and livestock, why have such a hunt? Why are we demonizing mountain lions, much as has been done with wild horses, wild burros and other wildlife species, when mountain lions create food sources for small mammals, eagles and other migrating raptors, foxes, beetles and other invertebrates, enrich soil, and provide food for bears entering or emerging from hibernation?"

Chairman Caviglia stated there was a typo on the Mountain lion phone number.

Commissioner East asked Staff Specialist Jackson to comment on the tranquilizer comment.

Staff Specialist Jackson stated that any animal in the State that was chemically immobilized received an ear tag that tells hunters to call the Department before consuming the meat.

Commissioner East asked what the Department would do if someone called about an ear tag.

Staff Specialist Jackson stated the ear tag would have a unique number, the Department would reference that number, then find when that animal was immobilized, and let the hunter know based on the half-life of the drug used when it is safe or not safe to eat the animal.

Commissioner McNinch asked what the half-life was.

Staff Specialist Jackson stated it depended on the drug used.

Commissioner McNinch stated he was not against Mountain lion hunting, but his vote would reflect the public's concern. He would like to see the Commission get away from the 365-day season.

Commissioner Kiel clarified that Mountain lion phone number was correct.

Game Biologist Carl Lackey stated that most of the drugs used for immobilization have a waiting period of 30 days by law.

**COMMISSIONER EAST MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-06 MOUNTIAN LION SEASON AND HARVEST LIMITS AS PRESENTED. COMMISSIONER WALTHER SECONDED THE MOTION. MOTION PASSED 7-1. COMMISSIONER MCNINCH OPPOSED. VICE CHAIRMAN ROGERS WAS ABSENT.**

**D.\* Commission Regulation 23-07, 2023-2024 Restricted Nonresident Guided Mule Deer Seasons and Quotas - Wildlife Staff Specialist Cody Schroeder – For Possible Action**

The Commission will consider and may take action to approve the 2023-2024 hunting season and quotas for restricted, nonresident, guided mule deer including hunt boundary restrictions.

Chairman Caviglia introduced item #15D

Staff Specialist Schroeder presented CR 23-07. He recommended only one change from last season, to make unit 045 its own unit group.

Commissioner East asked Staff Specialist Schroeder to confirm if this year's quota was based on last years.

Staff Specialist Schroeder confirmed it was.

Commissioner East asked if the Commission could choose to take tags from this and put into the regular hunt.

Staff Specialist Schroeder stated that was not possible.

John Hiatt, representing Clark CABMW, asked what "restricted" means in the CR title.

*No public comment.*

Chairman Caviglia stated the word "restricted" references the requirement to have a guide.

Staff Specialist Schroeder confirmed restricted referenced the need to have a guide present and stated this was only for nonresidents.

Commissioner Walther stated the term was pulled from the statute itself.

**COMMISSIONER EAST MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-07, 2023-2024 RESTRICTED NONRESIDENT GUIDED MULE DEER SEASONS AND QUOTAS AS PRESENTED. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

**E.\* Commission Regulation 23-01, 2023 Application Deadlines & Draw Result Dates – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**

The Commission will consider and may take action to approve the 2023 big game, upland, and waterfowl application deadlines and related information.

Chairman Caviglia introduced item #15E.

Data and Technology Services (DATS) Division Administrator Kim Munoz stated the only change this year was to add all applications and consolidated them into one CR.

Commissioner McNinch confirmed they were just adding language from other CRs that had already been reviewed and passed.

Division Administrator Munoz confirms that was correct.

Commissioner Wise asked if the language removed and changed to “released” gave the Department more freedom.

Division Administrator Munoz confirmed and stated that the new language gave the Department more flexibility.

Commissioner McNinch stated that others have had a hard time finding info, so this would be a great improvement.

Division Administrator Munoz stated that this was Management Analyst III Megan Manfredi’s idea.

Chairman Caviglia wanted to confirm that the part about the grace period at the end had been added as well.

Division Administrator Munoz confirmed it was added to make the process easier to understand.

*No CABMW comment.*

*No public comment.*

**COMMISSIONER MCNINCH MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-01, 2023 APPLICATION DEADLINES & DRAW RESULT DATES AND 2024 SPRING TURKEY APPLICATION DEADLINES & DRAW RESULT DATES AS PRESENTED. COMMISSIONER WISE SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

**F.\* Commission Regulation 23-08, 2023 Big Game Tag Application Eligibility and Tag Limits – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**

The Commission will consider and may take action to approve the 2023 big game tag application eligibility and tag limits and related information.

Chairman Caviglia introduced item #15F.

Division Administrator Munoz presented CR 23-08 2023 Big Game Application Eligibility and Tag Limits. She stated that tags offered through first come first serve by residents could only be picked up by residents and tags returned by nonresidents could only be picked up by nonresidents.

Commissioner East noted that change was not clear to her.

Division Administrator Munoz clarified that if it was a nonresident tag, a resident was not eligible to hunt that tag.

Commissioner McNinch stated he will support but doesn't think it's in our full benefit to do it this way.

Commissioner East wanted to add the word "specified" to resident and nonresident.

Chairman Caviglia thought the language is clear and doesn't need to be changed.

John Hiatt, representing Clark CABMW, stated it is important for the language to be clear. He also stated he believes the first come first serve system is unfair.

Rick Duenas, private citizen stated his support for the first come first serve system. He opposed the modification to the system. He believed the pool for tags should be as big as possible.

Chairman Caviglia asked if the Commission had any more questions.

Commissioner Wise suggested adding the language "resident tags only available to residents and nonresident tags only available to nonresidents".

Chairman Caviglia agreed the language from Commissioner Wise is clearer.

**COMMISSIONER WISE MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-08, 2023 BIG GAME TAG APPLICATION ELIGIBILITY AND TAG LIMITS AS PRESENTED WITH THE NOTED CHANGE TO THE LANGUAGE. COMMISSIONER EAST SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

**G.\* Commission Regulation 23-09, 2023 Dream Tag – Data and Technology Services  
Division Administrator Kimberly Munoz – For Possible Action**

The Commission will consider and may take action to approve the 2023 Dream Tag species, seasons and quota.

Chairman Caviglia introduced item #15G.

Division Administrator Munoz presented CR 23-09 Dream Tags. She added a footnote removing the ability to hunt Nelson Desert Bighorn sheep during a one horned ram management hunt.

Commissioner Kiel suggested to remove redundant language on the third paragraph, last sentence.

Chairman Caviglia noted that the language should also mirror the changes to the NTTR language.

Commissioner McNinch commented that he likes the dream tag program but can't support a bear tag in the program.

Division Administrator Munoz added a change to strike 282 on last page where the language references units 252, 280, 281 and 282.

Division Administrator Scott added one last change, to make the language consistent with respect to the NTTR that was made to the other hunts related to party size.

*No CABMW comment.*

*No public comment.*

**COMMISSIONER EAST MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-09, 2023 DREAM TAG AS PRESENTED WITH THE NOTED CHANGES TO THE LANGUAGE. COMMISSIONER KIEL SECONDED THE MOTION. MOTION PASSED 7-1. COMMISSIONER MCNINCH OPPOSED. VICE CHAIRMAN ROGERS WAS ABSENT.**

- H.\* Commission Regulation 23-10, 2024 Heritage Tag Seasons and Quota – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**  
The Commission will consider and may take action to approve the 2024 Heritage Tag species, seasons and quota.

Chairman Caviglia introduced item #15H.

Division Administrator Munoz presented on CR 23-10, 2024 Heritage Tag Seasons and Quotas. She stated no changes with the exception of the language changes that were addressed in CR 23-09.

Chairman Caviglia mentioned that next year we wouldn't have the Silver State California Bighorn sheep tag or the Dream tag for California Bighorn Sheep. Chairman Caviglia suggested pulling California Bighorn sheep tag out of the heritage tag and put it in as a Silver State tag for 2024. He noted that the Silver State tags had the potential to bring in a lot more money to the Department.

Commissioner East clarified that the Chairman was recommending pulling the California Bighorn sheep heritage tag out and replacing it with the Silver State tag.

Chairman Caviglia confirmed that was correct.

Commissioner McNinch asked why we should make this change.

Chairman Caviglia replied that it was to maximize the benefit to Nevada.

Division Administrator Munoz noted last year the California Bighorn sheep Silver State Tag brought in \$171,000.00 in 2022.

Commissioner McNinch confirmed that money was specific to the California Bighorn sheep species and not the program as a whole.

Commissioner Barnes approved of the proposal.

Commissioner Booth asked why this was being brought up now.

Chairman Caviglia stated this proposal was specific to 2024. The organizations who sell the heritage tags would know well ahead of time that the tag would no longer be available as a Heritage tag.

Staff Specialist Cox asked which specialty tags are for which species this year.

Chairman Caviglia stated 2022 was a Silver State California Bighorn sheep tag, and in 2023 they dropped it due to the decline in California Bighorn sheep population.

Staff Specialist Cox asked if it was based on last year's quota.

Chairman Caviglia answered that the Dream tag was based on last year's quota. He also said we would lose the Dream tag next year per statute.

Director Jenne stated we couldn't exceed 15 tags between Heritage and Silver State. With the proposed change we would be at 13.

Commissioner Wise approved of the change.

*No CABMW comment.*

*No public comment.*

**CHAIRMAN CAVIGLIA MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-10, 2024 HERITAGE TAG SEASONS AND QUOTAS AS PRESENTED WITH THE NOTED CHANGE TO STRIKE THE CALIFORNIA BIGHORN SHEEP HERITAGE TAG WITH THE INTENT TO ADD IT TO THE SILVER STATE PROGRAM NEXT YEAR, AS WELL AS THE CHANGE TO THE LANGUAGE WITH REGARD TO THE NTTR. COMMISSIONER WISE SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

- I.\* **Commission Regulation 23-11, 2023 Partnership in Wildlife Tags – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**  
The Commission will consider and may take action to approve the 2023 Partnership in Wildlife tags hunt species, seasons and quota.

Chairman Caviglia introduced item #15l.

Division Administrator Munoz presented CR 23-11, 2023 Partnership in Wildlife tags. She stated no changes with the exception of the language changes that were addressed in CR 23-09, as well as the language changes in regards to the NTTR as previously discussed.

Sean Shea, private citizen in regards to the Mountain goat tag asked why we would go back to a Silver State tag instead of the PIW tag.

Division Administrator Munoz stated that the Mountain goat tag was replaced by the California Bighorn Sheep tag.

**COMMISSIONER EAST MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-11, 2023 PARTNERSHIP IN WILDLIFE AS PRESENTED WITH THE NOTED CHANGE TO ADD A DISCLAIMER TO READ EXCLUDES UNIT SEASONS DESIGNATED FOR DEPREDATION MANAGEMENT HUNTS AND FIX THE LANGUAGE REGARDING THE NTTR. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

**J.\* Commission Regulation 23-12, 2023 Silver State Tags – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**

The Commission will consider and may take action to approve the 2023 Silver State tag species, seasons and quota.

Chairman Caviglia introduced item #15J.

Division Administrator Munoz stated that the Department anticipates a drop in the quota for California Bighorn sheep and recommended replacing the Silver State California Bighorn sheep with a Silver State Mountain goat tag.

*No CABMW comment.*

*No public comment.*

**COMMISSIONER EAST MADE A MOTION TO APPROVE THE COMMISSION REGULATION 23-12, 2023 SILVER STATE AS PRESENTED WITH THE NOTED CHANGE TO THE LANGUAGE REGARDING THE NTTR. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8-0. VICE CHAIRMAN ROGERS WAS ABSENT.**

**16. Future Commission Meetings and Commission Committee Assignments – Secretary Alan Jenne and Chairman Tommy Caviglia – For Possible Action**

The next Commission meeting will be held in Las Vegas at the Clark County Government Center and is scheduled for March 10 and 11, 2023. 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.

Chairman Caviglia introduced Item #16. He asked about the summer meeting and whether the Department had a date to suggest.

Secretary Jenne noted that the Department suggested August 18<sup>th</sup> and 19, 2023 for the merged August-September meeting.

Chairman Caviglia noted that it could be approved at March Commission.

Secretary Jenne agreed.

Chairman Caviglia stated that the Commission would wait for the Governor's Office to provide guidance on how they should proceed with the Executive Order to remove ten regulations. He asked if a committee needed to be formed to address that.

Secretary Jenne agreed and added that the Regulation Simplification Committee should be formed to consider the clean-up of ten regulations and the Governor's guidance on future Commission Regulations, including Waterfowl seasons and limits that would be presented at March Commission.

Chairman Caviglia stated that there would be a Wildlife Damage Committee Meeting prior to the March Commission Meeting. He added that Commissioner Booth would replace Commissioner Pierini on the

TAAHC Committee and Wildlife Damage Management Committee, as well as the Kirch Award Committee.

Secretary Jenne stated that the Department would bring back the language in the Heritage Grants Manual, Policy 23 and the amendment to CR 23-04 adding the Emergency Big Game hunts.

Chairman Caviglia stated that he didn't have anything else to add.

**17. 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.

Chairman Caviglia introduced Item #17.

Chrissy Pope, representing Nye CABMW, stated that the Nye CABMW requested that if we did close the Wilderness cow hunt, the depredation hunt be designated to either sex. The herd in area 251 was being managed, however if that situation wasn't taken advantage of there would be more elk on the test range as has been reported from people in Tonopah. The CAB requests that in the future we look at changing the depredation hunt to either sex.

Sean Shae, private citizen, requested that the Commission look at the edible portion of the bear language. It was very confusing and it would be great to align the language so that all is the same.

*Chairman Caviglia adjourned the meeting at 2:46pm.*

\*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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