

Nevada Board of Wildlife Commissioners' Meeting Draft Minutes

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

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

<https://www.youtube.com/channel/UCrFHgHLM0MZA2Hx7og8pFcQ>

If you wish to make public comment, please use this link for Friday, March 8, 2024:

<https://us02web.zoom.us/j/86559984576?pwd=c20ybFlxRDVESmNYc1dxcUhhVTkhGQT09>

If you wish to make public comment, please use this link for Saturday, March 9, 2024:

<https://us02web.zoom.us/j/83888234750?pwd=YkxrOGg1UU5KTUdDZkNwbXBjZStZQT09>

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 or attend and make comment during the meeting. 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. All persons present are asked to sign-in, whether speaking or not.

In accordance with NRS 501.105 and Commission Policy 1, Adoption of Commission Policies, Resolutions, and Record Keeping: *"The Commission will have a minimum of two readings not on consecutive days of the revised or proposed policy in public meetings before the Commission takes action to adopt, amend, or repeal, or disapprove the policy. Exception: If the policy is declared an emergency the Commission may read, amend, and adopt the policy in two readings on two consecutive days."*

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Nevada Board of Wildlife Commissioners, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.

Nevada Board of Wildlife Commissioners present for the meeting:

Chairman Tommy Caviglia
Commissioner Tom Barnes
Commissioner Casey Kiel
Commissioner Paul Young
Commissioner Alana Wise - absent

Vice Chairman Shane Rogers
Commissioner Eddie Booth
Commissioner David McNinch
Commissioner Mario Walther

Senior Deputy Attorney General Craig Burkett

Secretary Alan Jenne

Nevada Department of Wildlife personnel in attendance

Deputy Director Caleb McAdoo
Deputy Director Jordan Goshert
Deputy Director Mike Scott
Fisheries Division Administrator Chris Crookshanks
Game Division Administrator Shawn Espinosa
Habitat Division Administrator Mark Freese
Chief Game Warden Kristy Knight
Data and Technology Services Division Administrator Kim Munoz
Conservation Education Division Administrator Chris Vasey
Fiscal Division Administrator Nancy Camarena
Management Analyst Kailey Musso
Management Analyst Megan Manfredi
Wildlife Staff Specialist Jasmine Kleiber
Wildlife Staff Specialist Pat Jackson
Wildlife Staff Specialist Cody Schroeder
Habitat Division Biologist Trace Kipke
Game Division Biologist Erin Wood
Wildlife Diversity Biologist Dane Horowski
Wildlife Staff Specialist Matt Flores
Administrative Assistant Bernadette Keane
Conservation Educator Doug Nielson
Executive Assistant Lynda Barr (Zoom)

Public In Attendance

John Hiatt, Clark CABMW
Paul Dixon, Clark CABMW
Jana Wright, private citizen
Stacey Armstrong, public citizen

Glenn Bunch, Mineral CABMW
Alex Harper, Clark CABMW
Annoula Wylderich, public citizen
Stephanie Myers, public citizen

Rebecca Goff, Humane Society of the United States
Warren Hardy, Humane Society of the United States
Jill Fritz, Humane Society of the United States
Helen Foley, American Wild Horse Conservation
Clint Bentley, Fraternity of the Desert Bighorn
Heather Carpenter, Humane Society of the United States

David Stowater, Nevada Trappers Assoc
Annette Magnus, private citizen
Catherine Smith
Caron Tayloe, private citizen

Public in Attendance via ZOOM

Coby Rowe, Washoe CABMW
Rob Boehmer, Carson City CABMW
Ryan Browne, Washoe CABMW
Chrissie Pope, Nye CABMW
Dre Arman, Back Country Hunters and Anglers
Theresa Barbour, Oregon Wild Horse Organization
Neil Cheeney, Nevada Trappers Association
Craig Downer, private citizen
Larry Johnson, private citizen
Josh Hicks, private citizen
Irene Payne, private citizen
Mel Belding, private citizen
Karen Boeger, private citizen
Laura Fuson, private citizen
Jana Wright, private citizen
Mike Reese, private citizen

Paul Howell, Douglas CABMW
Jim Cooney, Elko CABMW
Steve Robinson, Washoe CABMW
Jayme Halpin, Eureka CABMW
Robyn Norloff, private citizen
Kirk Muller, private citizen
George Forbush, private citizen
Fred Voltz, private citizen
Mary Cioffi, private citizen
Jake Walker, private citizen
Anamaria Damas, private citizen
Henry Krenka, private citizen
Catherine Smith, private citizen
Brian Rowe, private citizen (ph 837)
Catherine Smith, private citizen

Friday, March 8, 2024 – 8:30 a.m.

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

Chairman Caviglia called the meeting to order at 08:30 a.m. and Commissioner Kiel led the Commission in the Pledge of Allegiance. Roll of the Commission taken by Management Analyst Kailey Musso. Chairman Caviglia, Vice Chairman Rogers, Commissioners Barnes, Booth, Kiel, McNinch, Walther and Young were present. Commissioner Wise was absent. Chairman Caviglia made note of the CABMW members in attendance.

2. Public Comment Period **INFORMATIONAL**

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.

Persons making comments are asked to begin by stating their name for the record.

Craig Carpenter Downer, private citizen spoke re Item 8, the Wild Horse and Burro Letter discussion. He feels the letter and support material are misleading. He feels that these Equidae have a legal right to inhabit these lands. His thought is that livestock ranching impacts have not been considered in the equation. These impacts along with mining and energy development deprive all wildlife of their fair share of the forage water and shelter. The major positive contribution that Wild Horse and Burros play has not been considered.

Dre Arman, Back Country Hunters and Anglers, voiced support to the Commission signing on to the letter of support at Item 8.

3. Approval of Agenda – Chairman Caviglia FOR POSSIBLE ACTION

The Commission will review the agenda and may take action to approve the agenda for March 8, 2024. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

Chairman Caviglia requested that Item 7K be moved ahead of Item 7G.

Secretary Jenne advised the tour of the shooting range would take place after Item 11.

No public comment.

VICE CHAIRMAN ROGERS MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED WITH NOTED CHANGE TO MOVE ITEM 7K IN FRONT OF 7G FOR FRIDAY MARCH 8, 2024. COMMISSIONER YOUNG SECONDED THE MOTION. MOTION PASSED 8-0 WITH COMMISSIONER WISE ABSENT.

4*. Approval of Minutes – Chairman Caviglia FOR POSSIBLE ACTION

Commission minutes may be approved from the March 8th and 9th meeting.

Commissioner McNinch advised corrections under Item 10, 11, and 20b. Chairman Caviglia also noted an issue under Items 7c and 20c, he also requested that page numbers be added to the agenda in future.

COMMISSIONER MCNINCH MADE A MOTION TO APPROVE THE MINUTES WITH NOTED CHANGES. VICE CHAIRMAN ROGERS SECONDED THE MOTION. MOTION PASSED 8-0 WITH COMMISSIONER WISE ABSENT.

5. Member Items/Announcements and Correspondence **INFORMATIONAL**
- Chairman Caviglia

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 Jenne may also be discussed.

Chairman Caviglia noted a large amount of Commission correspondence as relating to agenda items for this meeting. He spoke of a letter received regarding a license revocation based on the Interstate Wildlife Compact and noted there was nothing the Department could do. He had also received a letter from an individual who drew an alternate elk tag but wasn't aware of it at the time, so he never got the tag.

Commissioner Walther received an email from the Canvasback Duck Club commending the Department on its work regarding season settings and requested that the Commission move the waterfowl settings meetings back to the North.

Secretary Jenne noted the items he had received.

6. County Advisory Boards to Manage Wildlife (CABMW) **INFORMATIONAL**
Member Items

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.

7. Reports **INFORMATIONAL**

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

DIRECTORS OFFICE

Secretary Jenne presented the Directors Office Division Activity Report.

Personnel: As a reminder, Wildlife Diversity Division Administrator Jen Newmark's last day with the Department was March 1st. She has moved on to the Wildlife Management Institute where we look forward to continuing to work with her.

On a brighter note, the Director's Office is excited to announce we have hired Lacey Walker to fill the Administrative Assistant position vacated by Cameron Tull. Lacey's first day with the Department will be Monday March 11th and you will meet her in person at the May Commission Meeting.

Budget: The Department held the annual Wildlife and Sport Fish Restoration (WSFR) coordination meeting on January 15th to discuss the upcoming FY25 grants.

The Governor kicked off the next biennium budget build for state agencies after preparing and presenting his priorities for the next three years. The Director's Office and Fiscal Services Section plan to meet with each division over the next few months to discuss priorities for the next budget cycle.

Director's Office staff attended the Interim Finance Committee Meeting on February 8th where \$1.5 Million in American Rescue Plan Act (ARPA) funds were approved to finish the Cave Lake Dam project. We also attended the February 15th BOE meeting where all Department items were approved.

Conferences/Meetings: Deputy Director Mike Scott attended the Recreational Boating and Fishing Foundation (RBFF) Conference in Atlanta, Georgia. RBFF covers all related travel expenses for the agency Director and two representatives to attend.

Deputy Director Caleb McAdoo sat on a Wild Horse and Burro Round Table hosted by the Nevada Lands Council on February 23rd.

LAW ENFORCEMENT DIVISION

Chief Game Warden Kristy Knight presented the Law Enforcement Division Activity Report.

Personnel Updates: We gave a conditional offer to Joe Deese for our Staff Game Warden position. Mr. Deese is currently in the background process.

Emilee Cain has transferred from Las Vegas to Elko. She will be patrolling Area 6.

We conducted new hire game warden testing. Six candidates were interviewed and three received conditional offers.

Water Operations: Southern Region wardens helped recover a drowned individual in Laughlin near the Harrah's Casino beach.

Land Operations: Game wardens patrolled a coyote hunt contest which netted 1 loaded weapon in vehicle citation. It is also noted that out of the 33 hunters contacted only 3 were not using night vision or thermal equipment.

The Fallon game warden cited and trespassed two people for off-road vehicle use on the Carson Wildlife Management Area.

A Las Vegas warden responded to a call in Henderson where a dog was mauled by a mountain lion.

Investigations: Staff assisted Colorado on a possible residency case.

A new sub guide was denied a permit due to violations off NAC 504.671: grounds for denial, revocation, or suspension of license.

Outreach: A game warden attended the STEM career fair at UNR.

An Eastern Region warden assisted con ed with an ice fishing presentation to new ice fishermen at Wildhorse reservoir.

Chairman Caviglia asked where the mauling referred to in the report was located.

Chief Game Warden Kristy Knight said 'Anthem'.

Vice Chairman Rogers asked a question regarding vacancies in Law Enforcement.

Chief Game Warden Kristy Knight advised the Division was still understaffed with the greatest deficit being in Las Vegas. If all four currently in backgrounds pass, there will still be a deficit of eight positions.

DATA AND TECHNOLOGY SERVICES DIVISION

Data and Technology Services Division Administrator Kim Munoz presented the Data and Technology Services Division Activity Report.

2024 Hunt Applications: The Data and Technology Services Licensing & Hunt Application units kicked off the 2023 Hunt Application Seasons with a successful Spring Turkey draw. We had a 9% increase in the number of turkey applications from 2023. A fun little fact about this year's turkey draw, there are two applicants in the draw who are 88 years old as well as two who are 87. Take away here is you're never too old to hunt.

The Non-resident Restricted Guided Mule Deer Hunt applications opened on February 12th and will close on March 11th with the draw results being released no later than March 22nd.

The division is ready for the 2023 Big Game application period which will open on Monday, March 25th and closes on May 8th.

2024 Heritage Auction Tag Sales Update: The following is a recap of the 2024 Heritage Auction Tag sales so far:

- Antelope Tag #2 auctioned by Wild Sheep Foundation for \$55,000 vs \$19,000 in 2023.
- Nelson Bighorn Sheep Ram Tag #1 auctioned by Wild Sheep Foundation sold for \$175,000 vs \$145,000 in 2023.
- Elk Bull Tag #1 auctioned by Nevada Bighorn Unlimited sold for \$280,000 vs \$220,000 in 2023.
- Turkey Tag #1 auctioned by Safari Club International Las Vegas sold for \$3,500 vs \$3,400 in 2023.
- Turkey Tag #2 auctioned by Pershing County Chukars Unlimited sold for \$1,100 vs \$800.

There will be a turkey and mule deer tag auctioned on March 9th. The overall year-to-date total for the Heritage Auction Tags sales is \$514,600.

The Heritage Committee is now accepting Vendor proposals the 2025 Heritage Auction Tags. The deadline for submission is April 15, 2024.

Lastly, the DATS staff and the Gordon Darby staff have been all over this great state of Nevada upgrading the License Vendor's equipment and will be completed with the replacements within the next two week.

HABITAT DIVISION

Habitat Division Administrator Mark Freese presented the Habitat Division Activity Report.

Restoration and Rehabilitation: Despite the inactive 2023 fire season (376 fires consuming approximately 10,427 acres), habitat biologists have been actively restoring degraded habitats resulting from previous years wildfires. During the fall and winter of 2023/2024, NDOW biologists implemented 12,802 acres of herbicide treatment, 60,400 acres of aerial seeding and planted 182,190 seedlings totaling 73,934 acres of fire rehabilitation treatments across 22 projects. The cost of these projects is likely to exceed \$1 million dollars. We would like to thank our partners and financial supporter, which include the Bureau of Land Management (BLM), United States Forest Service (USFS), Fish and Wildlife Service (FWS), Navy, Nevada Gold Mines, Nevada Dream Tag program, the Wildlife Heritage Committee and Commission, and NGO's like Nevada Bighorns Unlimited, Nevada Muley's, Nevada Chukar Foundation, and Muley Fanatics.

Technical Review: The Technical Review Program continues providing guidance on several large projects including BLM Sage-Grouse plan revision, BLM's Solar PEIS, Greenlink North and West Transmission Line projects, Cross-Tie Transmission Line, Section 368 Transmission Corridors EIS, GridLiance West Core Transmission Upgrades, and the Libra, Bonanza, Rough Hat Clark, and Dry Lake East Solar projects. It was announced recently that the project proponent for the Stagecoach Wind project in eastern Nevada has withdrawn the project application. The Program continues to administer the Energy Review Program, with a total of 4 project applications received since January 1, 2024. These include two energy transmission projects and two battery energy storage projects.

Sagebrush Ecosystem Technical Team (SETT): The SETT hosted the annual verification training for Conservation Credit System (CCS) project verifiers, which included updates on recent changes in the newest version of the Habitat Quantification Tool. The SETT held its latest Sagebrush Ecosystem Council (SEC) meeting on February 22, 2024, discussing Greater Sage grouse Habitat Management categories map updates and voted to support a Wild Horse and Burro "sign-on" letter from the Coalition for Healthy Nevada Lands, Wildlife and Free Roaming Horses to the BLM Director.

Private Lands Program: The Private Lands Program is finalizing two Department land acquisitions (Disaster Peak and Parrado) with numerous other acquisitions and conservation easements in various stages of progress. The program is also working with partners such as Pheasants Forever, Intermountain Joint Venture, Natural Resource Conservation Service (NRCS) and others to create additional partner positions to increase work force capacity ensuring much of the federal funding through Bipartisan Infrastructure Law (BIL) and Inflation Reduction Act (IRA) is put on-the-ground in Nevada.

Water Development Program: The Southern Region water development crew is partway through the volunteer build season, with the Northern crew kicking off the build season on March 16, 2024.

GAME DIVISION

Game Division Administrator Sean Espinosa presented the Game Division Activity Report.

Mule Deer and Antelope Program: NDOW Staff participated in a wildlife crossing study and prioritization workshop in Carson City in early February. The purpose of the workshop was to bring together NDOT and NDOW staff, as well as professionals and consultants from other states to begin to develop a prioritization process for identifying potential wildlife crossing structures through AB 112. The process is expected to take approximately one year and will be done in conjunction with NDOW's focus on further developing a statewide connectivity plan.

Game Division staff participated in the annual winter meeting of the Mule Deer Working Group hosted by WAFWA and the Mule Deer Foundation.

Mule deer captures were conducted during mid-February in various locations across the state with the majority being conducted as a part of the Mule Deer Enhancement Program. Capture areas and results included:

- Hunt Unit 021/022: 12 deer captured. Ten animals received a solar ear tag and 2 received collars.
- Hunt Unit 102/103: 19 total mule deer captured with 15 new collars deployed and 4 recaptures and re-deploy.
- Hunt Unit 121: 22 mule deer captured and collared.
- Area 13: 30 mule deer captured and collared.
- Hunt Units 163/164: 14 mule deer were captured on Morey Bench during this effort. There are now 33 total marked mule deer in this area.
- Area 22: 43 mule deer captured and outfitted with collars.
- This represents a total of 140 mule deer captured and collared during February 2024.

Upland Game Program: In late January, Western Regional staff began initiating trapping efforts in Paradise Valley to reduce the resident turkey population. To date, two capture events have occurred, removing a total of 41 birds. No further trapping will be conducted this season in Paradise Valley.

Staff reached out to IDFG in January to discuss the potential of receiving 20 female CSTG from north-eastern Idaho populations. The Bull Run Basin CSTG population originally came from southeastern Idaho between 2013-2017. Discussions with IDFG have proven fruitful and they have been very collaborative at meeting our needs. Currently, we are working with IDFG eastern regional staff to identify the best lek locations in the Upper Snake River Drainage for April 2024 captures.

Migratory Bird Program: Staff attended Pacific Flyway Meetings. Progress was made on updating White-winged Dove, and White-fronted goose management plans. Several items related to migratory bird management and harvest were discussed in preparation for the August regulatory meeting.

The Game Division and the Conservation-Education Division collectively facilitated the annual Fallon Wood Duck nest box check and clean-up on February 26.

Predator Program: Staff reviewed and provided comment on the USFWS Draft Environmental Assessment: Depredation Permits for Common Raven Removal in Nevada. Even though the document was relatively short, it required extensive and critical review.

A Power Point presentation to the WDMC was given Thursday, March 7 on a Predation Management Matrix to compliment changes in Policy 23. USDA Wildlife Services has hired many additional seasonals for the spring 2024 field season. USDA WS has also started a raven research project to compliment project 21, this project is funded by NWRC.

Wildlife Health: RHDV2 was identified as the cause of death for 10 pygmy rabbits near Austin, NV. This was the majority of collared rabbits in the area, suggesting a high mortality rate. The long-term impact to the population as well as the population of other lagomorphs from RHDV2 is unknown at this time.

Staff continued the test and remove project in the Santa Rosa range by removing 2 ewes that tested positive last fall and identifying another 3 sheep shedding *M. ovi*. We hope to have these positives removed before lambing.

Pre-sampling of the Sheep Creeks was performed in preparation for the March translocation to the Montana Mountains.

An emergency test and remove project was initiated on Lone Mountain due to the detection of the highly virulent Mojave strain of *M. ovi*. We captured 19 sheep and test results are pending.

Wildlife health staff attended mule deer captures in Units 021/022, Area 22, and Morey Bench in Area 16, and performed body condition evaluation and pregnancy diagnosis to help with these studies. While analysis has not been performed, anecdotally mule deer body condition on the Morey Bench and in Washoe County was improved from last year.

Wildlife health performed pre-release testing for captured quail and turkeys to make sure they are free of diseases of concern prior to release in various locations around the state.

Vice Chairman Rogers asked whether Wildlife Crossing studies are in certain targeted areas or Statewide.

Game Division Administrator Shawn Espinosa advised there were some 120 to 140 crossing's identified across the state for a whole host of different species not just big game animals, currently a ranking criterion is being developed.

WILDLIFE DIVERSITY DIVISION

Wildlife Diversity Supervisor for the Southern Region Matt Flores presented the Wildlife Diversity Division Activity report.

Winter Raptor Survey and Analysis: January concluded the annual winter raptor count to record raptor activity in Nevada on wintering grounds within the state. NDOW biologists, project partners, and volunteers surveyed almost 70 routes during the month of January to record data on raptors including information on species presence, distribution, and habitat. The most common species observed each year is the red-tailed hawk, but surveys also document a large number of golden eagles, bald eagles, and rough-legged hawks. Information collected helps to provide relevant data to national databases allowing us to determine the distribution, habitat use, status, and trend of Nevada's wintering raptor populations. This survey effort began in the late 1970s and continues to provide a long-term monitoring data set for raptor conservation. An in-depth analysis of this dataset will start this spring.

Winter White Nose Syndrome Sampling: NDOW continues to partner with other state and federal agencies as part of a national effort to monitor the spread of white-nose syndrome as it moves across the North American continent. White-nose syndrome (WNS) is a disease which affects bats by preventing them from hibernating and causing them to deplete their energy reserves too quickly over the winter. The disease is named for the white fungus, *Pseudogymnoascus destructans* (Pd), that grows on the nose and wings of affected bats. Large scale die-offs of bat populations in the eastern United States have occurred since it was first discovered in 2006 in New York state. Since that time, it has spread rapidly across the US and Canada by bat-to-bat transmission and humans visiting caves and mines. In 2022 six bats inhabiting a large hibernaculum in Idaho tested positive for Pd, putting the disease close to the Nevada border. Nevada is one of the few states that is yet to document WNS or Pd within its borders. NDOW biologists recently completed testing in five hibernacula across the state. This effort will also include testing bats when they emerge from hibernation in the spring. Surveillance for WNS and Pd will allow NDOW to understand the movement of the disease, manage populations, and mitigate the effects and spread of WNS in Nevada.

Motus Station Construction in Eastern Nevada: NDOW biologists have recently completed construction of two Motus stations in eastern Nevada to monitor migratory species. One station is currently now linked to a continent wide Motus system which allows biologists to work across borders to gain insight into how migratory species use habitats while during their migrations, with the other station expected to be linked in the near future. The first station constructed near Baker Nevada is online and able to record data if any animal tagged anywhere in the world were to move within the range of the station. This data can be viewed by the public at the Motus website. NDOW will continue to erect motus stations in concert with partner agencies to expand the Motus network in Nevada, which will be capable of recording tagged animals as they move across Nevada's landscapes.

Diversity Supervisor Flores also mentioned a yellow billed loon found in the Bellagio fountain, NDOW biologists caught the bird and moved it to a more suitable location.

Chairman Caviglia mentioned seeing the news report of the loon release.

FISHERIES DIVISION

Fisheries Division administrator Chris Crookshanks presented the Fisheries Division Activity report.

Fisheries staff statewide are finishing up data analysis, report writing, and work program planning and transitioning into preparations for the upcoming 2024 field season. We are pleased to announce the promotion of Hope Harper to the Administrative Assistant 3 position for Fisheries, Habitat, and Wildlife Diversity at Reno Headquarters. In her relatively short time with NDOW, Hope has proven to be the ultimate team player. She's always willing to lend a hand in a multitude of projects across many divisions.

Aquatic Invasive Species (AIS) Program: An extensive Redclaw Crayfish eradication effort was conducted by Southern Region and AIS staff and partners in late-January at the Clark County Wetlands Park. Weekly trapping subsequent to the project has failed to contact any additional crayfish thus far. AIS staff recently hosted the Western Invasive Species Coordinating Effort (WISCE) winter meeting in Boulder City. This biennial meeting provides a venue for western states to coordinate emerging AIS issues and challenges.

Fish Hatcheries: A PRAS (partial recirculation) feasibility study was initiated at Spring Creek rearing station in early February. These systems will likely be necessary at out hatchery facilities in the future with increasing temperatures and decreasing water tables. Hatchery and headquarters staff are currently in conversations with NV Energy and the Governor's Office of Energy to remedy skyrocketing costs for power. Our power bill has more than doubled in the past year and a half at our Mason Valley Hatchery.

Sportfish & Native Aquatics Programs: The Department recently received notification that the U.S. Fish & Wildlife Service found a petition to list the Railroad Valley Toad warranted which will now be followed by an extensive species status review before a listing decision is rendered. Sportfish staff recently met with Trout Unlimited and a local angling club to discuss possible improvements to the Nevada Native Slam program.

Eastern Region Fisheries: The Elko County commission recently voted to move forward with donating 120 acre-feet of surface water rights to NDOW for the development of the ponds associated with the Parrado property which is anticipated to become Nevada's newest urban fishery. Eastern Region Fisheries and Habitat personnel are exploring opportunities of using rock structures to enhance warmwater fish habitat on the Argenta WMA.

Southern Region Fisheries: Moapa Dace surveys were completed by NDOW, FWS, and SNWA in late-February resulting in a count total nearly identical to last year's count. Many larval fish were seen in recently restored stream reaches while Virgin River Chub were also observed. Southern Region staff is coordinating with the Conservation Education Division to develop an improved fish exhibit for the Clark County Fair in April. We are currently exploring the opportunity of using Bluegill from an out-of-state vendor.

Western Region Fisheries: Commercial fishing operations at Lahontan Reservoir were recently suspended after receiving EPA analysis results which indicated mercury content in Sacramento Blackfish exceeded the FDA action level of 1ppm. The newly established University of Nevada Cooperative Research Unit is assisting Western Region biologists with the ongoing Third Creek project in Incline Village. CRU personnel are helping with daily weir maintenance, trap checks, fish tagging, and spawning activities. They are also interested in developing a larger project to analyze

spawning habitat upstream of the weir site to help inform future potential for LCT recovery.

CONSERVATION EDUCATION DIVISION

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

Events: The Department hosted the 14th Annual Nevada State Championship Archery Tournament in 3 separate State Tournaments: Elko, Reno and Las Vegas. We had 813 archers compete with 407 female and 406 male archers. Very interesting note that the ratio is 50/50 female to male almost every year. The event was a huge success, and the Conservation Education Team, volunteers and staff seem to make each event better every year.

On another positive note since the last meeting, with the help of Commissioner Young, we did get archery approved in the Washoe County School District. This is a huge milestone for our program, and now we can officially say that we offer archery in the schools statewide, and in every county. Thank you to Commissioner Young for all your help.

Outreach: Conservation Education staff highlighted Nevada's moose population in a Moose Week campaign that got significant engagement. We reached about 5,000 profiles per day on both Instagram and about 19,000 on Facebook. The weeklong campaign made 134,697 impressions in a week on Facebook and 69,000 on Instagram.

Conservation Education staff highlighted Invasive Species on social media during Invasive Species Week from Feb. 26th – March 3rd. The goal of Invasive Species week is to shed light on invasive species and how people can take actions to stop the spread.

Conservation Education staff sent an email to more than 18,000 people who have been certified in hunter education in the last 5 years encouraging them to purchase a hunting or combination license to get ready to apply for tags.

Education: Statewide Wildlife Educator Coordinator and a Diversity Staff Specialist presented at the biannual Wildlife Viewing and Nature Tourism Academy in Duck, North Carolina. For the past year they have been a part of a Community of Practice with Virginia Tech and other states working to implement Wildlife Viewing programming. A result of the Community of Practice is a five-year wildlife viewing program aligned with the revised State Wildlife Action Plan. Implementation of the plan has already begun with new additions to the website set to go live soon.

Conservation Educators hosted a week-long training for area AmeriCorps interns serving at NDOW and our partner organizations. This training was on public speaking and interpreting on natural resources. Participants who finished the course became Certified Interpretive Guides. There were 22 participants.

Media Highlights: In February, news stories mentioning the Nevada Department of Wildlife had an audience of almost 5,000,000 people between print, online, television and radio news. Topics covered include Nevada's new moose hunt, tips on living with coyotes, bear awareness, and more.

B*. Litigation Report – Deputy Attorney General Craig Burkett

A report will be provided on Nevada Department of Wildlife litigation. Deputy Attorney General (DAG) Craig Burkett presented the Litigation report, a copy can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/7B-Litigation-Report.pdf>

C*. Wildlife Heritage Account Report – Habitat Division Administrator Mark Freese 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.

Habitat Division Administrator Mark Freese presented the Wildlife Heritage Account Report, a copy can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/7C-Wildlife-Heritage-Account-Report.pdf>

D*. Wildlife Heritage Committee Report – Committee Chairman Tom Barnes
A report will be provided on the recent Wildlife Heritage Committee meeting.

Committee Chairman Tom Barnes gave an overview of the recent Wildlife Heritage Committee meeting. A copy of the agenda can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/7D-Wildlife-Heritage-Committee-Report.pdf>

Wildlife Heritage Committee Chairman Tom Barnes reported on the meeting held that morning prior to the NBWC meeting. The first part of the meeting reviewed the Wildlife Heritage Account Report (as presented at Item 7C). The second was a presentation on the South Schell Creek land acquisition Heritage principal project which will be reported at Item 17.

E*. Tag Allocation and Application Hunt Committee (TAAHC) Report – Committee Chairman Caviglia
A report will be provided on the recent TAAHC meeting.

Committee Chairman Caviglia gave an overview of the recent TAAHC meeting. A copy of the agenda can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/7E-TAAHC-Mar-2024-Agenda.pdf>

TAAHC Committee Chairman Caviglia advised two main items discussed were the junior tag transfer program which will be looked at in Item 18B and waiting periods on bighorn sheep and mountain goat changing to a once in a lifetime tag. The committee voted to recommend forwarding that to the Commission for further review.

F. Winecup Gamble Land Exchange – Deputy Director Caleb McAdoo
The Department will provide an update to the Commission on recent developments regarding the Winecup Gamble Land Exchange.

Deputy Director Caleb McAdoo provided an update to the Commission on recent developments regarding the Winecup Gamble Land Exchange.

Deputy Director McAdoo advised there has been a minimum of correspondence since the Commission meeting in September. The Department reached out to Mr. Tom Glass for an update, Deputy Director McAdoo reported from correspondence received from Mr. Glass that “wildlife is high priority for the ranch” and they are back to having internal discussions about the best ways to emphasize wildlife going forward. They plan to involve a larger audience of interested parties prior to and further developing an exchange before making presentations to the public.

Commissioner McNinch asked if we had heard from any Congressional delegates.

Deputy Director McAdoo advised that to his knowledge we have not received any correspondence from any delegates regarding this issue.

Commissioner McNinch advised his concern is that this issue will play out in the congressional arena and that perhaps we should reach out to our delegates again.

Deputy Director McAdoo advised the Department could follow up on this issue.

Vice Chairman Rogers echoed points made by Commissioner McNinch and thought it important to reach out to our delegates.

K*. Wildlife Damage Management Committee Report – Committee Chairwoman Alana Wise

A report will be provided on the recent Wildlife Damage Management Committee meeting.

Commission Chairman gave an update due to Commissioner Wise being absent. The agenda for the meeting can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/7K-Wildlife-Damage-Management-Committee-Report.pdf>

Commission Chairman Caviglia advised that at the meeting Wildlife Staff Specialist Pat Jackson was asked to add some language specific to translocations in Project 37. Staff Specialist Jackson will also put together a predator matrix for Predator Program proposals. The committee also looked at predator projects through the Mule Deer Enhancement Program in Units 021 and 022 and from that were going to make a recommendation to the Commission to increase funding on Project 37. The committee also requested some additional funding to be added to Project 47.

Vice Chairman Rogers asked a question regarding how those committee requests relating to projects 37 and 47 would take place.

Chairman Caviglia advised that Wildlife Staff Specialist Pat Jackson would make his presentation now, the Commission could recommend changes for a final approval in May.

G*. Draft Fiscal Year 2025 Predation Management Plan – Wildlife Staff Specialist Pat Jackson

The draft Fiscal Year 2025 Predation Management Plan will be presented to the Commission for review. A report from the Predatory Animal and Rodent Committee (PARC) Meeting, held in February will be shared with the Commission. All comments from the Commission, PARC, County Advisory Boards to Manage Wildlife, and any other interested publics will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at the March 2025 meeting.

Wildlife Staff Specialist Pat Jackson presented the Draft Fiscal year 2025 Predation Management Plan. A copy can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/7G-Draft-Fiscal-Year-2025-Predation-Management-Plan.pdf>

Vice Chairman Rogers asked what percentage of Project 44 was taking place in Area 23 as opposed to Area 24.

Staff Specialist Pat Jackson advised the majority of work was taking place in Area 24. Area 23 was added at a later date because some Global Position System (GPS) marked lions ended up in Area 23 that had similar diets.

Meeting Adjourned 09:55

Meeting recommenced 10:10

H*. Administrative Procedures, Regulations and Policy Committee – Committee Chairman David McNinch

A report will be provided on the recent Administrative Procedures, Regulations and Policy Committee meeting.

Committee Chairman McNinch gave an overview of the recent APRP committee meeting. A copy of the agenda can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/7H-APRP-Committee-March-2024-DRAFT-AGENDA.pdf>

Committee Chairman McNinch gave an update of the meeting held on Tuesday March 5th, 2024, and discussed the new policy being developed regarding the second half of the three-dollar fee.

Management Analyst Kailey Musso advised that Policy 12 will be the new policy for the second pot of that three-dollar fee, it will be set up exactly like the Heritage Policy currently, so those projects will go through the same review process. The Committee decided to move the issue forward when the Department is able to get it onto the next agenda.

Commissioner McNinch reminded the Commission that policies need to be reviewed every three years.

I*. Mule Deer Enhancement Oversight Committee – Committee Chairman Casey Kiel

A report will be provided on the recent Mule Deer Enhancement Oversight Committee meeting.

Committee Chairman Kiel gave an overview of the recent Mule Deer Enhancement Oversight Committee meeting. A copy of the agenda can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/71-Mule-Deer-Enhancement-Oversight-Committee.pdf>

Committee Chairman Casey Kiel advised the committee met on Wednesday March 6th, 2024. All habitat investigations and predator projects proposed by the subcommittee were discussed in depth. The committee agreed with what the Department had previously ranked, and the majority of projects were either fully or partially funded.

J*. Mule Deer Tag Quota Development, Harvest Estimation and Effects of Harvest – Wildlife Staff Specialist Cody Schroeder

An informational presentation will be provided to the Wildlife Commission on the nuances of tag quota development for mule deer, how harvest levels are derived and the overall effects of harvest on mule deer populations.

Wildlife Staff Specialist Cody Schroeder gave a presentation on Mule Deer tag Quota Development, Harvest Estimation and Effects of Harvest. A link can be found below:

<https://www.ndow.org/wp-content/uploads/2024/03/Mule-Deer-Quotas-Informational-C-Schroeder-March-2024-Commission-Meeting.pdf>

Vice Chairman Rogers thanked Staff Specialist Schroeder for the great presentation and asked who creates population models and how often are they revised?

Staff Specialist Schroeder advised he thought that the spreadsheet model was developed mid-2000 and not updated since then in terms of software, new data is put in every year. The Department is trying to modernize with integrated population models, probably in the next year or two.

Vice Chairman Rogers asked what the process for is extrapolating those numbers of population models to determine the total population, when the geographic sites are so massive that not every inch can be covered.

Staff Specialist Schroeder advised the Department does its best to survey the entire unit group but gets samples from as much area as it can and then extrapolating that to the whole unit.

Commissioner Young thanked the Department for the presentation and made a statement about his concerns about what age classes are actually out there.

Chairman Caviglia advised he had enjoyed the opportunity to do some counts in December in Southeastern Nevada and he was really impressed.

Secretary Jenne appreciated the Commission taking the time for this presentation and explained the intent is to try and get the background to the public and the Commission before the May meeting.

Vice Chairman Rogers very much liked the one-page snapshot and hopes the data is out before the May meeting.

Chairman Caviglia also spoke to the one-page snapshot that was presented to a previous Commission.

8*. Wild Horse and Burro Letter

FOR POSSIBLE ACTION

- Habitat Division Administrator Mark Freese

Discussion of the sign-on Wild Horse Burro letter addressed to Tracy Stone-Manning the Director of the Bureau of Land Management from the Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses.

Habitat Division Administrator Mark Freese introduced discussion of a Commission sign-on letter to the letter from Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses. A copy of the Coalition letter can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/8-Wild-Horse-and-Burro-Letter.pdf>

Habitat Division Administrator Mark Freese explained the letter had already been sent on December 8th so it wouldn't be a "sign-on". If directed by the Commission the Department could write a separate letter. The content aligns with Commission Policy 67.

Commissioner Caviglia asked about funding for the Wild Horse and Burro Act for FY 2024 and 2025, when does Congress set the funding for that?

Management Analyst Kailey Musso advised Congress does appropriations around spring, usually March to May, but her advice is if the Commission is interested in sending a letter regarding appropriations to do it soon rather than later.

Chairman Caviglia wondered if the ship had already sailed in terms of funding.

Secretary Jenne advised there is still opportunity to discuss the request for increased funding.

John Hiatt, Clark CABMW, discussed lack of funding and state of horses and wild burros in Nevada. He thinks it's important to urge more funding now, as we have a crisis and the money needed is just going to increase in future. The Washington office of the Bureau of Land Management (BLM)

understand the issue but don't have the funding and the more support by documentation we can give them the better.

Paul Dixon, Clark CABMW, their CABMW is in support of the letter being signed by the Commission. In this state we do deal with animals if there are too many in a population or their causing damage in their habitat. There are a lot of horses suffering on the range, some have had to be euthanized because of poor body condition and we do have to look at animal welfare. The population is so large right now, considering birth control and other things to maintain the population is not going to help.

Ryan Brown, Washoe CABMW, supports the Commission signing on to the letter because we truly do have a wild horse problem in Nevada, if that ship has sailed Washoe CABMW would support the Commission writing their own letter to echo these concerns.

Helen Foley, legislative advocate for the American Wild Horse submitted the following comments:

DRAFT



March 7, 2024

Nevada Board of Wildlife Commissioners
RE: Comments on Agenda Item 8: Wild Horse Letter - Vote No

Commissioners:

American Wild Horse Conservation (AWHC) is the largest wild horse and burro protection organization in the nation. On behalf of our more than 16,000 Nevada supporters, we urge you to reject the request to sign on to the Coalition for Healthy Nevada Lands letter to Bureau of Land Management (BLM) Director Tracy Stone Manning to request Congressional funding for mass roundups and removals of wild horses from Nevada public lands.

The letter seeks the reduction of Nevada's wild horse population to the low "Appropriate Management Level" (AML) of just 12,811 individuals in five years. This would require the removal of well over 40,000 animals at a cost to taxpayers of \$40 million just to capture and remove, and as much as \$2 billion to maintain in holding facilities over their lifetimes. The requested action would devastate Nevada's wild horse populations, leaving behind remnant herds with a density of one horse per 1,100 acres of land, making these significant ecotourism attractions difficult if not impossible to find for people visiting (and spending money in) our state.

The mass removals would add tens of thousands of horses to the BLM holding facilities that already confine an astounding 62,000 animals at a cost to taxpayers of \$109 million annually.

Wild horse roundups and removals represent a failed approach to wild horse management. And without fertility control these costly mass removals would *at best* kick the can down the road five years until populations increased again, resulting in the need for more roundups in an endless and unsustainable cycle. This keeps federal money flowing to the livestock contractors who earn millions from rounding up wild horses with helicopters and confining them in holding pens, but it does nothing to effectively manage Nevada's cherished wild herds.

It's been over a decade since the National Academy of Sciences recommended that the BLM use fertility control as a "more affordable and satisfactory answer than continuing to remove wild horses to long-term holding facilities." The NAS also concluded that "removals are likely to keep the population at a size that maximizes population growth rate, which in turn maximizes the number of animals that must be removed and processed through holding facilities."

In other words, the BLM is creating the problem it is complaining about. Yet the roundups continue. Meanwhile, AWHC's Virginia Range wild horse fertility control program has proved there's a better way to manage wild horses. The program is now the largest of its kind in the world. This year, published,

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[peer-reviewed science](#) affirmed the feasibility and efficacy of the program. Within four years, more than 70% of the breeding age mares were darted with the reversible PZP fertility control vaccine, resulting in a 58% reduction in foaling during the study period. By the end of 2023, foal births on the Virginia Range were reduced by 66%.

Fertility control works and it's 96% less expensive than rounding up and removing horses from the range. Taxpayers would potentially be spared hundreds of millions of dollars over the next five years if the agency focused on fertility control instead of removals of wild horses.

The Coalition's letter to Director Stone Manning blames wild horses for range degradation in Nevada. This is a tactic to divert away from the largest cause of rangeland destruction in the West - livestock grazing. In Nevada, wild horses live on just 14 million of the 43 million acres of BLM land grazed by livestock. The largest cause of failing rangeland health standards on BLM land in Nevada is livestock grazing, not wild horses.

If this was truly about making the urgent progress toward healthy rangelands, why is the Coalition singling out wild horses, when there is clearly a larger systematic problem affecting millions more acres?

The Coalition for Healthy Nevada Lands is not a registered entity in Nevada or a registered charity with the IRS. Its website does not reveal its membership or organizational leadership, or the purpose for the funds it is raising. The coalition lacks transparency, but clearly advances the agenda of commercial interests like livestock grazing and wildlife trapping that seek to profit from the public lands where wild horses roam.

The public interest, on the other hand, strongly backs wild horse protection. Polls show that [86 percent of Nevadans](#) agree that wild horses are defining symbols for our state and want them protected and humanely managed, not slaughtered. This past weekend, over 23,000 citizens sent letters to Congress in support of Congresswoman Dina Titus' bill to ban helicopter roundups. This winter, national media focused on the cruelty of helicopter roundups in Nevada, and the trauma, injuries and death wild horses and burros suffered in these capture operations.

AWHC urges your board to use its influence to promote humane, publicly acceptable and sustainable wild horse and burro management policies. Humane conservation solutions include fertility control as well as habitat restoration projects, such as AWHC's 3,300-acre Fish Springs Land Preserve near Gardnerville,, which is protecting open range habitat and critical natural water sources. These are win-win solutions that benefit wild horses, other wildlife species and American taxpayers.

Thank you for your time.

Helen Foley, Foley Public Affairs
On behalf of American Wild Horse Conservation

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Dre Arman, Backcountry Hunters and Anglers, recommended the Commission support the letter as feral horse populations are far beyond Appropriate Management Level (AML) on our public lands and are one of the greatest threats to our natural systems across Nevada's landscape. They urge the Commission to do everything in their power to advocate for adequate resources and strategy.

Craig Carpenter Downer, private citizen doesn't agree with chemical sterilization of horses and feels it goes against the true purpose of the Wild Free-Roaming Horses and Burros Protection Act, he is in favor an approach called Reserve Design, this would allow the animals to self-stabilize. He explained his beliefs on the physiology of these animals and how it enhanced ecosystems.

Laura Fuson, private citizen is in opposition to signing this letter, she feels that herd management areas need to be researched and are mismanaged. She feels a separate agency from BLM needs to be appointed to manage Nevada's biggest wildlife issue. Taking horses and burros off the land penning them for years is not cost effective. Helicopter roundups are cruel, and these are watched all over the world.

Mel Belding, private citizen advised that appropriators cut \$5.9 million from the Bureau's Wild Horse and Burro program. He also addressed Porcine Zona Pellucida (PZP) for fertility control, in studies PZP has caused abandonment and no colostrum in the mother's milk. Lessees are entitled to grazing rights and he urges the Commission to sign onto the letter.

Karen Boeger, Coalition for Healthy Nevada Lands, they are going to resubmit the letter once they have collected more signatures. They do hope the Commission will support the letter; she did want to note as mentioned in the introduction that it does complement Commission Policy 67. The Coalition are a completely volunteer run organization. She urges the Commission to sign onto the letter as did the Sagebrush Ecosystem Council just recently as its important to show the BLM the wide spectrum of stakeholders who support the BLM getting to AML.

Unidentified caller – x705 said these wild horses and burros are valuable to our land, they eat 30 pounds of brush daily. They could stop brush fires; livestock is never mentioned by BLM. She mentioned how livestock are always seen across the land but not wildlife, not buffalos. BLM are supposed to manage these animals with minimal activity.

Theresa Barbour, Oregon Wild Horse Organization gave an introduction to the Wild Free-Roaming Horses and Burros Protection Act 1971 and how that was not being managed as intended. Currently livestock have the larger amount of forage as opposed to wild horses and burros under the explanation of how the BLM determines range land/herd management area. She spoke of how the BLM determined population levels. The letter under consideration does not take into effect the climate of horses, or that most mares in Nevada are being treated with fertility control. She requested the Commission not submit the letter as written.

Fred Voltz, private citizen requested verbatim comments be records "The proposed letter for sign on contains no bona fide conservation organizations supporting the data presented or the approaches proposed to the BLM.

Based on BLM's own data, a mere 720 mares received fertility control in FY 2023 out of a guesstimated Nevada wild horse and burro population of just over 49,000 as of January 22, 2024. Fertility control has not been used by the BLM on a widespread basis, so an incorrect conclusion has been claimed by the letter's signatories without any probing for readily available public information. Previous years' fertility control efforts were miniscule, too.

BLM's total incarcerated wild horse and burro population nationwide in BLM-operated facilities,

excluding the private ones that BLM also uses, numbers just under 65,000 as of January 2024. By contrast, Nevada's human prison system has 10,622 total inmates as of March 5, 2024, thus, BLM runs a national prison system six times the size of Nevada's human prison system.

If the ranching and hunting groups proposing this letter were really concerned about habitat and all wildlife, then why aren't they suggesting veterinarian services to help suffering wildlife, more water hauls to guzzlers and substantially reducing the 500,000 livestock that graze on public lands at bargain-basement prices? A reasonable path forward for BLM to find more money includes increasing livestock-grazing prices to market rates since Nevada livestock represent more than 10 times the number of wild horses and burros.

Why isn't BLM being challenged to implement widespread fertility darting with embedded microchips that could be read from a distance and assess if or when the wild horse or burro was last given fertility control drugs?

This letter could have pursued so many constructive rather than destructive alternatives but chose imprisonment and death as its solutions. The letter does not deserve this Commission's endorsement. Wildlife deserves to live in the wild just as people seek freedom."

Mary Cioffi, Pine Nut Wild Horse Advocates gave an outline of what her organization does and what they have achieved with regard to reproduction rates. She then spoke to what her organization thought of the Coalition, they ask the Commission to reject the letter and depend on information from unbiased experts from the national Academy of Science. Her organization has been using PZP for over ten years and have found none of the side effects previously mentioned.

Anamaria Damas, private citizen is sick of hearing Coalition people lamenting about horse suffering while asking for round ups. More rounds-ups mean broken legs, broken necks, and dead foals. She is in opposition of the letter. Ms. Damas spoke to her residency and to the amount of public land authorized for grazing in Nevada. She feels that millions of dollars are paid to wild horse round-ups and mentioned the price differences between grazing a cow on public land versus removing a wild horse to feed in a feed lot.

Unidentified caller, is concerned about lies since broken treaties with Native Americans and discussed the benefit of buffalos. He discussed ranching in Yellowstone and the believes that ranchers feel that wild horses are a threat to ranching and that hunters feel that wild horses are a threat to deer populations. The Wild Free-Roaming Horses and Burros Protection Act needs to be followed, there needs to be minimal interference.

Henry Krenka, Nevada Outfitters and Guides Association, they would like the Commission to support the sign-on for the letter to the BLM. These are feral horses not wild horses and they are devastating the public lands in Nevada with the way they are management currently.

Commissioner Walther appreciates comments and discussion on the issue. Isn't going to engage in failure of agencies or lack of consultation. The question before the Commission is whether to sign on to this letter, he feels it furthers and supports the goals of Policy 67 and is in support.

Commissioner McNinch doesn't feel it's his position to defend the coalition, they did put together a plan called Path Forward that the Commission signed onto support. He then gave a description of what that plan involved. He appreciates what people are doing to support their herds and doesn't want

his vote to reflect that he doesn't appreciate or recognize those efforts. He agrees with the Coalition and feels it's a timing issue.

Vice Chairman Rogers appreciates the public comment and has read all the communication and feels everybody agrees that there is an overpopulation of horses in the state and we have to get down to an AML. He is in support of what the Coalition is doing, however he would prefer the Commission draft their own letter reiterating Policy 67, and that we look to send letters to Congressional delegates.

Chairman Caviglia says everything is laid out in Policy 67 and agrees with Vice Chairman Rogers we should write our own letter to BLM and our own Congressional delegates. The Commission put a lot of thought and discussion into Policy 67 several years ago.

Commissioner Barnes likes what the previous Commissioners have said but when he looks at who else has signed onto the letter, he wants the Commission to sign on to the letter and then write a separate Commission letter. He has a question because of the way the Item is agendized.

DAG Burkett advised the Commission the agenda item is focused, and it's limited to a sign-on. The Commission could agendize the issue for the next meeting and do what is being suggested.

Chairman Caviglia doesn't remember a time when the Commission signed onto another organization's letter.

Commissioner McNinch reiterated that and wondered if the item is agendized so specifically that the Commission can only sign-on to this letter.

DAG Burkett explained the meaning of Open Meeting Law, and this item talks to signing on to the Wild Horse & Burro letter therefore signing a separate letter would not be to the scope of this agenda item the Commission could however draft a cover letter.

Commissioner McNinch clarified that if the Commission takes the information in the Wild Horse & Burro letter for their letter that would be okay?

Commissioner Walther suggested the Commission draft a cover letter, stating that the Commission is signing on supporting the Wild Horse Burro letter, listing Commission discussion in that cover letter and word the cover letter together with the Coalition letter to the Director of the BLM as well as any delegates deemed appropriate.

Chairman Caviglia thinks a separate letter from the Commission would hold more weight than simply signing onto the existing letter.

Commissioner Barnes asked Commissioner Walther if that was his intention.

Commissioner Walther thought we would be addressing noticing concerns if we drafted a cover letter supporting the attached letter and include the reasons.

DAG Burkett explained he would help the Department and the Commission with the letter.

COMMISSIONER WALTHER MADE A MOTION THAT THE DEPARTMENT DRAFT A COVER LETTER IN SUPPORT OF THE COALITIONS LETTER. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8.- 0 WITH COMMISSIONER WISE ABSENT.

Meeting adjourned 12:15

Meeting reconvened 13:45

Written Comments for Agenda Item 8

DRAFT

STATEMENT OF CRAIG C. DOWNER, WILDLIFE ECOLOGIST FOR NEVADA BOARD OF WILDLIFE COMMISSIONERS FOR ITS MEETING ON MARCH 8-9, 2024, AT THE CLARK COUNTY GOVERNMENT CENTER, 500 S. GRAND CENTRAL PARKWAY, LAS VEGAS, NV 89155.

PLEASE INCLUDE MY STATEMENT IN THE MINUTES OF THIS MEETING AND DISTRIBUTE COPIES OF MY INPUT TO ALL BOARD MEMBERS.

CONTACTS: CRAIG C. DOWNER, WILD HORSE AND BURRO FUND/ANDEAN TAPIR FUND, P.O. BOX 456, MINDEN, NV 89423. (A NEVADA-BASED 501 C 3) EMAIL: ccdowner@aol.com.

The presentation to SEC by Dr. Sherman Swanson entitled "Sustaining Land and Wild and Free-roaming Horses, and Burro Health" for consideration at the SEC meeting of 2-22-2024 along with the handout in the meeting agenda from Healthy Western Lands about the wild horses as well as Coalition for Healthy Nevada Lands' letter which is now before the Nevada Board of Wildlife Commissioners for its endorsement are very bold pronouncements that portray Nevada's wild horses and burros as destructive misfits that must be controlled and limited to the maximum, similarly to domestic livestock. These documents are very misleading and incomplete in their treatment of the subject. If this accelerated wild horse and burro removal plan is adopted it will have a devastating effect on the already overly reduced and unnaturally altered wild horse and burro herds and their legal natural homes, or habitats.

Their points, pictures, and graphs are very tendentious in that they promote an agenda that portrays the naturally living horses and burros as destructive, invasive non-natives and proceed to fix the blame upon them for many of the region's most serious environmental problems. In my opinion as a professional wildlife ecologist, these claims have lost sight of the big picture and fail to consider the major environmental impact factors concerning the public lands that these wild equids inhabit as a legal right.

This aggressive "put-down" approach to Nevada's wild equids also concerns the rights of the majority of the General Public who support these national heritage animals and want to see them fairly treated under the provisions of the Wild Free-roaming Horse and Burro Act (WFHBA) and other related laws such as NEPA, ESA, Multiple Use, National Historical Heritage, Wilderness, Administrative Law, FLPMA, PRIA, etc., Acts. These people greatly treasure the wild equids who enhance their quality of life especially when living as befits their truer more complete natures – in the wild!

Some of the most serious omissions and partialities by the Swanson presentation, the Coalition letter and its handout involve:

(1) The failure to bring livestock ranching impacts into the equation and to recognize the relative proportions of livestock operations, including both cattle and sheep, upon the public lands in question. These include the effects of large-scale fencing partitioning of the public lands and its inhibition of the free-roaming lifestyles of the wild horses and burros as well as the manipulation of water and forage resources that cater primarily to the ranchers, or other public lands exploiters, and that deprives wildlife, including the wild equids, of their fair share of forage, water, shelter, and other habitat necessities required for their short- and long-term survival as well as harmonious habitat adaptation. Basically, these interests use the wild horses and burros as "scapegoats," or blame-takers, while seeking to divert the public's attention from the greater truth about what is happening upon the public lands. The Public Employees for Environmental Responsibility (PEER) along with other entities, and including the U.S.

Government Accountability Office (GAO see earlier reports) and the Congressional Research Service (CRS) have issued factual reports that contradict the lopsided report of Dr. Swanson and the assertions of the Coalition for Healthy Nevada Lands. These should be given all due consideration by the Sagebrush Ecosystem Council (see References).

(2) The Coalition's letter and handout and Swanson's presentation leave out the major positive contributions that wild horses and burros make to Nevada's and the West's ecosystems as well as to Nevadan and Western society. These seem to have deliberately ignored the substantial justifications for these equids' resuming their natural roles and filling their niches in the life community. One flagrant claim is that the horse species is non-native to North America! This is not a true claim, as it ignores sound paleontological, including fossil and genetic factual evidence as well as common sense observations concerning how little changed the North American horse species is from its descendants that occupied Eurasia and Africa and then were brought back to the Americas. I consider this a blunt attempt to discredit the horse as native North American wildlife, and a similar though not as pronounced a statement can be made for the burro species, whose ancestral origins as well as long duration of ancestral presence are also right here in North America, including Nevada (see ref. to my book, Ch. 1)

Actually, all the Perissodactyla Order of mammals, including the Horse Family: Equidae, and the Tapir and Rhino Families are pre-eminent gardeners of ecosystems that more greatly build healthy soils and disperse intact seeds of a great variety including many natives when compared to the more exclusively promoted cloven-hoofed, ruminant herbivores such as cattle, sheep, and big game cervids of the Artiodactyla Order of mammals. This has to do with their different digestive systems. It is uninformed to merely lump the mustangs and burros with ruminant livestock. So much of the above has to do with the post-gastric, cecal-fermenting, single stomach digestive system of the equids and their entire order, as contrasted with the pre-gastric, rumen-fermenting, multi-chamber digestion of cows, sheep, etc.

Another oversight is overlooking the history of overgrazing of areas by the latter, particularly domesticated cattle and sheep when ascribing blame for overgrazing upon the wild horses and burros. And it is precisely these areas where government agencies, succumbing to pressures, tend to relegate the wild equids – contrary to their duty under the WFHBA! This is the case with some of the photos that are in the presentation of Dr. Swanson.

Scientific studies have proven that horses, burros, zebras, tapirs, rhinos, etc., actually provide a much-needed balance in ecosystems that are co-inhabited by cloven-hoofed, ruminant grazers (see Odadi & Rubenstein 2011 in Ref.). For this reason, the WFHBA does not lie when it states that wild horses and burros "contribute to the diversity of life forms within the nation ... enrich the lives of the American people ... [and justifiably] are an integral part of the natural system of public lands".

In this regard, the SEC would do well to read an exhaustive study report indicating that horses can very justifiably be regarded as one of the very most suitable species for restoring degraded ecosystems throughout the world including in North America, their evolutionary cradle and place of long-standing evolution (see Ref. link for A Geographic Assessment...). And it is also widely recognized that the return of the equids refills a missing seed-dispersal ecological role because many of the mid- to large-sized herbivores that performed this in the past have been hunted out or their habitats destroyed in the modern world (see Ripple et al. in Ref.). This proves their enhancement to biodiversity and ecosystem resilience – both critical factors in keeping life on Earth on an even keel in these precarious times!

(3) Based on past history, I believe that the presentation by Dr. Swanson, the handout, and the letter from the Coalition for Healthy Nevada Lands are not really about preserving truly healthy and genetically viable herds of wild horses and burros in Nevada. Rather, they are about absolutely minimizing these herds – and eliminating them altogether wherever possible – so as to accommodate prevailing monopolies on the public and associated lands. These include livestock, big game hunting, OHV, mining, energy, residential and agricultural land development, and other nature exploiters. The claim that further slashing, i.e., largely eliminating, Nevada's wild horse and burro populations by 75% is necessary and for the good of the public land ecosystems and the wild horses and burros themselves while ignoring the real major factors – is outrageous! It is an attempt to whitewash what is, in fact, a plan to greatly cripple the wild horses and burros – to get them “out of the way” and to thwart their actually becoming truly thriving, well-integrated, naturally and freely living and roaming presences in Nevada and the West. This thinly disguised plan seeks to subvert the WFHBA's true spirit and intent that is for the wild equids themselves and the public who appreciate them!

(4) For the above and numerous related reasons, I urge the Nevada Board of Wildlife Commissioners to **not endorse** the Coalition for Healthy Nevada Lands' pretentious letter to the National BLM Director Tracy Stone-Manning. In urging an acceleration of wild horse and burro removals from their legal public land habitats, where they have already and in recent years been drastically reduced, this policy would terribly cripple the natural lifestyles, social cohesion, and ecosystem adaptation that have been generations in the making by these adaptable equids! By law in their legal habitats on BLM and US Forest Service lands, the mustangs and burros are supposed to be the principal presences and resource recipients, not shamelessly marginalized! This would be similar to what happened to America's Native Americans who suffered the dire consequences of the egregious “broken treaties”. The major herd reductions clearly disrupt mature social structures of the equids as well as their natural, niche-filling processes that do in fact enhance the ecosystems they occupy, including the Sagebrush Steppe and habitats of the Greater Sage Grouse (see my reports in Ref.). And the wild horses and burros also combat Global Heating and often prevent catastrophic wildfires (see my study article in Ref.), as well as embellish Nevada and the West while uplifting our spirits and the whole “vibe” of this amazing place!

(5) Self-stabilization by means of allowing mature social bands to form and ecological niches to be filled along with the ecosystem enhancement including biodiversity these entail when left to realize themselves would stabilize Nevada's mustang and burro populations. These should be allowed to proceed and be coupled with an overarching and positive, wild-equid-valuing Reserve Design strategy, such as I propose as a professional wildlife ecologist who knew and worked with Wild Horse Annie. These involve Reserve Design about which you can learn more at this link: <https://www.eofundme.com/mstnreserve-design> as well as in some of the books and articles listed below. Along with many other compassionate people of nature-oriented progress, I believe that the very progressive vision of the WFHBA for humans' learning to share the land and freedom with truly long-term-viable and ecosystem-well-integrated horses and burros can be realized in America. So much that is truly good and life-saving, as opposed to life-destroying, depends on our doing just this! And this would truly “make America great again”!

I am a descendant of early Nevada pioneers from the mid-1800s and my ancestry traces back to 1635 to the Puritans of New England. The latter allowed me to become the proud recipient of the Daughters of American Revolution Award for Excellence in American History when I graduated from Douglas County High School here in Nevada. On Presidents' Day I have composed this input because I believe in the State

of Nevada, and in the United States of America and in a greater realization of what life can be here, not just for us humans but for all the Great Rest of Life. Surely, with God's help above all else, we can learn to share the land and freedom with such wonderful species as the horses and burros, species that have done so much for us humans ... so, now, isn't it high time we do something truly good for them?!

Do not hesitate in calling upon me for further input and collaboration to achieve a more just, equitable, and truthful treatment of Nevada's magnificent wild horses and wild burros. These are beings who and species that could do so much to enhance Nevada and in so many ways, provided we wake up to their great value and allow them to fill their great restorative and healing role here in our wonderful shared home.

Sincerely,

Craig C. Downer, Bachelors of Arts, Biology, spec: Ecology UC-Berkeley; Masters of Science, Biology, spec: Wildlife Ecology, UN-Reno; Ph.D. Candidature, Biology, spec. Wildlife Ecology Field study of Endangered Andean/Mountain Tapir, UDurham-UK. President: Andean Tapir Fund / Wild Horse and Burro Fund (a 501 c 3), P.O. Box 456, Minden, NV 89423. ccdowner@aol.com.

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<http://advances.sciencemag.org/content/1/4/e1400103.full>

<https://thewildhorseconspiracy.org/documents/twin-peaks.pdf>. This field report for a major HMA with both mustangs and burros in both NV & CA contains photos substantiating my concerns.

<https://irgaf.org/Endangeredmustangs.htm>. See my illustrated report.

<https://thewildhorseconspiracy.org/wp-content/uploads/2019/07/OBSERVATIONS-AND-ECOLOGICAL-EVALUATIONS-WILD-HORSE-BURRO-HERDS-ARFAS-2016-2018-FINAL.pdf>

<https://thewildhorseconspiracy.org/marietta-burro-roundup-appealed/>

<https://thenevadaindependent.com/article/the-path-forward-for-the-restoration-of-wild-horses-and-burros-and-their-habitat/>

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<https://renonr.com/2023/12/22/nevadas-wild-horses-and-burros-are-protected-by-law-and-are-not-ruining-public-lands/>

<https://www.amazon.com/dp/1461068983/> Author's 313-page illustrated book *The Wild Horse Conspiracy* – well-rounded covering legal, evolution, ecology, personal experiences with herds, plans for saving them through Reserve Design, interviews with early BLM Wild Horse & Burro Specialists, etc.

<https://thewildhorseconspiracy.org/establishment-disinformation-mustangs/>

<https://wp.me/p3Mpt6-zN> Craig's report on the Pine Nut Mountain Wild Horse Herd & Habitat on BLM land in Douglas and Lyon counties, western Nevada with photos, evaluation of 9 major ecological disturbance factors with table of relative assessment of severity.

<https://wildhoofbeats.com/podcast/wild-horses-livestock-public-lands-erik-molvar...>

<https://rewilding.org/rewilding-with-wild-horses/> This stresses their many positive contributions to ecosystems and gives proofs.

<https://peer.org/agency-records-paint-bleak-picture-of-western-landscapes>

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**“The Greatness of a Nation Can Be Judged By The Way It’s Animals Are Treated”
Mahatma Gandhi**

March 3, 2024

Nevada Department of Wildlife

Re: Nevada Board of Wildlife Commissioners’ Meeting March 8th and 9th, 2024
Clark County Government Center, 500 S. Grand Central Pkwy, LV, NV 89155
Revised AGENDA ITEM #8 – Coalition for Healthy Nevada Lands Letter to
Tracy Stone-Manning, Director BLM

Many years ago when departing from your flight at Reno Tahoe International Airport and walking into “Reno” you passed a wall of wild horses, depicting our state as “Wild and Free”. At least since then wild horses have been used to **Attract Tourism in Nevada** and have come to everyone’s attention. Thousands of photographers/videographers+ take pictures of them – make calendars, sell pictures, enter contests, post videos, art shows, write books, billboards (all the way to New York City), make movies with them and about them. Magazines. Wild horse and burro groups conduct tours, hold classes and events, provide information. Tourist Bureaus and Agencies promote, honor and celebrate our wild horses – selling notebooks, cards, t-shirts, mural on the building, a sculpture, and other wild horse murals painted on the side of the buildings all over Carson City other Nevada towns+. Horses brought us here. **Enjoyment of a Fabulous Majestic Animal** that’s served human beings and made things possible.

People literally come from all over the United States, and even the World, to see our wild horses. Most of our new residents love them. People talk about them on the internet. Visitors ask where they can see them, and I recently saw a post by someone who said they drove out and parked and watched them and it gave them such a sense of peace. We learn about their “families” and how they live and take care of each other. A fine example of love for our children and grandchildren. Yes, we’ve grown to love them – and feel like they’re a part of our “wild” life in Nevada. Our wild horses (and burros) are “**Mental Health**” and **Quality of Life** for many and it’s been clouded at least for the last couple years with brutal roundups and not everyone is turning a blind eye anymore. The Nevada wild horses were recently (as mentioned by someone else) in over 100 publications Around the World during the roundups and what many of us consider **THE True “Crisis”**. I saw part of the E Pershing Roundup on NextDoor and someone on-line typed “that shouldn’t be shown. It’s too horrible for kids to see”. Providing bad examples for our children and the rest of the world. A total contrast to what kids could be seeing as a learning tool – learning to share, being kind to animals, how to live with and respect wild animals, being interested in the land we pay taxes on and belongs to all of us.

Not even commenting on “if” roundups are truly needed, because those that think they are carry them out in brutal incomprehensive ways. WE have to pay “ranchers” millions of dollars to carry out these terroristic roundups – injuring, killing, breaking necks, breaking legs, shooting, roundups in 100 degree weather when a mare has just given birth and the foal is newborn - families – chased by helicopters and so many deaths in the roundups and after the roundups Horses dying of illness in pens we can’t see because they’re hidden. TOO many injuries, separations and deaths. We used to see similar abuse on tv happening in 3rd world countries.

I don't believe wild horses and burros are taking anything from squirrels, mule deer (I've seen them grazing with wild horses – the same wild horses that allow the cattle water before they have any), and pollinators and are much better for the land than the cattle that completely outnumber them. “500,000 cattle = 50,000 horses!!!”

Another thing I've heard over the years is “**protecting the sage grouse**”. I've talked to people that live out on the land and have never seen one AND it's on an Endangered List – and BEING HUNTED?! Why not take it off the To Be Hunted list? Instead of constantly blaming it on the wild horses that are on only about 11-12% of land sage grouse call home. That's a pretty clear right indication right there who's got a hand in this.

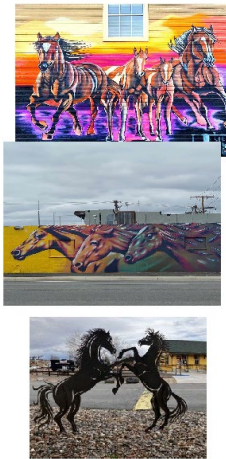
If I'm right, the Coalition for Healthy Nevada Lands+ consists of around 500 people, apparently thinking they are speaking for All Taxpayers since they're also govt agencies, but **seemingly more of a special interest group**, and has a mission statement saying “to ensure . . . for over 700 species of wildlife, free roaming horses and burros” making it sound like they're supportive of the horses and burros, but have proven they're **not** by asking to have them removed with **no regard to how they are treated**. Along with Sherman Swanson's report = outdated pictures, pictures that don't prove when or what season it was, showing a poor dead foal but not mentioning what happens to them in the roundups. His one-sided “thesis type” document full of untruths prepared for private interest coalitions and groups and NOT FOR all the citizens and taxpayers of Nevada and our country.

For all these reasons I **Strongly Oppose** support of the Coalition For Healthy Lands Letter to Tracy Stone-Manning, any further roundups and anyone else who supports the roundups. The wild horses are a BENEFIT to our state in the way of Tourism, Business, Art, Enjoyment, Mental Health, Quality of Life, and Education.

Keep Nevada Wild and Free!!!

Taunee Jensen
5th Generation Nevadan – Taxpaying Citizen

cc: Tracy Stone-Manning, Director, BLM



SAFETY

From: [Annie Buckman](#)
To: [Wildlife Commission](#)
Subject: Letter for Public Comment for Item #8 at the NDOW Commission Meeting 3.8.24
Date: Thursday, March 7, 2024 12:44:38 AM
Attachments: [Protect Wild Horses 3.6.24.pdf](#)

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom It May Concern:

I do not support roundups as a means of population control for wild horses. Please submit my attached written comments for review by the Commissioners and to be part of the public record for this meeting.

If you have any questions, please feel free to contact me at 415-686-4278 or via email at amieruckman@gmail.com

Thank you!

Best Regards,

Annie Buckman MSN, RN

C: 415.686.4278 | E: amieruckman@gmail.com

From: Robyn Orloff <robyn.orloff@icloud.com>
Subject: Public Comment for March 8, Agenda #8
Date: March 7, 2024 at 1:20:01 PM PST
To: wildlifecommission@ndow.org
Cc: Robyn Orloff <robyn.orloff@icloud.com>

I urge the Commission to vote against/not support the COALITION Letter.

As a taxpayer, I oppose my tax money being used for "prioritizing gathering and removing horses" without first coming up with a professional and effective evaluation of populations, and a Management Plan. I will assume that taking "all actions necessary..." will include the inhumane helicopter and wrangler roundups of the Wild Horses and Burros, and their containment in unnatural penned environments. I say STOP.

The cruelty of the round ups is being written up and televised all over the world — and even in NYC Times Square —
for the public, nationally and internationally, to see.

I urge you to stop this brutality now: do not promote any appropriations to continue the current inhumane Helicopter/Wrangler gathering (for per-head payment) and management practices, of these magnificent animals — who have served us humans so well: bringing us out West / sacrificing their lives in toil in our fields - working our mines and quarries / fighting our Wars and dying alongside us / being our companions. And now being promoted by our Tourist Agencies, as a special Nevada sight to see.

I urge you to consider how to best contribute to discussions - with BLM - re their management of our 43 Million acres of public BLM land.
A discussion that includes all inhabitants, uses and users — with the goal of managing them all appropriately and humanely.

Yes to Cattle and Livestock grazing, Yes to Hunting, Yes to Mining, Yes to Solar and Wind Farms, Yes to OHVing, Yes to all kinds of outdoor recreation, Yes to Military — and Yes to our Wild Horses and Burros. And Yes to protecting our private property and public safety on roads — by keeping cattle and wild horses off them. Yes to consideration and respect, and including all us, whose tax money supports our Public Land and its use/users — and management of any and all (respective/relative impacts). And Yes to including all the above uses, for all of us to enjoy, and for all of us to benefit from — and YES to managing / repairing all the impacts.

I urge the Commission to encourage BLM to use our tax money for more positive humane solutions/ alternative management for our Wild Horses and Burros: Yes address the issues. But there must be a better way. Consider:

1). In depth professional study of the HMAs (actually, ALL Management areas) to ensure they can support their respective uses,

- 2). Recommendations re restorations/rehabilitation/rotation of the land to promote a healthy ecosystem — initial and on-going studies — and professionally studied and chosen appropriate management/use areas for each special interest and public use.
- 3). Consider separate Management areas for cattle grazing - livestock grazing - Wild Horse/Burro grazing— and compare the impacts of each on their respective Management areas — and restore/repair/rotate as necessary to continue their use while promoting our healthy ecosystem,
- 4). Encourage NV Ecotourism around the Wild Horses and Burros — i.e. to bring money into our State, vs spend our funds on expensive (millions of dollars) Helicopter/Wrangler roundups and life long containment of the animals in remote corral areas. Come up with alternative less expensive/more humane methods for both — good management = no long term corralling?
Bring visitors into our state, with a POSITIVE message about caring for ALL our natural resources — animals and flora — not the terrible publicity we are now getting around the world, w/images of our Wild Horses being terrorized/killed/injured, heartlessly — achieved/supported by our elected officials, using our/MY tax money.

There MUST BE a better way. With consultation and cooperation and coordination and conversation, I hope that the NDOW and BLM and all our elected and appointed officials, will come up with a responsible and ethical (authentic and transparent) way to manage our Nevada Sagebrush Ecosystem —humanely and effectively and professionally — while also listening to ALL your constituents (including those who have no voice, the Wild Horses and Burros — for whom many of us citizens passionately speak).

Thank you for your consideration.

Iin hopes of a positive solution,

Robyn Orloff
Carson City, NV
Proud US and NV Citizen and Taxpayer
robyn.orloff@icloud.com

March 6, 2024

The Honorable Alan Jenne
Director
Nevada Board of Wildlife Commissioners
6960 Sierra Center Pkwy #120
Reno, NV 89511

Dear Director Jenne and Commissioners:

Wild horses have been the subject of a polarized debate for hundreds of years. Many feel that they are a nuisance that degrades habitat for other wildlife species. However, this is simply not true. All species can cohabitate. Even humans, although we seem to believe that there is a separate set of rules for us on this Earth.

People are not separate, but we do have an immense responsibility to care for the Earth and ALL the creatures on it. Alas, we have not been handling the wild horse populations responsibly. We put them at great risk for injury in terrifying roundups and sentence them to prison in holding facilities. Removing thousands more wild horses and burros and funneling them into holding facilities is fiscally irresponsible and it goes against the spirit of the Free-Roaming Horses and Burros Act. We do this when there are better options and best practices that are not being put to use.

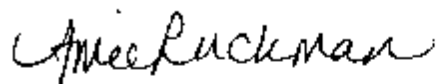
It's been over 10 years since the National Academy of Sciences recommended robust fertility control as a strong management tool. The BLM and other wildlife agencies need to use scientifically proven fertility control in a meaningful way. Without meaningful fertility control, the roundups recommended in the Coalition for Healthy Nevada Lands letter are only a 5-10 year band-aid and an abuse of taxpayer funding.

Crazy Horse said, "Treat the earth well: it was not given to you by your parents, it was loaned to you by your children. We do not inherit the Earth from our Ancestors, we borrow it from our Children." We owe it to our children to continue to give them the gift of wild horses and burros living wild and free.

My children are 7 and 5 years old. They love seeing the wild horses. They consider them their horses. They love living in a state where wild horses are part of our community and history. We want their children and children's children to enjoy their presence, serenity, and majesty in our community. NOT in a zoo or a holding facility.

Please choose to demonstrate ethical and fiscally responsible care of our wild horses. We can do better.

Respectfully,



Amie Ruckman

9*. Petition – Ms. Rebecca Goff

FOR POSSIBLE ACTION

Ms. Goff has submitted a petition to add a new section to Chapter 503 of the Nevada Administrative Code (Hunting, Fishing and Trapping; Miscellaneous Protective Measures) regarding Wildlife Killing Contests. The Commission may take action to deny or accept the petition and initiate rulemaking.

Chairman Caviglia clarified who was presenting the petition.

Ms. Goff explained she was representing Humane Society of the United States (HSUS).

Ms. Goff introduced her petition which can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/9-Petition-Ms-Rebecca-Goff.pdf>

Warren Hardy introduced himself as a contract lobbyist for the Humane Society of the United States and thanked the Commission for their consideration of the Petition. He acknowledged the difficulty this Petition presented. Mr. Hardy described his career as a representative in the state Senate and gave his explanation of the legislative process. He also spoke to Nevada Department of Wildlife's (NDOW) Mission Statement and how that applied. Mr. Hardy requested it be placed on record that if the Commission were to move this Petition forward in the rule-making process this would not be interpreted by him or his client as support for eliminating wildlife killing contests.

Ms. Goff continued her presentation at the link below:

<https://www.ndow.org/wp-content/uploads/2024/03/RGoff-NBWC-Presentation-March-2024.pdf>

Chairman Caviglia advised the discussion was opened for rulemaking at a previous hearing and that discussion.

Commissioner McNinch has spoken with sportsmen about this issue, he is trying to have an open mind and if believes the question is about the method of take, it's the competition. He feels we can come up with language that takes the offensive aspect of hunting coyotes and making it more tolerable.

Mr. Hardy stated he appreciated Commissioner McNinch's comments, and advised democracy is hard. He asked for an opportunity to be involved in the rule making process.

Vice Chairman Rogers stated we have talked extensively about the issue. He thought it was a very well-prepared petition with a lot of good material, he did struggle with the belief that there was nothing new in this petition since the commission last had this discussion.

Ms. Goff advised that the ask will always be the same, New York took seventeen years, since then two other states have passed this law. What's different is the continued public shift in awareness.

Once the general public hear the scale they are appalled. She reiterated that we do not want this to threaten hunting, it's the very specific issue of animals being killed in mass for cash and prizes.

Mr. Hardy appreciated Vice Chairman Rogers argument but submitted it was not a democratic argument to say we've done this we've dealt with it previously. Americans have a right to petition their government and this is what is happening with this petition.

Vice Chairman Rogers asked for clarification on the slide showing the means of taking coyotes, thermal imaging and night scopes.

Ms. Goff indicated she was trying to highlight that the method of take, and tools used violate the fair chase ethic. These tools overwhelm the animal's natural ability to escape.

Mr. Hardy thought the point was that if something is not allowed in the regular course of fair take we should look at it skeptically.

Vice Chairman Rogers said with coyotes being considered vermin you can use those tools.

Ms. Goff advised it does violate fair chase ethic in that when using night vision you are drawing your prey to you, instead you would normally chase it.

Paul Dixon, Clark County CABMW echoed Vice Chairman Rogers comment about the excellence of the Petition and presentation, he advised that at his CABMW meeting took over an hour out of a three-hour meeting to have the discussion. He acknowledged Washoe and Clark are different than the remaining fifteen counties. Mr. Dixon advised the discussion that had taken place during their most recent meeting.

Paul Howell, Douglas CABMW, their CABMW voted to recommend the Commission accept the petition and initiate rule making, they wanted to emphasize they support predator hunting, but they share a concern that the contests are hurting Sportsmen's reputation with the non-hunting public.

John Hiatt, Clark CABMW, strongly urged the Commission to accept the petition and initiate rule making.

Steve Robinson, Washoe CABMW, said his CAB voted unanimously to reject the petition. He stated the legislature has rejected this and it has been discussed ad nauseum.

Jayne Halpin, Eureka CABMW, echoed Washoe CABMW and said the Eureka CAB voted unanimously to reject the petition.

Jana Wright, private citizen, is in support of the petition, she feels Ms. Goff did an excellent job of presenting what many people feel is a wanton waste of wildlife. Please accept the petition and let's talk about it.

Jill Fritz, HSUS, she's worked on this issue all over the country and wanted to expand on the method of take and night vision, the issue is the offering of cash and prizes for the killing of certain species within a specified time period in a contest. This is why every single one of the ten US states that have banned these competitions have banned them.

Annette Magnus, private citizen, has a long history of working on public lands and wildlife issues. She asks the Commission to move this issue to the rule making process so that the community can have a conversation. She is personally opposed to these kinds of contests because she finds them barbaric. Coyotes are a welcome and beautiful sight, and she urges the Commission to represent all Nevadans and let them have a voice in the rule-making process.

Heather Carpenter, HSUS, appreciates the Commission considering the Petition, Ms. Carpenter gave a description of the work that HSUS does. She urged that the Commission accept the petition and move to rule-making process.

Caron Tayloe, private citizen wanted to clarify that the Legislature did not reject the bill. Her group went to both sides of the aisle and got a lot of positive feedback, they were told that they needed to come back to the Commission and go through the rule making process. She also wanted to address what has changed in the last three years, people are not happy with wildlife is being trashed, these contests are not hunting they are trashing wildlife.

Stephanie Meyers, private citizen, spoke about what used to be a tradition isn't necessarily right. She spoke to different beliefs about coyote hunting. She stated that all wildlife belongs to the public in the state and thought the public relations value of photos of hundreds of dead coyotes give hunters a very black eye. Coyotes come where the food is, and responsible pet owners protect their pets. She advised she is not anti-hunting and urged the Commission to vote to ban competitions because it was the right thing to do.

Davie Stillwater, Nevada Trappers Association, opposed this petition. He spends over 100 days out in the desert and feels trapping protects wildlife. He requested the Commission use common sense with their vote.

Irene Payne, private citizen requested the Commission to support the Petition and feels that these competitions are a frivolous waste of the state's wildlife. The support of these contests favors a very small minority. She believes this is not ethical hunting and an embarrassment for our state. She spoke of her love for hearing coyotes or seeing them while out walking and said that public sentiment has significantly changed.

George Forbush, private citizen is against the passage of this petition. He gave a definition of a petition under Nevada Administrative Chapter (NAC) 501.195 and his opinion as to why this petition should not be granted. He requested the petition be denied by the Commission.

Neil Cheeney, Nevada Trappers Association, asked the Commission to not accept the petition. He feels supporters are using the emotional angle and choosing to put forward only that information that supports their claims. He said per Commission policy the same petition cannot be heard twice within

a five-year period.

Mike Reese, private citizen, compared people who enter coyote contests to people who buy lottery tickets and asked that it not be criminalized; they are protecting fawns and calves. He then compared the birth rate of coyotes as compared to fawns and asked the Commission why they feel they need to protect the coyote. He asked the Commission to deny the petition.

Jake Walker, private citizen, thought that while the Petition was thorough it did cherry pick some facts about coyote calling contests, effects on the coyote population and numbers of Nevadan's who are paid hunting license holders.

Mr. Hardy asked for the Legislative Committee Bureau (LCB) number from 2021.

Management Analyst Kailey Musso advised it did not advance to LCB, it was Commission General Regulation 503, held for workshop in November 2021 and in a five-to-four vote did not advance to an adoption.

Mr. Hardy advised that he stand by his comment that this had not gone to the rule-making process and would like it to go through the rulemaking process.

Chairman Caviglia advised the petition was previously accepted, there were multiple discussions held but it never advanced.

Mr. Hardy described his belief of the rule-making process in that it has to go the LCB to get an LCB file number. He reiterated this issue was not rejected by the legislature.

Commissioner McNinch spoke to the petition from 2015, he felt that the issue was never really closed, and it was reintroduced in 2020 and declined in 2021. He addressed concerns from some commenters regarding the Commission hearing the petition twice within a five-year period and wanted to assure them this was not the case. Commissioner McNinch spoke to the previous consternation about where the issue should be heard. He asked a question about what we wanted woven into the Sportsmen's reputation and heritage.

Chairman Caviglia thanked Mr. Hardy for his clarification and wanted to reiterate the discussion went on for over twelve months.

Commissioner McNinch stated that sometimes it's very hard to find the middle ground.

Chairman Caviglia reminded everyone that even after all that discussion there were two sides at polar opposites, and no one was going to budge.

Commissioner McNinch wanted to hear what other Commissioners were hearing from people. He feels that a compromise is being brought to the table here, just to enable discussion. We have a huge urban/rural divide, and those dynamics change, and we need to consistently consider and monitor

those changing social norms.

Commissioner Walther thanked all for the presentation and comments and said he has attempted to have a lot of discussion with the sportsmens community in regard to this particular issue and he's not opposed to doing to the work to have more conversation. He does find it frustrating that he hears from a limited group of the same people, he would like to hear from a wider group of sportsmen.

Commissioner Booth spoke about the petition being brought forward at Eureka CAMBW, they voted against it five-zero, and he is not in favor of it right now but feels he does have the information to go back to the CABMWs and begin an educational process.

Commissioner Barnes remember the discussion from 2021, and feels it was the same information discussed at length previously. His feelings haven't changed.

Vice Chairman Rogers referred to past conservations, he thought the presentation was great, he agreed with Commissioner Barnes in that it had been heard before, he is not in favor and would not support this petition.

Commissioner Kiel agreed with Vice Chairman Rogers in that no new information was heard today. He would not be supporting this petition today.

Chairman Caviglia is torn, he feels like the Commission is hearing from polar ends and that is who they hear from.

Commissioner McNinch stated there may not be a middle. He appreciates and respects every member of the Commission, but the public is sending a warning that we are heading for a bumpy road. He suggested to the petitioners that if it wasn't going to pass, they pull the petition so as not to run up against the five-year issue. He asked the Chairman to consider setting up a committee to have this discussion, Commissioner McNinch will go out and do workshops and townhalls to have an open, honest conversation.

Commissioner Young thanked Senator Hardy and Ms. Goff for the presentation. He asked Commissioner McNinch what kind of discussions had happened previously.

Commissioner McNinch said he received a number of calls directly from sportsmen and all except for two, wanted to know if they could still shoot coyotes, he had responded to them that yes, they could within their lawful means. Two respectfully disagreed and hoped it wasn't passed. He feels there are a lot of people in the middle.

Commissioner Young asked Senator Hardy if discussion had happened with other groups.

Mr. Hardy advised he hadn't had these conversations and said he was astonished that the discussion is taking place about whether to take the rule-making process forward. He thought it repugnant that the Commission was not going to enter rule-making process. He doesn't even know that the

Commission can statutorily deny this petition.

Chairman Caviglia asked DAG Burkett what the authority of the Commission was.

DAG Burkett advised the authority of the Commission is under NAC 501.195 subsection 2, upon receipt of a petition requesting adoption, filing amendment or repeal of a permanent regulation pursuant to section subsection one, Commission will refer the petition to the Department to obtain from the Department a recommendation whether to deny the petition or initiate regulation making procedures. Within thirty days or as soon as the petition can practically be scheduled on an upcoming meeting agenda the Commission will notify the petitioner in writing of its decision to deny the petition including the reasons for denial or initiate regulation making procedures set forth in Chapter 233B of Nevada Revised Statute (NRS) part five, a decision by the Commission to deny a petition is a final decision for the purposes of judicial review. So clearly the Commission has the regulatory authority to make the decision to accept a petition or deny a petition and that's part of the agenda making process that exist in the state under open meeting law. The Commission has the right to control what's on the agenda.

Mr. Hardy respectfully requested that if it is the desire of the Commission not to approve this going to rule-making process that the petitioner have the opportunity to withdraw it.

Commissioner Young said he doesn't support it at the moment but would like to see the two sides somewhat get together and have the conversation.

Commissioner McNinch pointed to America's Wildlife Value surveys as taking the noise out of the extremes. This isn't a hard decision for him, he feels like he is fighting for sportsmen's relevancy. He also wants to provide a voice for the other people in the room.

Commissioner Young wondered if it would be allowed for the petitioner to withdraw their petition, so that they don't have to wait the five years, hear the conversation from both sides and then come back.

Mr. Hardy thought they had considered both sides of the conversation not only in Nevada but across the United States so the only reason they would be asking to stay the petition is so that he can have the conversation with the Commission. He wonders where they have come up short in their petition. He feels the Commission is giving equal weight to and compromise with less than one percent of the population.

Commissioner McNinch offered the petitioners to pull their petition and he will go anywhere and everywhere and have the conversation and garner input. The Department will have to be involved to help facilitate.

Mr. Hardy is also happy to go anywhere and have that conversation.

Chairman Caviglia asked if the Petitioner wanted to pull the petition.

Mr. Hardy wanted the Commission to go to rule-making but if that wasn't going to happen, they would pull the petition.

Mr. Hardy advised why he felt the Commission should go with this rule making today.

Commissioner Walther he would support the petition moving ahead but depending on where everyone sits but he is happy to help Commissioner McNinch with further conversations.

Mr. Hardy stated that was the rule-making process, to go out and have to discussions but to have them officially.

Chairman Caviglia asked the petitioner if they want the Commission to have a vote.

Commissioner McNinch explained what he thought could happen if the motion went ahead.

Mr. Hardy stated they would withdraw the petition.

Chairman Caviglia acknowledged that the petitioners would withdraw the agenda item.

Written Comments for Agenda Item 9.

DRAFT

From: [Julie Gorham](#)
To: [Wildlife Commission](#)
Subject: Killing Contests
Date: Tuesday, March 5, 2024 11:02:06 AM

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I would like my name listed on public record as a Nevada resident who is thoroughly disgusted that our state continues to support the slaughter of wildlife in acquiescence to livestock owners and gun crazy residents. Will Nevada ever grow up?

Julie Ballard Gorham
845 Canterra Street
Unit 1047
Las Vegas, NV 89138
Sent from my iPhone

From: wyldeich@cox.net
To: [Wildlife Commission](#)
Subject: WKC Petition
Date: Friday, March 8, 2024 1:25:43 PM

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon, Commissioners:

Unfortunately, I was called away from today's meeting while waiting for the above agenda item to be addressed and was unable to provide my comment.

I am including it below for the record:

It appears to have been established that wildlife killing contests are not a legitimate form of wildlife management; and may actually be counterproductive. Thus, we are essentially placing undue burden upon the time and resources of our game wardens, who are already stretched thin and have more important work to do than trying to monitor or respond to any incidents that may arise from these events.

Other states have been experiencing issues relating to these contests, such as participants who decide to run over animals with their snowmobiles or other recreational vehicles. While this may be legal (but cruel), shooting from those vehicles is illegal. It's a matter of time before Nevada incurs similar problems, especially due to attracting participants from contiguous states that have already banned these events.

I would like to share one of many examples of the optics created by these contests. The statement below was from a participant who was quoted in an article in the 12/12/18 issue of The Cap Times:

"Hunting is my passion, killing is my obsession. Those of us that hunt, enjoy the hunt, but at the end of the day it's the kill we want. Don't just be a hunter. Be a killer."

- Steven Davis

It is doubtful that any of our ethical sportsmen would want this sort of representation; I urge you to please adopt the petition.

Thank you,
Annoula Wylderich

10*. Presentation for Interim Natural Resources Committee Meeting - Management Analyst Kailey Musso **FOR POSSIBLE ACTION**

The Department was asked to give a presentation to the Interim Natural Resources Committee about the Commission and its duties at their April 5th Meeting. The Commission will hear an overview of the presentation and have an opportunity to provide input.

Management Analyst Kailey Musso presented the Draft presentation to the Interim Natural Resources Committee for Commission suggestions. The presentation can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/03/Item-10-Presentation-for-Interim-natural-Resources-Committee-Meeting.pdf>

Secretary Jenne advised it wasn't necessary for comments or suggestions at this moment, they could come in later.

Commissioner Booth requested Chair Caviglia's flight surveys with the Department and his participation with turkey trapping that shows a shared relationship between the Department and the Commission.

Commissioner Barnes feels that the Commission and CABMWs bring that outside perspective.

Paul Dixon, Clark CABMW, mentioned that the Commission and the CABMW's allow for greater public comment.

John Hiatt, Clark CABMW, it's important to represent that the Department and ultimately the Commission regulate all wildlife in Nevada, not just what's hunted. It's dealing with endangered and threatened species. He thinks it's important the Interim Natural Resources Committee (INRC) are aware it's not just about hunting and fishing.

NO ACTION TAKEN BY THE COMMISSION

11. Public Comment Period **INFORMATIONAL**

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. Persons making comment are asked to begin by stating their name for the record.

Mike Reese, private citizen spoke to science regarding drop in deer numbers. He finds its frustrating to spend time looking at regulations for trapping and calling because that doesn't get the deer back.

Jake Walker, private citizen responding to comments from the Commission wanting to hear from the middle during Item 9. He said he is the middle and was okay with whatever the Commission chose to do. He also wanted to talk about the TAACH allocation and quota and how happy he is with that process, though he had some recommendations for change.

Catherine Smith, private citizen, commenting on Item 9 – she believes she is clearly with the majority when it comes to the social science. It is fringe activities regarding predators that are not supported. She doesn't understand why the Commission made the decision or why they kicked the can down the road.

Secretary Jenne in consultation with DAG Burkett offered the Commission the opportunity to delay the Field Tour until another Commission visit to Las Vegas.

Chairman Caviglia agreed.

Meeting adjourned 16:22 P.M.

Saturday, March 9, 2024 – 8:30 a.m.

12. Call to Order, Pledge of Allegiance, Roll Call of Commission members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Caviglia. INFORMATIONAL

Chairman Caviglia called the meeting to order at 08:30 a.m. and Commissioner McNinch led the Commission in the Pledge of Allegiance. Roll of the Commission taken by Management Analyst Kailey Musso. Chairman Caviglia, Vice Chairman Rogers, Commissioners Barnes, Booth, Kiel, McNinch, Walter and Young were present. Commissioner Wise was absent. Chairman Caviglia made note of the CABMW members in attendance.

13. Public Comment Period INFORMATIONAL

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. Persons making comment are asked to begin by stating their name for the record.

Larry Johnson, Coalition for Nevada's Wildlife, had three items he wished to raise; first with the presentation on TAAHC committee he is opposed to limiting bighorn sheep tags to once in a lifetime. The second item is to encourage the Commission to sign on to the Coalition for Health Nevada lands correspondence. Third item is they oppose elimination of wildlife contests.

14. Approval of Agenda – Chairman Caviglia FOR POSSIBLE ACTION

The Commission will review the agenda and may take action to approve the agenda for March 9, 2024. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

No public comment.

VICE CHAIRMAN ROGERS MADE A MOTION TO APPROVE THE AGENDA FOR SATURDAY MARCH 9, 2024, AS PRESENTED. COMMISSIONER YOUNG SECONDED THE MOTION. MOTION PASSED 8-0. COMMISSIONER WISE WAS ABSENT.

**15. Member Items/Announcements and Correspondence -
Chairman Caviglia**

INFORMATIONAL

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

No new items from Chairman Caviglia or Secretary Jenne.

**16. 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.

Jim Cooney, Elko CABMW, noted the wolf sighting on February 24th, in Elko County and wondered what Department policy was. Would like to see a management plan regarding wolves in that area. Secondly, they want to encourage the Commission to pursue and get the harvest returns, fourteen days from the end of the season rather than January for the results, commended Cody Schroeder for his presentation on Friday.

**17*. Heritage Account Principal Project Proposal
Habitat Administrator Mark Freese**

INFORMATIONAL

The Commission will hear the South Schell Land Acquisition Heritage Account Principal Project Proposal. The Department is seeking Heritage Account Principal Project funding to acquire 1,720 acres of wildlife habitat in the Schell Creek Range near Ely, NV. The Department will seek a final decision in May.

Habitat Administrator Mark Freese presented Item 17 Heritage Account Principal Project Proposal.

<https://www.ndow.org/wp-content/uploads/2024/02/17-Heritage-Account-Principal-Project-Proposal.pdf>

Vice Chairman Rogers asked if the plan is to fold in Blue Diamond properties?

Habitat Administrator Mark Freese agreed the intent is to absorb it in Steptoe WMA

Chairman Caviglia asked if the surface water rights will be acquired also?

Administrator Mark Freese confirmed there are water rights that will come with the property.

18. Commission General Regulations – Workshop/Public Comment Allowed **FOR POSSIBLE ACTION**

A*. Commission General Regulation 520 – Tag Deferral Extenuating Circumstances Revision – Management Analyst Megan Manfredi

The Commission will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code to amend the circumstances surrounding tag deferrals.

Management Analyst Megan Manfredi presented on CGR 520; a copy can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/18A-CGR-520-Tag-Deferral-Extenuating-Circumstances.pdf>

Management Analyst Megan Manfredi presented on CGR 520. Management Analyst Megan Manfredi reminded the Commission of the history on Tag Deferrals in Extenuating Circumstances. This regulation initially took five meetings to discuss. When the language was first passed, there was a very narrow window of time in which someone could defer their tag. After the 2021 Legislative Session, the Commission amended this regulation to allow for someone to transfer their tag to a nonprofit organization under certain circumstances. After 2022, the Department proposed to open that timeframe up. After caution from the Deputy Attorney General, the Commission ultimately decided to lengthen the timeframe in which customers could request deferrals. The Department saw a huge spike in the number of requests after the timeframe was opened. Deferrals are increasing while quotas are decreasing. The Department is no longer able to allocate or accommodate some tags in our quota proposal. Each request also takes the Department about three hours per request to approve. The Department currently has a signed Standard Operating Procedure regarding this process, but we have subsequently amended that procedure and it is included in the support material. Management Analyst Manfredi proposed the regulation changes.

Chairman Caviglia confirmed that everything the Commission suspected would happen when the timeframe was opened did occur. He is absolutely fine to go back to the original version of the regulation.

Commissioner McNinch felt bad that the Department went through so much work. He knows what working for a public agency is like with unfunded mandates. He appreciates the Department's work and is good with the proposed language.

Vice Chairman Rogers asked if the regulation was approved when it would take affect this year.

Management Analyst Megan Manfredi confirmed that it would need to go through Legislative Commission but that was the intent.

Paul Dixon, Clark CABMW, explained that he did not follow this so closely but made a point regarding when the unit was closed.

COMMISSIONER KIEL MADE A MOTION TO MOVE ITEM 18A – COMMISSION GENERAL REGULATION 520 AS PRESENTED. COMMISSIONER BARNES SECONDED THE MOTION. MOTION PASSED 8-0. COMMISSIONER WISE WAS ABSENT.

B*. Commission General Regulation 521 – Junior Tag Transfer – Management Analyst Megan Manfredi

The Commission will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code to provide for the circumstances surrounding the transfer of a tag to a junior hunter.

Management Analyst Megan Manfredi gave the following presentation:

<https://www.ndow.org/wp-content/uploads/2024/02/18B-CGR-521-Junior-Tag-Transfer.pdf>

Management Analyst Megan Manfredi presented on the Junior Tag Transfer Regulation and gave a brief history of the regulation. She also thought it was important to note that development in the license system would be required and would not likely be in place until at least 2025. The Tag Allocation and Application Hunt Committee did provide some guidelines and decided to start solely with mule deer and those are provided for in the proposed regulation language.

Commissioner Walther noted there is nothing in the regulation to hold people accountable.

Commissioner McNinch agreed the intent is honorable but that there are a few bad actors who should be worked out of the system. He asked if the Department brain stormed ways to prevent gaming the system.

Management Analyst Megan Manfredi confirmed that we did, and we felt that a junior draw would be the easiest way to stop gaming the system.

Chairman Caviglia noted that he does not believe that was the intent of the NRS.

Commissioner Young confirmed that the intent was to transfer it to a family member. He also noted that he is comfortable with mule deer only. He is supportive of increasing the yardage as discussed in the last TAAHC Meeting. He would also support Commissioner Walther's request of adding teeth to this regulation for enforcement purposes.

Commissioner Barnes agrees that ten yards seems small.

Commissioner Booth noted that he does have a few concerns. He also feels that numbers 8 and

13 of the regulation are causing some heartburn. He felt that neither of them is necessary but that you could just require the hunter and transferor to be in the same unit.

Management Analyst Megan Manfredi confirmed that she met with Law Enforcement again after the most recent TAAHC meeting. They are open to adjusting that language.

There was further discussion on the potential language surrounding the yardage.

DAG Burkett reminded the Commission that there are provisions for any person who violates NRS. He suggested referring to those statutes in the language.

Jim Cooney, Elko CABMW, he understands the reason behind only doing mule deer for now to work the kinks out of the system but that there are several members who think that it should be opened to more species.

Ryan Browne, Washoe CABMW, explained they felt it should go back to the TAAHC for further discussion. Some people would like to know how many names they can put down at the time of application and that many people wanted more than one name. They also didn't believe that the youth should lose their bonus points. We were under the assumption they would lose their junior points. Washoe CABMW also feels that there should be a limited number of tags you can transfer but that it should be more than once in a lifetime.

Mel Belding, public citizen, said that this regulation needs to substantially meet what the intent was, and this regulation does not meet it at all. He feels that he personally spent time with Rex Flowers and understood what the intent for this was.

Coby Rowe, Washoe CABMW, explained that Mr. Browne accurately captured Washoe CABMW's comments but that he wanted to reiterate the importance of them.

Commissioner Young would like to start the process with mule deer to see what happens but that he is not opposed to expanding that later.

Chairman Caviglia asked if we need to define the number of juniors an applicant could designate in the regulation.

Management Analyst Manfredi confirmed it does not need to be written in regulation, but the Commission could still provide guidance.

There was further discussion on the number of times a customer could transfer a tag to the junior and the number of juniors a customer could designate upon the time of application.

CHAIRMAN CAVIGLIA MADE A MOTION TO FORWARD THE PROPOSED CGR 521 TO A FUTURE COMMISSION WORKSHOP AND ASKED THE DEPARTMENT TO LOOK AT ITEM 13 AND COME UP WITH NEW LANGUAGE. COMMISSIONER BARNES SECONDED THE

MOTION. MOTION PASSED 8-0 WITH COMMISSIONER WISE ABSENT.

Meeting break at 10:00 A.M.

Meeting back at 10:15 A.M.

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

FOR POSSIBLE ACTION

A*. Commission General Regulation 500, Subdivision Map Review - Wildlife Staff Specialist Jasmine Kleiber

The Commission will hold an adoption hearing 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.

Staff Specialist Jasmine Kleiber presented CGR 500, a copy can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/19A-CGR-500.pdf>

Staff Specialist Jasmine Kleiber explained that this regulation has had almost 23 workshops around the state to acquire public feedback. Many of the changes in the regulation before you surround clarifications. We have also received a request to clarify in the regulation that developers do not have to submit maps unless the governing body is required to submit maps to NDOW. Both of those situations are already covered under NRS, but we wanted to make the Commission aware.

Vice Chairman Rogers asked a clarifying question.

Paul Dixon, Clark CABMW, said that his CABMW is concerned that from a state and federal perspective we have been hit with a number of regulations. They do not understand what the added benefit of this is. They also feel like the Department does not have qualified staff to review these. Finally, one board members asked a Clark County Planning Commissioner if this was implementable, but that member said it was not.

Josh Hicks, McDonald Carano, thanked Jasmine and staff for making clarifications to the regulation. They only have one lingering concern, and that concern has been submitted to the board previously in November 2023. They request that we ask the Legislative Counsel Bureau to make their concerns abundantly clear in regulation. A new section 7 would be “a developer shall be exempt from the requirements of this section if a planning commission or representative does not submit a map pursuant to NRS 78.335(1)(d).

COMMISSIONER KIEL MOVED TO ADOPT CGR 500 AS PRESENTED WITH THE NOTED CHANGE FROM MR. HICKS' NOVEMBER 2023 LETTER TO THE COMMISSION. VICE CHAIRMAN ROGERS SECONDED THE MOTION. MOTION CARRIED 8-0 WITH COMMISSIONER WISE ABSENT.

B*. Commission General Regulation 511, Wildlife Management Area Designations

– Habitat Administrator Mark Freese

The Commission will hold an adoption hearing to consider amending Chapter 504 of the Nevada Administrative Code. This Regulation would update Wildlife Management Area (WMA) designations and restrictions.

Habitat Division Administrator Mark Freese presented on Commission General Regulation 511. A copy can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/19B-CGR-511.pdf>

Administrator Mark Freese reported there have been no major changes other than defining Steptoe Meadow and Mountain Units. We worked on those definitions with the Legislative Counsel Bureau.

Chairman Caviglia asked if muzzleloaders could be added to the list of weapons used on the WMAs.

Habitat Division Administrator Mark Freese noted that he would be slightly uncomfortable with that given the distance of local housing communities and other people recreating on WMAs, from a safety standpoint.

Chairman Caviglia asked if upland hunting will be allowed on Pole Canyon.

Habitat Division Administrator Mark Freese confirmed that would be allowed.

Commissioner Barnes asked if predator hunting is truly prohibited or if the Department would be able to address problematic predators.

Deputy Director Caleb McAdoo said he would need to review the Agreement again, but he believes the Department would be able to do that.

Commissioner McNinch asked why it is important to allow toxic shot on WMAs.

Habitat Division Administrator Mark Freese made the assumption that it was due to the availability of nontoxic shot.

Commissioner McNinch does not know if he is ready to allow toxic shot again on WMAs after the

Commission made a conscious decision to slow down the accumulation of toxic shot on WMAs.

There was further discussion on toxic shot.

Paul Dixon, Clark CABMW, asked a question about section 3 with relationship to compliance with the American Disabilities Act (ADA).

Deputy Director Caleb McAdoo reminded the Commission on how we came to these restrictions. These restrictions are reflected in the Access Easement which came out of multiple discussions with the landowners.

Chief Game Warden Kristy Knight provided clarification on NAC 503.142 regarding hunting big game animal with a firearm.

COMMISSIONER MCNINCH MOVED TO ADOPT CGR 511 AS PROPOSED WITH THEIR NOTED CHANGES THAT SECTION 4(2)(B) BE REMOVED AND EDITED AS APPROPRIATE AND ADDITIONAL DEPARTMENT COMMENTS ON ACCESS EASEMENT BE INCLUDED. COMMISSIONER KIEL SECONDED THE MOTION. MOTION WAS APPROVED 8-0 WITH COMMISSIONER WISE WAS ABSENT.

20. Commission Regulations – Public Comment Allowed FOR POSSIBLE ACTION

A*. Commission Regulation 24-10, Migratory Game Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Migratory Game Birds Public Hunting Limited on Wildlife Management Areas and Designated State Lands for the 2024-2025 Seasons – Wildlife Staff Specialist Russell Woolstenhulme

The Commission will consider recommendations for seasons, bag limits and special regulations for migratory game birds for the 2024-2025 season and adopt regulations consistent with the proposed regulations framework for the 2024-2025 hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission will also consider rules regulating public hunting on Wildlife Management Areas and designated state lands.

Wildlife Staff Specialist Russell Woolstenhulme presented Commission Regulation 24-10; a copy can be found at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/20A-CR-24-10-Migratory-Game-Bird-Seasons.pdf>

Staff Specialist Russell Woolstenhulme asked for the Chairman's discretion to bundle parts of the regulation.

Chairman Caviglia was in favor.

Staff Specialist Woolstenhulme presented Seasons, Bag limits and Special Regulations for Mourning & White-Winged Dove and American Crow.

No public comment.

VICE CHAIRMAN ROGERS MOVED TO APPROVE THE MOURNING AND WHITE-WINGED DOVE AND AMERICAN CROW REGULATIONS. COMMISSIONER YOUNG SECONDED THE MOTION. THE MOTION WAS APPROVED 8-0 WITH COMMISSIONER WISE ABSENT.

Staff Specialist Russell Woolstenhulme noted an error on the Northeast Zone, it should be January 20, 2025. He proceeded with the rest of the regulations for Ducks and Mergansers. He also went through the regulations for Coots and Gallinules, Snipe, Canada and Cackling Geese and Brant, White-fronted Geese, and Falconry Seasons for Migratory Birds.

Commissioner Walther thanked Mr. Woolstenhulme for his work on these.

No public comment.

COMMISSIONER MCNINCH MOVED TO APPROVE THE REGULATIONS FOR DUCKS AND MERGANSERS, COOTS AND GALLINULES, SNIPE, CANADA AND CACKLING GEESE AND BRANT, WHITE-FRONTED GEESE, AND FALCONRY SEASONS FOR MIGRATORY BIRDS WITH THE REQUESTED CHANGE. COMMISSIONER KIEL SECONDED THE MOTION. THE MOTION WAS APPROVED 8-0 WITH COMMISSIONER WISE ABSENT.

Staff Specialist Russell Woolstenhulme reviewed the Scaup regulations.

No public comment.

COMMISSIONER MCNINCH MOVED TO APPROVE THE LESSER AND GREATER SCAUP REGULATIONS AS PRESENTED. COMMISSIONER KIEL SECONDED THE MOTION. THE MOTION WAS APPROVED 8-0 WITH COMMISSIONER WISE ABSENT.

Staff Specialist Russell Woolstenhulme reviewed the Special Youth Waterfowl regulations.

No public comment.

VICE CHAIRMAN ROGERS MOVED TO APPROVE THE SPECIAL YOUTH WATERFOWL HUNT REGULATIONS. COMMISSIONER YOUNG SECONDED THE MOTION. THE MOTION WAS APPROVED 8-0 WITH COMMISSIONER WISE ABSENT.

Staff Specialist Russell Woolstenhulme reviewed the Snow and Ross' Geese regulations. He made a noted change in the Northeast Zone. He also reviewed a proposal from Eureka County to include the late Snow and Ross Goose Hunt.

Commissioner McNinch asked for the reasoning behind Eureka County's request.

Staff Specialist Russell Woolstenhulme explained that they feel there are enough resources there for them to participate in the late season hunt.

Jim Cooney, Elko CABMW, noted that the Eureka CABMW asked for their opinion on the late season request. The Elko CABMW does not have any concerns. They feel the proposed season would be okay for the Northeast Zone.

Commissioner Kiel asked if that change would affect or could potentially open up the opportunity for violation.

Staff Specialist Woolstenhulme confirmed that is certainly a possibility.

No public comment.

COMMISSIONER MCNINCH MOVED TO APPROVE THE SNOW AND ROSS' GEESE REGULATIONS OF CR 24-10 WITH THE NOTED CHANGE IN THE NORTHEAST ZONE AND THE LANGUAGE SURROUNDING THREE SHOTS STRUCK. COMMISSIONER KIEL SECONDED THE MOTION. THE MOTION WAS APPROVED 8-0 WITH COMMISSIONER WISE ABSENT.

Staff Specialist Russell Woolstenhulme reviewed the Swan regulations.

Chairman Caviglia asked for the justification for increasing the number of swan permits.

Staff Specialist Russell Woolstenhulme confirmed the population has increased as well as the amount of interest in the Swan draw.

Vice Chair Rogers asked if other states are also increasing their quotas for swans.

Staff Specialist Russell Woolstenhulme confirmed that no other state asked for an increase but reminded everyone that there is an approval process. Utah asked for an increase a couple years ago when Nevada did not.

No public comment.

COMMISSIONER YOUNG MOVED TO APPROVE THE SWAN REGULATIONS OF CR24-10. VICE CHAIRMAN ROGERS SECONDED THE MOTION. THE MOTION WAS APPROVED 8-0 WITH COMMISSIONER WISE ABSENT.

Staff Specialist Russell Woolstenhulme reviewed the Public Hunting Limited on Wildlife Management Areas and State Lands regulations.

No public comment.

COMMISSIONER ROGERS MOVED TO APPROVE THE PUBLIC HUNTING LIMITED ON WILDLIFE MANAGEMENT AREAS AND STATE LANDS REGULATIONS OF CR24-10. COMMISSIONER YOUNG SECONDED THE MOTION. THE MOTION WAS APPROVED 8-0 WITH COMMISSIONER WISE ABSENT.

Chairman Caviglia thanks Staff Specialist Woolstenhulme for the outstanding work he does every year.

B*. Commission Regulation 23-04 – Amendment 3, 2023-2024 and 2024-2025 Big Game Seasons – Game Division Administrator Shawn Espinosa

The Commission will consider and may take action to approve an amendment to the 2024-2025 hunting seasons and dates.

Game Division Administrator Shawn Espinosa reviewed the proposed change to CR 23-04 Amendment 3. He explained that this change is to align antlerless elk hunts.

Copy at the link below:

<https://www.ndow.org/wp-content/uploads/2024/02/20B-CR23-04-Amendment-3.pdf>

There were no questions from the Commission.

No public comment.

COMMISSIONER YOUNG MOVED TO APPROVE COMMISSION REGULATION 23-04 AMENDMENT 3. COMMISSIONER BOOTH SECONDED THE MOTION. THE MOTION WAS APPROVED 8-0 WITH COMMISSIONER WISE WAS ABSENT.

**21. Future Commission Meetings and Commission FOR POSSIBLE ACTION
Committee Assignments – Secretary Jenne and Chairman Caviglia**

The next Commission meeting is scheduled for May 3 and 4, 2024 in Reno. 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.

Secretary Jenne advised quotas on the next meeting, predator management plan, wildlife heritage proposals and tag deferral, lifetime waiting periods, junior tag transfer, map review and possibly Commission Policy 12 coming out of the committees. In terms of committee meetings, so far, we

have the Heritage Committee meeting.

Chairman Caviglia agreed and notified some changes in Committee to include: Legislative committee with Lydia Teel as public representative, Finance Committee additions with Commissioner Booth and Wise. Chairman Caviglia announced a new Contest Committee with the aim of doing public outreach, Commissioner McNinch to chair with Commissioners Walther and Booth also on the Committee.

Commissioner Booth requested a CBMW member on the committee.

Chairman Caviglia will make a decision at a later date.

Jim Cooney, Elko CABMW, asked if it would be possible to have an update on wolves.

22. Public Comment Period

INFORMATIONAL

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. Persons making comment are asked to begin by stating their name for the record.

Paul Dixon, Clark CABMW, thanks to Staff Biologist Erin Wood and thanks to Russell Woolstenhulme.

Meeting adjourned at 11.22 a.m.

*Support material provided and posted to the NDOW website, and updates to support material will be posted at ndow.org/events/march-2024-commission-meeting/ Support material for this meeting may be requested from the Recording Secretary at (775) 688-1597 or wildlifecommission@ndow.org. In accordance with NRS 241.020 this agenda closes three days prior to the meeting [Commission Meeting March 2024 - NDOW](#)

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