



Nevada Board of Wildlife Commissioner's Meeting

September 22 & 23, 2023

In-Person, Zoom and
broadcast to NDOW YouTube
channel

Nevada Board of Wildlife Commissioners' Meeting Agenda

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, September 22, 2023:

<https://us02web.zoom.us/j/86552411226?pwd=QnVVQWdaUFIdVZFRkp1Y20xLzFQZz09>

Passcode: 978611

If you wish to make public comment, please use this link for Saturday September 23, 2023:

<https://us02web.zoom.us/j/86224756723?pwd=NE9HMGFSQlhaRjY0ZURFTzNZZmJnUT09>

Passcode: 245543

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.

Friday, September 22, 2023 – 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

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

3. **Approval of Agenda – Chairman Caviglia** FOR POSSIBLE ACTION
The Commission will review the agenda and may take action to approve the agenda for September 22, 2023. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

4.* **Approval of Minutes – Chairman Caviglia** FOR POSSIBLE ACTION
Commission minutes may be approved from the August 11 and 12, 2023 meeting.

5. **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.

6. **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.

7.* **Appeal – Mr. and Mrs. Brookins – Permit Denial** FOR POSSIBLE ACTION
Mr. and Mrs. Brookins are appealing the denial of a special license and permit (SLAP) for Commercial Possession of Live Wildlife (License #40766).

8. **Reports** INFORMATIONAL

- A. **Department Activity Report – Secretary Jenne and Division Administrators**
A report will be provided on Nevada Department of Wildlife recent activities.
- B.* **Litigation Report – Deputy Attorney General Craig Burkett**
A report will be provided on Nevada Department of Wildlife litigation.
- C. **Mule Deer Enhancement Summit Report – Director Alan Jenne and Commissioner Casey Kiel**
A report will be provided on the Mule Deer Enhancement Summit that took place in Winnemucca on August 17 through 19, 2023.
- D.* **Tag Allocation and Application Hunt Committee (TAAHC) Report – Committee Chairman Caviglia**
A report will be provided on the recent TAAHC meeting.
- E. **Corner Crossings Report – Paralegal Caitlin Pagni Nevada Attorney General’s Office**
A brief presentation will be given on corner crossings in Nevada.

F.* Executive Order 2023-008 – Management Analyst Kailey Musso
An update will be provided to the Commission regarding Executive Order 2023-008, Lifting the Freeze on the Regulatory Process. The Department will share which regulations should be brought to the Commission for further review.

9. Fisheries Division Program Overview – Fisheries INFORMATIONAL
Division Administrator Chris Crookshanks and Fisheries Division Staff Kim Tisdale, Travis Hawks, Cody Byrne, Pat Kelly, Brandon Senger, Kevin Netcher, and Christy Klinger
A presentation will be provided on the Fisheries Division Programs.

10. Winecup Gamble Land Exchange Discussion – FOR POSSIBLE ACTION
Eastern Region Supervising Habitat Biologist Caleb McAdoo
The Department will provide an update to the Commission on recent developments regarding the Winecup Gamble Land Exchange. The Commission will have the opportunity to discuss potential input or actions.

11.* Commission Policy 23 – Predation Management – FOR POSSIBLE ACTION
Third Reading – Administrative Procedures, Regulations and Policy Committee Chairman David McNinch and Management Analyst Kailey Musso
The Commission will review Commission Policy 23 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.

12.* Commission Policy 65 – Designation of Wildlife FOR POSSIBLE ACTION
Management Areas – Second Reading – Habitat Administrator Mark Freese
The Commission will review Commission Policy 65 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.

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.

Saturday, September 23, 2023 – 8:00 a.m.

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

15. 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.

16. Approval of Agenda – Chairman Caviglia FOR POSSIBLE ACTION
The Commission will review the agenda and may take action to approve the agenda for September 23, 2023. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

17. 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.

18. 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.

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

A.* **Commission General Regulation 512, Fisheries – Wildlife Staff Specialist Kim Tisdale**
The Commission will hold a workshop to consider amending Chapter 488 and 503 of the Nevada Administrative Code (NAC). This regulation would change vessel motor restrictions, amend tackle restrictions, and reclassify protected species classifications.

B.* **Commission General Regulation 511, Wildlife Management Area Designations – Habitat Division Administrator Mark Freese**
The Commission will hold a workshop to consider amending Chapter 504 of the Nevada Administrative Code (NAC). This Regulation would update Wildlife Management Area (WMA) designations and restrictions.

C.* **Commission General Regulation 509, License and Vessel Product Refunds – Data and Technology Services Administrator Kim Munoz**
The Commission will consider and may take action to approve amending Nevada Administrative Code (NAC) 502 and 488 to allow the Department authority to provide refunds on licenses and vessel products.

20. Commission General Regulations – Adoption/Public FOR POSSIBLE ACTION
Comment Allowed

A.* **Commission General Regulation 510, First Come, First Serve Exchange to Obtain a Tag – Management Analyst Megan Manfredi**
The Commission will consider and may take action to approve amending Nevada Administrative Code (NAC) 502 that would include any money, goods, or services exchanged for procurement of a tag through the (FCFS) program as grounds for suspension from the program.
Commission General Regulation 510 is currently a temporary regulation that is set to expire on November 1, 2023.

21. Commission Regulations – Public Comment Allowed **FOR POSSIBLE ACTION**

A.* Commission Regulation 23-15, Fishing Seasons and Regulations for January 1, 2024, through December 31, 2025 – Fisheries Division Administrator Chris Crookshanks

The Commission will consider and may take action to approve the Fishing Seasons and Regulations for 2024 and 2025.

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

The next Commission meeting is scheduled for November 3 and 4, 2023, 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.

23. 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.

*Support material provided and posted to the NDOW website, and updates to support material will be posted at ndow.org/events/september-2023-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 date and has been posted on the NDOW website at ndow.org/events/september-2023-commission-meeting/.

Notice to the Public: Nevada Department of Wildlife receives Federal Aid in Fish and/or Wildlife Restoration. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, gender, or disability. Individuals with hearing impairment may contact the Department at (775)688-1500 via a text telephone (TTY) telecommunications device by first calling the State of Nevada Relay Operator at 1-800-326-6868. Disabled individuals in need of special services should contact the Department prior to the meeting at (775) 688-1599 or wildlifecommission@ndow.org.



JOE LOMBARDO
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

6980 Sierra Center Parkway, Suite 120
Reno, Nevada 89511
Phone (775) 688-1500 • Fax (775) 688-1595

ALAN JENNE
Director

JORDAN GOSHERT
Deputy Director

MICHAEL SCOTT
Deputy Director

June 26, 2023

Kathleen Brookins
Blue Lobster Farm
4518 Morton Grove Avenue
Las Vegas, NV 89115

Dear Ms. Brookins:

I am writing to inform you of the Nevada Department of Wildlife's (Department) decision not to approve your request for an Australian Red Claw Crayfish (*Cherax quadricarinatus*) Commercial Possession of Live Wildlife Permit.

This species has been identified as injurious to Nevada's aquatic wildlife pursuant to Nevada Administrative Code section 503.072. Injurious species are generally determined to be detrimental to Nevada's aquatic wildlife and its habitat. Pursuant to Nevada Administrative Code section 504.458, the Department may revoke or suspend or deny a commercial possession license if it is found that the species is detrimental to other wildlife.

Unfortunately, the Department has encountered increasing difficulty with the species for which you seek a permit. This species has recently been introduced into aquatic habitats in southern Nevada without authorization from the Department. The Department has recently been required to invest significant resources to eradicate this introduced population of *C. quadricarinatus*. Crayfish are one of the most difficult aquatic organisms to eradicate. The Department is presently engaged in extensive efforts to eradicate this introduced population. These efforts involve hundreds of hours of staff and volunteer time, as well as financial resources. If this species spreads to Lake Mead, the problems will multiply. The species will become impossible to eradicate and could serve as a source of potential spread to other aquatic habitats, many of which host protected and rare native fishes. The exorbitant cost of eradicating injurious aquatic species and the harm they can do to Nevada's wildlife and aquatic habitats is too great to continue issuing permits for their sale and distribution.

This decision is species based. The Department has determined that any aquatic species classified as "prohibited" (NAC 503.110) or "injurious" (NAC 503.072) will not be authorized for purposes related to commercial sales and distribution.

We understand that this decision may be difficult for you. We would be happy to sit down with you and provide you with assistance identifying other species you may wish to pursue consistent with your existing use of space and resources.

The Department has an obligation to protect the state's aquatic wildlife and its habitat. Implementing measures to prevent injurious wildlife from existing in the state is necessary. Again, we are sorry we are no longer able to allow a permit for your species. However, the cost to other wildlife, and the Department, has simply become too significant.

If you have any questions related to this letter, please contact me at 702-668-3999 or bsenger@ndow.org.

Sincerely,



Brandon Senger
Supervising Fisheries Biologist
Nevada Department of Wildlife

**NEVADA BOARD OF WILDLIFE COMMISSIONERS
APPEAL FORM**

(Submit to the Secretary of the Board of Wildlife Commissioners
6980 Sierra Center Parkway, Suite 120, Reno, NV 89511)

Full Name: Kathleen Brookins / Cecil Brookins
(Please Print)

Mailing Address: 4518 Morton Grove Ave., Las Vegas, NV 89115

Daytime Phone: (858) 220-9293

Please complete the following (attach additional sheets if necessary):

1. State the Department of Wildlife's decision that you are appealing (Note: must be related to the denial, revocation or suspension of license or permit (NAC 501.150):

We are appealing the denial of renewal for Commerical Possession of Live Wildlife
SLAP License #40766

2. State the reason for your appeal:

We were originally given the license because our location of farming is in an indoor warehouse, not in any location close to any waterways and farming is only for the purpose of selling to restaurants and professional chefs. We are now being denied because the species was found in local aquatic habitats in southern Nevada.


Signature

Date 7/5/2023



JOE LOMBARDO
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

6980 Sierra Center Parkway, Suite 120
Reno, Nevada 89511
Phone (775) 688-1500 • Fax (775) 688-1595

ALAN JENNE
Director

JORDAN GOSHERT
Deputy Director

MICHAEL SCOTT
Deputy Director

August 14, 2023

Certified Mail:

Kathleen Brookins
4518 Morton Grove Ave.
Las Vegas, NV 89115

Dear Ms. Brookins:

This correspondence shall serve to confirm receipt of your Appeal of a decision to deny your request for a permit for Commercial Possession of Wildlife, namely, to possess Australian Red Claw Crayfish.

Your appeal hearing has been placed on the agenda to be heard at the Nevada Board of Wildlife Commissioners meeting September 22-23, 2023. The meeting will be held at the Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas. We will give you more information as to which day the appeal will be heard as the agenda is finalized for the meeting.

The hearing conducted by the Board of Wildlife Commissioners is a *De Novo* hearing, or a fresh review of the decision to deny the permit.

The relevant regulation, NAC 501.165, provides as follows:

1. Except as otherwise provided in subsection 2, a hearing regarding a denial, revocation or suspension of a license or permit ordered pursuant to the provisions of chapters 501 to 506, inclusive, of NRS and any regulations adopted pursuant to those chapters will be conducted by the Commission as a hearing *de novo*.

NAC 501.153 further states: "At least 14 calendar days before the date set for a hearing for an appeal, each party to the appeal must file with the Commission and serve upon all other parties to the appeal: (a) All documents that the party intends to introduce as evidence at the hearing; and (b) A written statement setting forth: (1) The name and address of the party; (2) The reason for the appeal, if the party is the appellant; (3) A brief statement supporting the position of the party; and (4) If the party intends to introduce

witnesses, a list setting forth the name of each witness together with a brief summary of the proposed testimony of the witness." Subsection 2 also states "If an appellant fails to meet the requirements of subsection 1 and the appellant does not show good cause for the failure to meet those requirements, the Commission may dismiss the appeal with prejudice. An appeal that is dismissed pursuant to this subsection may not be reconsidered by the Commission. The dismissal of an appeal pursuant to this subsection is a final decision for purposes of judicial review."

Also, please be advised if you intend to be represented by an attorney pursuant to NAC 501.155 you must notify the Commission of that fact in writing at least 10 calendar days before the date set for the hearing for your appeal.

The following describes the procedure for the hearing:

NAC 501.185 Procedure; burden of proof. (NRS 501.181, 501.1818)

1. The Commission will use the following procedure, in the order set forth in paragraphs (a) to (i), inclusive, for a hearing regarding a revocation or suspension of a license or permit ordered pursuant to the provisions of NRS 501.1812 to 501.1818, inclusive, and any regulations adopted pursuant to those sections:

- (a) The hearing will be called to order by the Chair of the Commission.
- (b) The request for a hearing and notice of hearing will be entered into the record.
- (c) The Commission may, on its own motion or that of a party, exclude witnesses from the hearing.
- (d) The Commission will consider any:
 - (1) Preliminary motions;
 - (2) Stipulations; and
 - (3) Proposed orders that the Department and the appellant have agreed to pursuant to a settlement.
- (e) The Department will present its evidence and then be cross-examined by the appellant and questioned by the Commission.
- (f) The appellant will present its evidence and then be cross-examined by the Department and questioned by the Commission.
- (g) The Department and appellant will present any rebuttal evidence and then be cross-examined by the other party and questioned by the Commission on issues limited to the rebuttal evidence.
- (h) Closing arguments will be presented by the Department and then by the appellant.
- (i) The Commission will deliberate and then render orally its order with separately stated findings of fact and conclusions of law.

Ê The Department has the burden of proof in a hearing regarding a revocation or suspension of a license or permit ordered pursuant to the provisions of chapters 501 to 506,

inclusive, of NRS and any regulations adopted pursuant to those chapters.

2. The Commission will use the following procedure, in the order set forth in paragraphs (a) to (e), inclusive, for a hearing regarding a denial of an appellant's application for a license or permit ordered pursuant to the provisions of chapters 501 to 506, inclusive, of NRS and any regulation adopted pursuant to those chapters:

(a) The appellant will present its evidence and then be cross-examined by the Department and questioned by the Commission.

(b) The Department will present its evidence and then be cross-examined by the appellant and questioned by the Commission.

(c) The Department and the appellant will present any rebuttal evidence and then be cross-examined by the other party and questioned by the Commission on issues limited to the rebuttal evidence.

(d) Closing arguments will be presented by the appellant and then by the Department.

(e) The Commission will deliberate and then render orally its order with separately stated findings of fact and conclusions of law.

Ê The appellant has the burden of proof in a hearing specified in this subsection.

3. The Commission may deviate from the order of procedure set forth in subsections 1 and 2 and allow or limit questioning to elicit all relevant, nonrepetitive testimony and evidence.

If you have any questions regarding this process please contact Brandon Senger at 775-668-3999 or <Admin 4>@ndow.org.

Sincerely,



Chris Crookshanks
Fisheries Division Administrator
Nevada Department of Wildlife

Encl.: Nevada Board of Wildlife Commissioners DRAFT Meeting Agenda
NAC 501.140 -.190

cc: Alan Jenne, Secretary to the Nevada Board of Wildlife Commissioners
Craig Burkett, Senior Deputy Attorney General, State of Nevada
Mike Scott, Deputy Director, Nevada Department of Wildlife
Jake Kreamer, Game Warden Captain, Nevada Department of Wildlife
Brandon Senger, Supervising Fisheries Biologist, Nevada Department of Wildlife



JOE LOMBARDO
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

6980 Sierra Center Parkway, Suite 120
Reno, Nevada 89511
Phone (775) 688-1500 • Fax (775) 688-1595

ALAN JENNE
Director

JORDAN GOSHERT
Deputy Director

MICHAEL SCOTT
Deputy Director

August 14, 2023

To: Board of Wildlife Commissioners:

From: Nevada Department of Wildlife

Re: Brookins Appeal – Denial of Commercial Possession of Wildlife Permit

Dear Commissioners:

Please accept the following as the Nevada Department of Wildlife's submission in compliance with NAC 501.153:

1. DOCUMENTS THE DEPARTMENT INTENDS TO INTRODUCE AT THE APPEAL

- a. Letter from Brandon Senger to Kathleen Brookins dated June 26, 2023;
- b. Table of Authorities Related to Injurious Species

2. WITNESSES THE DEPARTMENT INTENDS TO OFFER

- a. Kevin Netcher, Staff Specialist, Aquatic Invasive Species Program, Nevada Department of Wildlife

Kevin can testify to the eradication efforts undertaken by the Department as it relates to the recent discovery of Australian Red Crawfish in Clark County.

- b. Brandon Senger, Supervising Fisheries Biologist, Nevada Department of Wildlife

Brandon can testify to his decision to deny a permit for Australian Red Crawfish to the Brookins in 2023, the reasons therefore, the statutory scheme for non-native species importation, endangered fish species treatment, injurious species treatment in regulation, the difficulties with injurious species eradication statewide, efforts to eradicate the Australian Red Crawfish in Clark County, and Departmental changes to policy as it relates to commercial permits for live possession of injurious species.

3. BRIEF STATEMENT OF THE DEPARTMENT

The Department denied the Appellants' request for permit for commercial possession of the Australian Red Crawfish in 2023 for multiple reasons. The Australian Red Crawfish is listed as an injurious species in Nevada regulation. Although permits had been issued to the Appellants previously, the Department recently discovered populations of these injurious

species in Clark County. Eradication efforts of this species, and other such species, have been costly and involved tremendous departmental and volunteer labor. The Department has limited resources. This decision is not limited to the Appellants. The Department has made the decision going forward to deny all such possession of live wildlife permits for injurious species. The risk of exposure to state waters, even un-intentionally, is too great a risk.

Sincerely,



Chris Crookshanks
Fisheries Division Administrator
Nevada Department of Wildlife

Cc: Kathleen Brookins

EXHIBIT A:

Letter from Brandon Senger to Kathleen Brookins dated June 26, 2023



JOE LOMBARDO
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

6980 Sierra Center Parkway, Suite 120
Reno, Nevada 89511
Phone (775) 688-1500 • Fax (775) 688-1595

ALAN JENNE

Director

JORDAN GOSHERT
Deputy Director

MICHAEL SCOTT
Deputy Director

June 26, 2023

Kathleen Brookins
Blue Lobster Farm
4518 Morton Grove Avenue
Las Vegas, NV 89115

Dear Ms. Brookins:

I am writing to inform you of the Nevada Department of Wildlife's (Department) decision not to approve your request for an Australian Red Claw Crayfish (*Cherax quadricarinatus*) Commercial Possession of Live Wildlife Permit.

This species has been identified as injurious to Nevada's aquatic wildlife pursuant to Nevada Administrative Code section 503.072. Injurious species are generally determined to be detrimental to Nevada's aquatic wildlife and its habitat. Pursuant to Nevada Administrative Code section 504.458, the Department may revoke or suspend or deny a commercial possession license if it is found that the species is detrimental to other wildlife.

Unfortunately, the Department has encountered increasing difficulty with the species for which you seek a permit. This species has recently been introduced into aquatic habitats in southern Nevada without authorization from the Department. The Department has recently been required to invest significant resources to eradicate this introduced population of *C. quadricarinatus*. Crayfish are one of the most difficult aquatic organisms to eradicate. The Department is presently engaged in extensive efforts to eradicate this introduced population. These efforts involve hundreds of hours of staff and volunteer time, as well as financial resources. If this species spreads to Lake Mead, the problems will multiply. The species will become impossible to eradicate and could serve as a source of potential spread to other aquatic habitats, many of which host protected and rare native fishes. The exorbitant cost of eradicating injurious aquatic species and the harm they can do to Nevada's wildlife and aquatic habitats is too great to continue issuing permits for their sale and distribution.

This decision is species based. The Department has determined that any aquatic species classified as "prohibited" (NAC 503.110) or "injurious" (NAC 503.072) will not be authorized for purposes related to commercial sales and distribution.

We understand that this decision may be difficult for you. We would be happy to sit down with you and provide you with assistance identifying other species you may wish to pursue consistent with your existing use of space and resources.

The Department has an obligation to protect the state's aquatic wildlife and its habitat. Implementing measures to prevent injurious wildlife from existing in the state is necessary. Again, we are sorry we are no longer able to allow a permit for your species. However, the cost to other wildlife, and the Department, has simply become too significant.

If you have any questions related to this letter, please contact me at 702-668-3999 or bsenger@ndow.org.

Sincerely,

Brandon Senger
Supervising Fisheries Biologist
Nevada Department of Wildlife

EXHIBIT B:

Table of Authorities

Notes:

Nev. Admin. Code § 503.060

Bd. of Fish & Game Comm'rs, part No. 1, eff. 7-1-69; A 7-1-70; 1-1-74-NAC A by Bd. of Wildlife Comm'rs, 1-1-81; 12-15-81; 12-1-82; 4-27-84, eff. 5-25-84; 12-11-87; R137-98, 9-25-98; R093-05, 10-31-2005; A by R009-21A, eff. 2/28/2022; A by R009-21CAP, eff. 3/3/2022

NRS 501.105, 501.110, 501.181

Nev. Admin. Code § 503.065 - Protected, endangered, and threatened fish

1. The following species of fish are classified as protected:

	Common Name	Scientific Name
Minnows (Cyprinidae):		
(a) Chub	Alvord.....	<i>Siphateles alvordensis</i>
	Big Smoky Valley Tui.....	<i>Siphateles bicolor</i> ssp. 8
	Fish Creek Springs Tui.....	<i>Siphateles bicolor euchila</i>
	Fish Lake Valley Tui.....	<i>Siphateles bicolor</i> ssp. 4
	Hot Creek Valley Tui.....	<i>Siphateles bicolor</i> ssp. 5
	Independence Valley Tui.....	<i>Siphateles bicolor isolata</i>
	Newark Valley Tui.....	<i>Siphateles bicolor newarkensis</i>
	Railroad Valley Tui.....	<i>Siphateles bicolor</i> ssp. 7
	Sheldon Tui.....	<i>Siphateles bicolor eurysoma</i>
	Virgin River (Muddy River pop.)....	<i>Gila seminuda</i>
(b) Dace	Big Smoky Valley Speckled.....	<i>Rhinichthys osculus</i> <i>lariversi</i>
	Diamond Valley Speckled.....	<i>Rhinichthys osculus</i> ssp. 10
	Monitor Valley Speckled.....	<i>Rhinichthys osculus</i> ssp. 5
	Moapa Speckled.....	<i>Rhinichthys osculus</i> <i>moapae</i>
	Oasis Valley Speckled.....	<i>Rhinichthys osculus</i> ssp.
	Relict.....	<i>Relictus solitarius</i>
	White River Speckled.....	<i>Rhinichthys osculus</i> ssp.
(c) Spinedace	Virgin.....	<i>Lepidomeda mollispinis</i> <i>mollispinis</i>
Suckers (Catostomidae):		
(d) Sucker	Meadow Valley Wash Desert.....	<i>Catostomus clarki</i> ssp. 2
	Wall Canyon.....	<i>Catostomus</i> ssp.
	White River Desert.....	<i>Catostomus clarki</i> <i>intermedius</i>
Killifishes (Cyprinodontidae):		
(e) Springfish	Moorman White River.....	<i>Crenichthys baileyi</i> <i>thermophilus</i>
	Preston White River.....	<i>Crenichthys baileyi</i> <i>albivallis</i>

2. The following species of protected fish are further classified as endangered:

	Common Name	Scientific Name
Minnows (Cyprinidae):		
(a) Chub	Bonytail.....	<i>Gila elegans</i>
	Pahranagat Roundtail.....	<i>Gila robusta jordani</i>
	Virgin River.....	<i>Gila seminuda</i>
(b) Dace	Moapa.....	<i>Moapa coriacea</i>
	Ash Meadows Speckled.....	<i>Rhinichthys osculus nevadensis</i>
	Clover Valley Speckled.....	<i>Rhinichthys osculus oligoporus</i>
	Independence Valley Speckled..	<i>Rhinichthys osculus lethoporus</i>
(c) Pikeminnow	Colorado.....	<i>Ptychocheilus Lucius</i>
(d) Spinedace	White River.....	<i>Lepidomeda albivallis</i>
(e) Woundfin	<i>Plagopterus argentissimus</i>
Suckers (Catostomidae):		
(f) Sucker	Cui-cui.....	<i>Chasmistes cujus</i>
	Razorback.....	<i>Xyrauchen texanus</i>
Killifishes (Cyprinodontidae):		
(g) Poolfish	Pahrump.....	<i>Empetrichthys latos</i>
(h) Pupfish	Devils Hole.....	<i>Cyprinodon diabolis</i>
	Warm Springs.....	<i>Cyprinodon nevadensis pectoralis</i>
	Ash Meadows Amargosa.....	<i>Cyprinodon nevadensis mionectes</i>
(i) Springfish	Hiko White River.....	<i>Crenichthys baileyi grandis</i>
	White River.....	<i>Crenichthys baileyi baileyi</i>

3. The following species of protected fish are further classified as threatened:

	Common Name	Scientific Name
Minnows (Cyprinidae):		
(a) Dace	Desert.....	<i>Eremichthys across</i>
(b) Spinedace	Big Spring.....	<i>Lepidomeda mollispinis pratensis</i>
Killifishes (Cyprinodontidae):		
(c) Springfish	Railroad Valley.....	<i>Crenichthys nevadae</i>
Suckers (Catostomidae):		
(d) Sucker	Warner.....	<i>Catostomus warnerensis</i>

Notes:

Nev. Admin. Code § 503.065

Bd. of Fish & Game Comm'r's, part No. 1, eff. 7-1-69; A 7-1-70; 6-1-71; 1-1-73; 1-1-74; 5-15-74; 10-1-76-NAC A by Bd. of Wildlife Comm'r's, 1-1-81; 12-15-81; 12-1-82; R137-98, 9-25-98; A by R009-21A, eff. 2/28/2022; A by R009-21CAP, eff. 3/3/2022

NRS 501.105, 501.110, 501.181

Nev. Admin. Code § 503.072 - Injurious aquatic species: Fish, mollusks; amphibians; crustaceans

For the purposes of NRS 503.597, the following species are classified as injurious aquatic species:

1. Fish:

Common Name	Scientific Classification
(a) Asian Swamp Eel.....	All species in the genus <i>Monopterus</i>
(b) Bighead Carp.....	<i>Hypophthalmichthys nobilis</i>
(c) Flathead Catfish.....	<i>Pylodictus olivaris</i>
(d) Gars.....	All species in the family Lepisosteidae
(e) Nile perch.....	All species in the genera <i>Lates</i> and <i>Luciolates</i> , except for <i>Lates calcarifer</i>
(f) Northern Pike.....	<i>Esox lucius</i>
(g) Piranhas.....	All species in the genera <i>Serrasalmus</i> , <i>Serrasalmo</i> , <i>Pygocentrus</i> , <i>Pristobrycon</i> , <i>Hydrolycus</i> , <i>Rooseveltiella</i> , and <i>Pygopristis</i>
(h) Round Goby.....	<i>Neogobius melanostomus</i>
(i) Silver Carp.....	<i>Hypophthalmichthys molitrix</i>
(j) Snakeheads.....	All species in the genera <i>Channa</i> and <i>Parachanna</i>
(k) South American parasitic catfish.....	All species in the families Cetopsidae and Trichomycteridae
(l) Tiger Fish.....	<i>Hoplias malabaricus</i>

2. Mollusks:

Common Name	Scientific Classification
Apple snails.....	All species in the genus <i>Pomacea</i>

3. Amphibians:

Common Name	Scientific Classification
(a) African clawed frogs.....	All species in the genus <i>Xenopus</i>
(b) American bullfrog.....	<i>Lithobates catesbeianus</i>

4. Crustaceans:

Common Name	Scientific Classification
(a) Rusty crayfish.....	<i>Orconectes rusticus</i>
(b) Australian red claw crayfish.....	<i>Cherax quadricarinatus</i>
(c) Red swamp crayfish.....	<i>Procambarus clarkii</i>

Notes:

Nev. Admin. Code § 503.072

Added to NAC by Bd. of Wildlife Comm'r's by R152-12, eff. 12-20-2012; A by R009-21A, eff. 2/28/2022; A by R009-21CAP, eff. 3/3/2022
NRS 501.105, 501.110, 501.181

Nev. Admin. Code § 503.110 - Restrictions on importation, transportation, and possession of certain species

1. Except as otherwise provided in this section and [NAC 504.486](#), the importation, transportation or possession of the following species of live wildlife or hybrids thereof, including viable embryos or gametes, is prohibited:

(a) Fish:

Common Name	Scientific Classification
(1) Lampreys.....	All species in the family Petromyzontidae
(2) Freshwater stingray.....	All species in the family Potamotrygonidae
(3) Freshwater shark.....	All species in the genus <i>Carcharhinus</i>
(4) Bowfin.....	<i>Amia calva</i>
(5) Gars.....	All species in the family Lepisosteidae
(6) Herring and shad, except Threadfin Shad and Gizzard Shad.....	All species in the family Clupeidae, except for <i>Dorosoma petenense</i> and <i>Dorosoma cepedianum</i>
(7) European whitefish.....	All species in the genus <i>Leuciscus</i>
(8) Mexican banded tetra.....	<i>Astyanax mexicanus</i>
(9) Piranhas.....	All species in the genera <i>Serrasalmus</i> , <i>Serrasalmo</i> , <i>Pygocentrus</i> , <i>Pristobrycon</i> , <i>Hydrolycus</i> , <i>Rooseveltiella</i> , and <i>Pygopristis</i>
(10) South American parasitic catfish.....	All species in the families Cetopsidae and Trichomycteridae
(11) White Perch.....	<i>Morone americana</i>
(12) Freshwater Drum.....	<i>Aplodinotus grunniens</i>
(13) Grass Carp, except certified triploids as authorized by a special permit.....	<i>Ctenopharyngodon idella</i>
(14) Pike Top Minnow.....	<i>Belonesox belizanus</i>
(15) Snakehead.....	All species in the genera <i>Parachanna</i> and <i>Channa</i>
(16) Walking catfish.....	All species in the genera <i>Clarias</i> , <i>Heteropneustes</i> and <i>Dinopterus</i>
(17) Tiger fish, Tigerfish, and Wolf fish.....	All species in the genera <i>Hydrocynus</i> and <i>Hoplias</i>
(18) Sticklebacks.....	All species in the genera <i>Apeltes</i> , <i>Eucalia</i> , <i>Gasterosteus</i> and <i>Pungitius</i>

(19) Tilapia.....	All species in the genera <i>Coelotilapia</i> , <i>Coptodon</i> , <i>Heterotilapia</i> , <i>Oreochromis</i> , <i>Pelmatolapia</i> , <i>Tilapia</i> , and <i>Sarotherodon</i>
(20) Nile perch.....	All species in the genera <i>Lates</i> and <i>Luciolates</i>
(21) Goldeye.....	All species in the genus <i>Hiodon</i>
(22) Carp:	
(I) Bighead.....	<i>Hypophthalmichthys nobilis</i>
(II) Black.....	<i>Mylopharyngodon piceus</i>
(III) Crucian.....	<i>Carassius carassius</i>
(IV) Indian.....	<i>Catla catla</i> , <i>Cirrhina mrigala</i> , and <i>Labeo rohita</i>
(V) Silver.....	<i>Hypophthalmichthys moltrix</i>
(23) Rudd.....	<i>Scardinius erythrophthalmus</i>
(24) Northern Pike.....	<i>Esox lucius</i>
(25) Swamp eel.....	All species in the genus <i>Monopterus</i>
(26) Round Goby.....	<i>Neogobius melanostomus</i>
(27) Flathead Catfish.....	<i>Pylodictis olivaris</i>
(28) Peacock bass.....	All species in the genus <i>Cichla</i>

(b) Reptiles:

Common Name	Scientific Classification
(1) Alligators, crocodiles, and gharials.....	All species in the order Crocodilia
(2) Bird snake.....	All species in the genus <i>Thelotornis</i>
(3) Boomslang.....	<i>Dispholidus typus</i>
(4) Keelbacks.....	All species in the genus <i>Rhabdophis</i>
(5) Burrowing asps.....	All species in the family Atractaspidae
(6) Coral snakes, cobras, kraits, mambas, Australian elapids, and sea snakes.....	All species in the family Elapidae
(7) Pit vipers and true vipers, except species indigenous to this State.....	All species in the family Viperidae, except species indigenous to this State
(8) Snapping turtles.....	All species in the family Chelydridae
(9) Gila monsters and beaded lizards.....	All species in the family Helodermatidae

(c) Amphibians:

Common Name	Scientific Classification
(1) Clawed frogs.....	All species in the genus <i>Xenopus</i>
(2) Giant or marine toads.....	<i>Bufo horribilis</i> , <i>Bufo marinus</i> and <i>Bufo paracnemis</i>

(d) Mammals:

(1) Deer, elk, wapiti, moose, and caribou	All species in the family Cervidae
(2) Wild dogs or Dhole.....	<i>Cuon alpinus</i>
(3) Raccoon Dog.....	<i>Nyctereutes procyonoides</i>
(4) Mongooses and Meerkats.....	All species in the genera <i>Atilax</i> , <i>Cynictis</i> , <i>Helogale</i> , <i>Mungos</i> , <i>Suricate</i> , <i>Ichneumia</i> and <i>Herpestes</i>
(5) Wild European rabbit.....	<i>Oryctolagus cuniculus</i>
(6) Multimammate Rat or Mouse.....	All species in the genus <i>Mastomys</i> (= <i>Praomys</i>)
(7) Bats.....	All species in the order Chiroptera
(8) Nutria.....	<i>Myocastor coypus</i>
(9) Coyote.....	<i>Canis latrans</i>
(10) Foxes.....	All species in the genera <i>Vulpes</i> , <i>Fennecus</i> , <i>Urocyon</i> , <i>Alopex</i> , <i>Lycalopex</i> and <i>Pseudalopex</i>
(11) Raccoon.....	<i>Procyon lotor</i>
(12) Skunk.....	All species in the genera <i>Spilogale</i> , <i>Mephitis</i> and <i>Conepatus</i>
(13) Wild pigs and hogs.....	All species in the family Suidae, except domestic breeds of <i>Sus scrofa</i>
(14) Reedbucks.....	All species in the genus <i>Redunca</i>
(15) Oryx and Gemsbok.....	All species in the genus <i>Oryx</i>
(16) Addax.....	<i>Addax nasomaculatus</i>
(17) Blesbok, Topi, and Bontebok.....	All species in the genus <i>Damaliscus</i>
(18) Hartebeests.....	All species in the genera <i>Alcelaphus</i> and <i>Sigmooceros</i>
(19) Wildebeest and Gnus.....	All species in the genus <i>Connochaetes</i>
(20) Chamois.....	<i>Rupicapra rupicapra</i> and <i>R. pyrenaica</i>
(21) Tahr.....	All species in the genus <i>Hemitragus</i>
(22) Ibex, Wild Goats, Tur and Markhor.....	All species in the genus <i>Capra</i> , except domestic goats, <i>Capra hircus</i>
(23) Barbary (Aoudad) Sheep.....	<i>Ammotragus lervia</i>
(24) Mouflon sheep, Urial, Bighorn and Argali	All species in the genus <i>Ovis</i> , except domestic sheep, <i>Ovis aries</i>

(e) Birds:

Common Name	Scientific Classification
(1) Pink Starling or Rosy Pastor.....	<i>Sturnus roseus</i>
(2) Red-billed Dioch.....	<i>Quelea quelea</i>
(3) Red-whiskered Bulbul	<i>Pycnonotus jocosus</i>

(f) Crustaceans:

Common Name	Scientific Classification
(1) Asiatic mitten crab.....	<i>Eriocheir sinensis</i>
(2) Crayfish.....	All species in the families Parastacidae, Cambaridae and Astacidae, except <i>Procambarus clarkii</i> , <i>Orconectes causeyi</i> and indigenous species of the genus <i>Pacifastacus</i>

(g) Mollusks:

Common Name	Scientific Classification
(1) African giant snail	<i>Achatina fulica</i>
(2) Zebra and quagga mussels.....	All species in the genus <i>Dreissena</i>
(3) New Zealand mud snail	<i>Potamopyrgus antipodarum</i> , <i>P. jenkinsi</i>
(4) Apple snails.....	All species in the genus <i>Pomacea</i>
(5) Golden mussel.....	<i>Limnoperna fortunei</i>

2. The headquarters of the Department and each regional office of the Department will maintain a physical description and picture of each species listed in this section when reasonably available.

3. The Department may issue a scientific permit for the collection or possession of wildlife or a commercial license for the possession of live wildlife, whichever is applicable, for the importation, transportation or possession of a species listed in this section only to:

- (a) A zoo or aquarium which is an accredited institutional member of the Zoological Association of America, the Association of Zoos and Aquariums or their successors.
- (b) A person who displays, exhibits or uses the species for entertainment or commercial photography, including, without limitation, motion pictures, still photography or television, if the species:

- (1) Is accompanied by evidence of lawful possession;
- (2) Is not in this State for more than 90 days; and
- (3) Is maintained under complete control and prohibited from coming into contact with members of the general public.

→ If the person is displaying, exhibiting or using mammals for commercial purposes other than for food or fiber, he or she must possess the appropriate license issued by the United States Department of Agriculture.

- (c) A college, university or governmental agency, for scientific or public health research.
- (d) Any other scientific institution, as determined by the Department, for research or medical necessity.
- (e) Any person engaged in commercial aquaculture, upon application and proof to the Department that the activity will not be detrimental to aquatic life, other wildlife or

recreational uses. As a condition of the issuance to such a person of a commercial license for the possession of a species listed in this section, a bond may be required to provide for the removal of any species to which the license applies that may escape or be released from captivity for any reason. The amount of the bond will be determined by the Department after considering the degree of potential hazard to wildlife.

(f) A tax-exempt nonprofit organization that exhibits wildlife solely for educational or scientific purposes.

4. An interstate shipment of a species listed in this section may be transported through this State, without a permit or license issued by the Department, if:

- (a) The shipper or transporter has evidence of lawful possession of the species issued by the state or country where the species originated;
- (b) Mammals, birds or fish are accompanied by a health certificate issued by the state or country where the species originated that indicates the destination, origin and proof of ownership of the species being transported;
- (c) The species is in this State for less than 48 hours; and
- (d) The species is not unloaded or otherwise released while being transported through this State.

5. This section does not apply to the Department when it is conducting authorized introductions or transplantations of a native species of big game mammal listed in this section.

Notes:

[Bd. of Fish & Game Comm'rs, No. 20 § 27.6, eff. 10-1-76] — (NAC A by Bd. of Wildlife Comm'rs, 9-20-83; 4-27-84, eff. 5-25-84; 1-2-86; 11-14-88; 2-28-94; R168-99, 1-19-2000; R093-05, 10-31-2005; R052-07, 10-31-2007; R176-09, 4-20-2010; R054-11, 12-30-2011)

Nev. Admin. Code § 504.458 - Terms, conditions, and restrictions of license

1. A person who holds a commercial license or noncommercial license shall:

- (a) Comply with the terms, conditions, and restrictions of the license.
- (b) Allow, at reasonable times, any person authorized to enforce the provisions of NAC 504.450 to 504.488, inclusive, free and unrestricted access for the inspection of wildlife and holding facilities.

2. Such a license:

- (a) Is not transferable;
- (b) May be suspended or revoked by the Department:
 - (1) For a violation of any term, condition or restriction of the license; or
 - (2) If it is found that the possession of any wildlife under the authority of the license is detrimental to any of the wildlife in this State; and
- (c) Does not authorize the taking, possession, transportation, importation, exportation or disposal of any wildlife in violation of any applicable federal or state law, any county or city ordinance, or any regulation adopted pursuant thereto.

ADDENDUM:

Draft of Nevada Board of Wildlife Commission Meeting Agenda September 22 and 23,
2023

Nevada Board of Wildlife Commissioners' Meeting Agenda

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, September 22, 2023:

<https://us02web.zoom.us/j/86552411226?pwd=QnVVQWdaUF1ldVZFRkp1Y20xLzFQZz09>

Passcode: 978611

If you wish to Make public comment, please use this link for Saturday September 23, 2023:

<https://us02web.zoom.us/j/86224756723?pwd=NE9HMGFSQIhaRjY0ZURFTzNZZmJnUT09>

Passcode: 245543

Meeting materials are available at: ndow.org/events/september-2023-commission-meeting/

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 3 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 2 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.

Friday, September 22, 2023 – 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**

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

3. **Approval of Agenda – Chairman Caviglia** FOR POSSIBLE ACTION
The Commission will review the agenda and may take action to approve the agenda for September 22, 2023. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

4.* **Approval of Minutes – Chairman Caviglia** FOR POSSIBLE ACTION
Commission minutes may be approved from the August 11 and 12, 2023 meeting.

5. **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.

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.

7. **Reports** INFORMATIONAL

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

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

C. **Mule Deer Enhancement Program Oversight Committee Report and Mule Deer Enhancement Summit Report – Committee Chairman Casey Kiel and Deputy Director Mike Scott**
A report will be provided on the Mule Deer Enhancement Summit that took place in Winnemucca, Nevada on August 17 through 19, 2023.

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

E.* **Corner Crossings Report – Deputy Attorney General Craig Burkett**
A brief presentation will be given on corner crossings in Nevada.

8. **Fisheries Division Program Overview – Fisheries** **INFORMATIONAL**
Division Administrator Chris Crookshanks and Fisheries Division Staff Kim Tisdale, Travis Hawks, Cody Byrne, Brandon Senger, Kevin Netcher, Pat Kelly, and Christy Klinger
A presentation will be provided on the Fisheries Division Programs.

9. **Winecup Gamble Land Exchange Discussion –** **FOR POSSIBLE ACTION**
Secretary Alan Jenne
The Department will provide an update to the Commission on recent developments regarding the Winecup Gamble Land Exchange. The Commission will have the opportunity to discuss potential input or actions.

10. **Commission Policy 23 – Predation Management –** **FOR POSSIBLE ACTION**
Third Reading – APRP Committee Chairman David McNinch
And Management Analyst III Kailey Musso
The Commission will review Commission Policy 23 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.

11. **Commission Policy 65 – Designation of Wildlife** **FOR POSSIBLE ACTION**
Management Areas – Second Reading –
Habitat Administrator Mark Freese
The Commission will review Commission Policy 65 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.

12. **Appeal – Mr. and Mrs. Brookins – Permit Denial** **FOR POSSIBLE ACTION**
Mr. and Mrs. Brookins are appealing the denial of a special license and permit (SLAP) for Commercial Possession of Live Wildlife (License #40766).

13. **Request for Reconsideration – Mr. Van Diepen –** **FOR POSSIBLE ACTION**
Land Owner Tag Denial
Mr. Van Diepen is requesting the Commission consider granting him the ability to use a Land Owner Tag he purchased for 2023 after failing to complete his 2022 harvest return card.

14. **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.

Saturday, September 23, 2023 – 8:00 a.m.

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

16. **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.

17. **Approval of Agenda – Chairman Caviglia** FOR POSSIBLE ACTION
The Commission will review the agenda and may take action to approve the agenda for September 23, 2023. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

18. **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.

19. **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.

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

A.* **Commission General Regulation 511, Wildlife Management Area Designations, LCB File No. RXX-XX – Habitat Division Administrator Mark Freese**
The Commission will hold a workshop to consider amending Chapter 504 of the Nevada Administrative Code (NAC). This Regulation would update Wildlife Management Area (WMA) designations and restrictions.

B.* **Commission General Regulation XXX, Fisheries, LCB File No. RXX-XX – Wildlife Staff Specialist Kim Tisdale**
The Commission will hold a workshop to consider amending Chapter XXX of the Nevada Administrative Code (NAC). This Regulation would update Wildlife Management Area (WMA) designations and restrictions.

21. **Commission General Regulations – Adoption/Public Comment Allowed** FOR POSSIBLE ACTION

A.* **Commission General Regulation 510, FCFS Exchange to Obtain a Tag, LCB File No. RXX-XX – Management Analyst III Megan Manfredi**
The Commission will consider and may take action to approve amending Nevada Administrative Code (NAC) 502 that would include any money, goods, or services exchanged for procurement of a tag through the FCFS program as grounds for suspension from the program. Commission General Regulation 510 is currently a temporary regulation that is set to expire on November 1, 2023.

B.* Commission General Regulation 509, License and Vessel Product Refunds, LCB File No. RXX-XX – Data and Technology Services Administrator Kim Munoz
 The Commission will consider and may take action to approve amending Nevada Administrative Code (NAC) 502 and 488 to allow the Department authority to provide refunds on licenses and vessel products. Commission General Regulation 509 is currently a temporary regulation that is set to expire on November 1, 2023.

22. Commission Regulations – Workshop/Public Comment Allowed FOR POSSIBLE ACTION

A.* Commission Regulation 23-15, Fishing Seasons and Regulations for January 1, 2024, through December 31, 2025 – Fisheries Division Administrator Chris Crookshanks
 The Commission will consider and may take action to approve the Fishing Seasons and Regulations for 2024 and 2025.

23. Future Commission Meetings and Commission Committee Assignments – Secretary Jenne and Chairman Caviglia FOR POSSIBLE ACTION
 The next Commission meeting is scheduled for November 3 and 4, 2023 in Reno, NV. 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.

24. 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.

*Support material provided and posted to the NDOW website, and updates to support material will be posted at ndow.org/events/september-2023-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 date and has been posted on the NDOW website at ndow.org/events/september-2023-commission-meeting/.

Notice to the Public: Nevada Department of Wildlife receives Federal Aid in Fish and/or Wildlife Restoration. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, gender, or disability. Individuals with hearing impairment may contact the Department at 775-688-1500 via a text telephone (TTY) telecommunications device by first calling the State of Nevada Relay Operator at 1-800-326-6868. Disabled individuals in need of special services should contact the Department prior to the meeting at (775) 688-1597 or wildlifecommission@ndow.org.



STEAMBOAT
75 MCCABE DR
RENO, NV 89511-9998
(800)275-8777

08/17/2023

11:21 AM

Product	Qty	Unit	Price
		Price	
PM Express	1		\$31.20
Las Vegas, NV 89115			
Weight: 4.60 oz			
Service Guarantee Date Unavailable			
Loss Guarantee Only			
Signature Requested			
Tracking #:			
9571 1067 1766 3229 2956 71			
Return Receipt			\$3.55
Sign Requested			\$0.00
Insurance			\$0.00
Up to \$100.00 included			
Total			\$34.75
Grand Total:			\$34.75
Credit Card Remit			\$34.75
Card Name: VISA			
Account #: XXXXXXXXXXXXXXX3859			
Approval #: 83210D			
Transaction #: 008			
Receipt #: 000008			
AID: A0000000031010			Chip
AL: VISA CREDIT			
PIN: Not Required			

Text your tracking number to 28777 (2USPS)
to get the latest status. Standard Message
and Data rates may apply. You may also
visit www.usps.com USPS Tracking or call
1-800-222-1811.

Save this receipt as evidence of
insurance. For information on filing an
insurance claim go to
<https://www.usps.com/help/claims.htm>
or call 1-800-222-1811

Preview your Mail
Track your Packages
Sign up for FREE @
<https://informeddelivery.usps.com>

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

Tell us about your experience.
Go to: <https://postalexperience.com/ssk>
or scan this code with your mobile device,

USPS Tracking®

[Remove X](#)**Tracking Number:****9571106717663229295671**[Copy](#)[Add to Informed Delivery](https://informeddelivery.usps.com/)**Scheduled Delivery by****SATURDAY****19**August
2023 i

by

6:00pm i[Feedback](#)

The customer has requested that the Postal Service redeliver this item on August 21, 2023 in LAS VEGAS, NV 89115.

Get More Out of USPS Tracking:[USPS Tracking Plus®](#)**Processing at Destination****Redelivery Scheduled**

LAS VEGAS, NV 89115

August 20, 2023

Notice Left (No Authorized Recipient Available)

LAS VEGAS, NV 89156

August 18, 2023, 5:06 pm

[See All Tracking History](#)[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package)**Text & Email Updates**

Proof of Delivery**USPS Tracking Plus®****Product Information****See Less** [Track Another Package](#)**Need More Help?**

Contact USPS Tracking support for further assistance.

[FAQs](#)

Email Us - Domestic Tracking & Shipping

[Email Us](#)

1. Tracking 2. Mailpiece 3. Contact 4. Recipient/Sen... 5. Review 6. Confirmation

*Indicates a required field

Step 6: Confirmation

✓ Your email has been sent.

Thank you for contacting USPS®. Please find your service request number below. You will receive a confirmation email soon. Click "Close" to return to the Email Us start page.

Service Request Number: 54522094

What's next?

You'll receive an email response about your issue within 1-3 days.

If you would like to enroll in text or email alerts for your mail piece, click [here](#) (https://tools.usps.com/go/TrackConfirmAction?qtc_tLabels1=9571106717663229295671).

Once you are on the page, select the drop down "Text & Email Updates" to select the alerts you would like to enroll in.

[Close](#)[Feedback](#)

Related Articles

[Where is my package? \(https://faq.usps.com/s/article/Where-is-my-package\)](#)

[Delayed mail and packages? \(https://faq.usps.com/s/article/Delayed-Mail-and-Packages\)](#)

[USPS Tracking® - The Basics \(https://faq.usps.com/s/article/USPS-Tracking-The-Basics\)](#)

[How to find your tracking number \(https://faq.usps.com/s/article/How-to-find-your-tracking-number\)](#)

[USPS® Premium Tracking™ - The Basics \(https://faq.usps.com/s/article/USPS-Premium-Tracking-The-Basics\)](#)

Trending Articles

[Where is my package? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

[Delayed mail and packages? \(https://faq.usps.com/s/article/Delayed-Mail-and-Packages\)](https://faq.usps.com/s/article/Delayed-Mail-and-Packages)

[Missing Mail - The Basics \(https://faq.usps.com/s/article/Missing-Mail-The-Basics\)](https://faq.usps.com/s/article/Missing-Mail-The-Basics)

[USPS Tracking® - The Basics \(https://faq.usps.com/s/article/USPS-Tracking-The-Basics\)](https://faq.usps.com/s/article/USPS-Tracking-The-Basics)

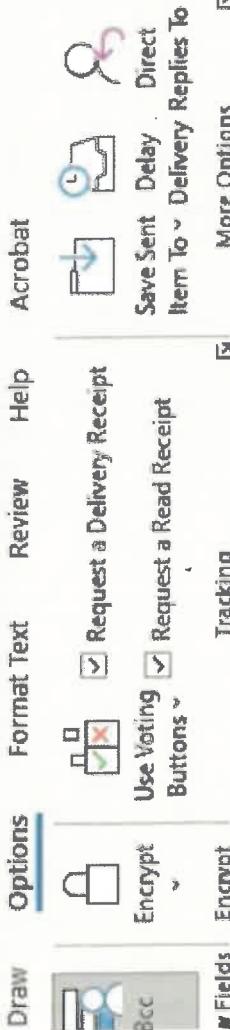
[Informed Delivery® - The Basics \(https://faq.usps.com/s/article/Informed-Delivery-The-Basics\)](https://faq.usps.com/s/article/Informed-Delivery-The-Basics)

[Change of Address - The Basics \(https://faq.usps.com/s/article/Change-of-Address-The-Basics\)](https://faq.usps.com/s/article/Change-of-Address-The-Basics)

[View All\(https://faq.usps.com/s/\)](https://faq.usps.com/s/)

Untitled - Message (HTML)

Search



wyatt@ndow.org

1kileenbrookins@yahoo.com

DOW Fisheries • Hope Harper

eat - Brookins, Kathleen

1 - Australian Red Claw Crayfish - denial of Commercial Possession of Wildlife permit.pdf

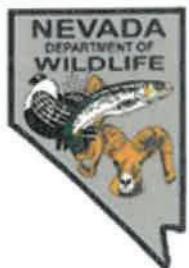
Send a

1tt, Administrative Assistant III
1bility, Wildlife Diversity Division
1rtment of Wildlife
1nter Parkway, Suite 120
189511
1-Fax
1ndow.org

1ting and Fishing Lawyer

Jeff Wyatt

From: Jeff Wyatt
Sent: Wednesday, August 23, 2023 9:24 AM
To: kathleenbrookins@yahoo.com
Subject: Appeal - Brookins, Kathleen
Attachments: Appeal - Brookins, Kathleen - Australian Red Claw Crayfish - denial of Commercial Possession of Wildlife permit.pdf



Jeff Wyatt, Administrative Assistant III
Fisheries, Habitat, Wildlife Diversity Division
Nevada Department of Wildlife
6980 Sierra Center Parkway, Suite 120
Reno, Nevada 89511
(775) 688-1509
(775) 688-1987-Fax
Jeff.Wyatt@ndow.org

Support Nevada's Wildlife...Buy a Hunting and Fishing License

State of Nevada Confidentiality Disclaimer: This message is intended only for the named recipient. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

Jeff Wyatt

From: Microsoft Outlook
To: kathleenbrookins@yahoo.com
Sent: Wednesday, August 23, 2023 9:24 AM
Subject: Relayed: Appeal - Brookins, Kathleen

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

kathleenbrookins@yahoo.com (kathleenbrookins@yahoo.com)

Subject: Appeal - Brookins, Kathleen

lief: Fisharies
lsp: Fisharies
Date: 25Aug23
Wgt: 1.00 LBS
Dy: 0.00
Shp: STANDARD OVERNIGHT NSR RES
TRCK: 6775 0047.8306

SHIPPING:	8.70
SPECIAL:	6.28
HANDLING:	0.00
TOTAL:	14.98



August 29, 2023

Dear Customer,

The following is the proof-of-delivery for tracking number: 577500478305

Delivery Information:

Status:	Delivered	Delivered To:	Residence
Signed for by:	Signature not required	Delivery Location:	4518 MORTON GROVE AVE
Service type:	FedEx Standard Overnight		
Special Handling:	Deliver Weekday; Residential Delivery; No Signature Required		LAS VEGAS, NV, 89115
		Delivery date:	Aug 28, 2023 12:24

Shipping Information:

Tracking number:	577500478305	Ship Date:	Aug 25, 2023
		Weight:	0.5 LB/0.23 KG

Recipient:
KATHLEEN BROOKINS,
4518 MORTON GROVE AVE
LAS VEGAS, NV, US, 89115

Shipper:
NEVADA DEPT. OF WILDLIFE
6980 Sierra Center Pkwy
Ste 120
RENO, NV, US, 89511

Department Number

Fisheries

Proof-of-delivery details appear below; however, no signature is available for this FedEx Express shipment
because a signature was not required.

Thank you for choosing FedEx

AARON D. FORD
Attorney General

KYLE E.N. GEORGE
First Assistant Attorney General

CHRISTINE JONES BRADY
Second Assistant Attorney General



JESSICA L. ADAIR
Chief of Staff

RACHEL J. ANDERSON
General Counsel

HEIDI PARRY STERN
Solicitor General

STATE OF NEVADA
 OFFICE OF THE ATTORNEY GENERAL

100 North Carson Street
 Carson City, Nevada 89701

MEMORANDUM

To: Nevada Board of Wildlife Commissioners
 Alan Jenne, Director, Nevada Department of Wildlife

From: Craig Burkett, Senior Deputy Attorney General

Date: August 18, 2023

Subject: Litigation Update

1. *United States and Walker River Paiute Tribe v. Walker River Irrigation Dist., et al. (Walker River Litigation)*, (USDC, Reno). This action involves federal, tribal and Mineral County claims for additional water from Walker River, in addition to those already established by the Walker River Decree. NDOW and others moved to dismiss certain claims against groundwater rights by the United States.

Subfile 3:73-CV-00127-RCJ-WGC (federal reserved rights)

This case involves claims by the United States for federal reserved water rights for all federal lands on the Walker River system. All claims are stayed except those concerning the Walker River Indian Reservation.

Currently, this case is before the District Court on remand from the Ninth Circuit Court of Appeals' May 22, 2018, decision. *The United States and the Tribe filed Amended Counterclaims on May 3, 2019. Answers to the Counterclaims were filed on August 1, 2019.* The next deadline is February 19, 2020 for the principle defendants and the United States to agree to a discovery plan. This deadline was extended from November 22, 2019.

On May 28, 2015, the District Court ruled that the United States' action to acquire federal reserved water rights for the Walker River Paiute Tribe and several smaller tribes within the Walker River watershed were to be dismissed

on “preclusion”; a doctrine that means the U.S. had its chance to make claims at the time of the original decree but failed to do so and thus cannot make them now.

On May 22, 2018, the Ninth Circuit Court of Appeals reversed the District Court’s decision mostly based on the fact that the United States and the Tribe had not been given a chance to brief the issue before the District Court. In fact, the District Court specifically requested that the issue of preclusion should not be briefed.

On September 21, 2021 Plaintiffs' motion for summary judgment (ECF No. [2638]) was granted. Plaintiffs are entitled to judgment as a matter of law in their favor as to Defendants' Third, Seventh, Twelfth, and Fourteenth Affirmative Defenses. Nevertheless, Principal Defendants retain all other affirmative defenses and litigation remains ongoing.

The Principal Defendants have filed status reports regarding the status of access to tribal archives for discovery purposes. These archives remain closed due to the pandemic.

Discovery remains ongoing.

As of March 7, 2023, the case remains staid for 90 days pending settlement discussions. As of May 31, 2023, the parties appear to have reached a settlement agreement. The US, Tribe and WRID are now working through their internal approval processes. The Court has been asked for another final 90 day stay while approvals are obtained.

Subfile 3:73-CV-00128-RCJ-WGC (public trust doctrine)

This case involves a claim filed by Mineral County for the court to recognize a public trust duty to provide water to Walker Lake to support the fishery therein.

On May 28, 2015, the District Court held that Mineral County did not have standing to pursue the public trust claims. Mineral County filed an appeal of this issue. The Court expounded on the issue of whether the shift of water from irrigators to the lake under the public trust law would be a taking of property under the 5th Amendment. The Court held that it would be a taking and that the State would have to pay compensation to each water right holder that is displaced by water that would have to be sent to Walker Lake. Finally, the Court went on to hold that decision whether to take the water was a non-justiciable political question.

On May 22, 2018, the Ninth Circuit Court of Appeals reversed the District Court holding that Mineral County did not have standing to pursue the public trust claim. However, rather than ruling on the substantive issues, the Court held that the Public Trust Doctrine is a state-law issue that has not been squarely decided in Nevada. The Appeals Court sent one Certified Question to the Nevada Supreme Court. On August 22, 2018, the Ninth Circuit Court of Appeals amended its order and added a second Certified Question. Those two questions are as follows.

Does the public trust doctrine apply to rights already adjudicated and settled under the doctrine of prior appropriation and, if so, to what extent?

If the public trust doctrine applies and allows for reallocation of rights settled under the doctrine of prior appropriation, does the abrogation of such adjudicated or vested rights constitute a "taking" under the Nevada Constitution requiring payment of just compensation?

On September 18, 2020, the Nevada Supreme Court rendered its Decision answering the Ninth Circuit Court of Appeals Certified Questions. The Nevada Supreme Court held that: (1) the public trust doctrine applies to rights already adjudicated and settled under the doctrine of prior appropriation; (2) the public trust doctrine applies to all waters within the state; and (3) the public trust doctrine does not permit reallocating water rights already adjudicated and settled under the doctrine of prior appropriation. Because the Court held the public trust doctrine does not allow for a reallocation of rights, there was no need to answer the second question.

The case has returned to the Ninth Circuit Court of Appeals. The Court asked parties to file Supplemental Briefs to address what effect the Nevada Supreme Court's decision has on the case. NDOW filed its Supplemental Brief on October 16, 2020 arguing that the effect of the decision precludes Mineral County's claims and that the District Court's decision dismissing the case must be affirmed. We await the Ninth Circuit Court of Appeals' further instruction or final decision.

On January 28, 2021, the Ninth Circuit Court issued its Opinion. The panel affirmed in part, and vacated in part, the district court's dismissal of Mineral County's complaint:

In light of the Nevada Supreme Court's Decision, the panel held that the district court properly dismissed the County's public trust claim to the extent it sought a reallocation of water rights adjudicated under the Decree and settled under the doctrine of prior appropriation. The panel vacated the judgment of the district court and remanded with instruction to consider the county's public trust doctrine claim to the extent it sought remedies that would not involve a reallocation of adjudicated water rights. The panel remanded to the district court to consider in the first instance the County's arguments that were not properly addressed by the district court. The panel rejected as untimely the County's challenge to the 1936 Decree itself.

On April 21, 2021, the Department of Wildlife and other Principal Defendants filed a Joint Status Report submitted pursuant to the court's Minute Order of March 23, 2021. The Status Conference took place on April 28, 2021. *Mineral County v. Lyon County*, 136 Nev. Adv. Op. 58 (2020).

On June 30, 2021, Mineral County filed its Second Amended Complaint. Mineral county asserted that by permitting excessive and unreasonable upstream consumptive uses to reduce average annual inflows to Walker Lake to the detriment of the Lake's public trust values, the Decree Court and State of Nevada have violated this continuing duty under the public trust doctrine to maintain Walker Lake in a reasonable state of environmental health.

On October 28, 2021, the Principal Defendants filed a Motion to Dismiss Mineral County's Second Amended Complaint. The main arguments for dismissal are as follows: Paragraph XIV of the Walker River Decree does not give the Court subject matter jurisdiction to grant Declaratory Relief as to Nevada's, or the Court's purported obligation to Walker Lake; Mineral County's public trust claim is also inconsistent with the public trust doctrine as interpreted by the above Nevada supreme court opinion.

Defendants' Motion to Dismiss was denied on August 5, 2022. Judge Du found that Plaintiffs were still able to state a claim upon which relief can be granted, largely technical claims asserted by Mineral County against WRID. Judge Du further found that NDOW and the State of Nevada are both ex rel. parties, meaning that NDOW is not simply a standalone rights holder in this case. As well, the political question doctrine does not apply to this case because caselaw cited provides authority for courts to modify or interpret the decree. It remains unclear from the ruling how this will impact NDOW. The relief sought by Mineral County is for NDOW to develop and fund a plan to

improve the resource of Walker Lake, the legal argument against that is that such funding would more appropriately be decided by the legislature.

Because counsel for Mineral County has been gravely ill, the court has been deferential to Mineral County and allowed for a generous discovery schedule, as follows:

Discovery may commence on April 7, 2023, and shall close on **April 4, 2025**. Dispositive Motions due no later than 60 days after the close of discovery (**6/3/2025**).

On April 18, 2023, the AG’s office received Mineral County’s initial disclosures. Document review remains ongoing.

On May 31, principal Defendants served their first joint discovery requests upon Mineral County.

Subfile 3:73-CV-00125-RCJ-WGC (main adjudication docket)

This subfile is not a case in the traditional sense, but rather constitutes the ongoing court-managed administration of the Walker River Decree. Decreed rights must be adjusted and administered consistent with the Court’s decisions documented in the court’s docket.

Water Master’s Budget: Every year the Water Master is required to submit an administration budget for the court’s approval. For the year 2021 to 2022, the Water Master did not request, as it did for the year 2020 to 2021, that special assessments be levied against any users seeking to modify decreed rights for instream flow purposes. NDOW has no reason to oppose the Budget as requested for the years 2021 to 2022.

Walker Basin Conservancy’s Permit Approvals: On February 25, 2021, NDOW filed a Petition for the Temporary Modification of the Walker River Decree in accordance with Permit No. 89964-T, for the benefit of Walker Lake. This is a matter of course for any change in the Decreed water rights. NDOW is awaiting the Court’s order.

3. *Smith v. Wakeling*, Second Judicial District, CV18-01389, Dept. 7. Smith brings an action for Defamation based on statements of certain NDOW employees. The principal basis for Smith’s claim is a slide included in a presentation to Truckee law enforcement addressing concerns with wildlife advocates, and questioning whether their actions solicit harassment or

engage in domestic terrorism. Smith alleges that purported misrepresentations about him have damaged his reputation.

Smith also claims his rights under the First Amendment were infringed when he was blocked from commenting on an NDOW Facebook page. Smith was blocked in 2012 for multiple violation of the rules governing use of the page. Smith moved for a preliminary injunction. A hearing on the Motion was held on July 27, 2018. The Court denied the Injunction, but ordered NDOW to allow Smith access to the Facebook page and at the same time admonished Smith to follow the terms of use.

Smith filed an Amended Complaint, adding the entities named as Plaintiffs in the Ridgetop Holdings LLC v. Wakeling case in California, as Plaintiffs in this case. NDOW and the individually named Defendants Answered Plaintiff's First Amended Complaint on August 29, 2018.

A week long trial was completed beginning February 8, 2022 and concluding February 14. The trial Judge dismissed multiple claims and Defendants after conclusion of the Plaintiff's case. A single claim was submitted to the jury as to whether the Nevada Department of Wildlife defamed the Plaintiff in libel. The jury returned a defense verdict on the remaining claim.

to the fees.

The Court has issued a formal judgment in favor of the Defendants as to all causes of action. In addition, the Judge has issued costs and fees award to the Defendants in the total amount of roughly \$91,000.

The Plaintiffs have appealed the case and the fees and costs award to the Nevada Supreme Court. The parties attended a Supreme Court Settlement Conference February 28. It was not successful.

Briefing on the Appeal has been stayed based on a Stipulation filed by the parties. The reason for the Stay is that a Defendant has filed a Notice of Bankruptcy. A bankruptcy filing establishes jurisdiction over any claim against that party in bankruptcy court until such time as the bankruptcy court decides otherwise.

4. A Petition for Judicial Review of the Wildlife Commission's decision to uphold a three year revocation of a license held by Ben Collard has been filed in the 8th Judicial District Court, Clark County, Nevada. The parties have filed legal memoranda supporting their positions. Petitioner has requested oral

argument. The Court re-set the date for oral argument on June 7, 2023. *The parties conducted oral argument and are awaiting a decision from the Court.*

5. *NDOW v. White Pine County Assessor* – SBE Case no. 23-185. NDOW and the Nevada Division of State Lands have filed an Appeal related to a tax assessment asserted by the White Pine County Assessor, flowing from the purchase of multiple parcels of property in White Pine County. NDOW made application to the County in May, 2023, to maintain the existing status of the land upon purchase, which is agricultural use. White Pine County denied the application, on the basis that NDOW is exempt from the State ad valorem property tax. At the same time, the White Pine County Assessor has claimed property taxes are now due as a result of the prior agricultural deferred status of the property, totaling \$249,523.68. The Appeal was made to the Nevada State Board of Equalization. The parties await a hearing date from the Board on the appeal.

**Indicates the matter is resolved and will not appear on future litigation updates.*

Italicized material, if any, (other than case name) is updated information since the last litigation update.

CHAIRMAN TOMMY CAVIGLIA
 COMMISSIONER EDDIE BOOTH
 COMMISSIONER PAUL YOUNG
 COMMISSIONER SHANE ROGERS
 CABMW REP. JOE CRIM
 CABMW REP. MATT MELARKEY
 PUBLIC REP. MEGHAN BROWN

STAFF TO THE COMMITTEE:
 KIM MUÑOZ, DATS DIVISION ADMINISTRATOR
kim.munoz@ndow.org, 775-688-1565
 MEGAN MANFREDI, MANAGEMENT ANALYST
mmmanfredi@ndow.org, 775-688-1881

AGENDA

NEVADA BOARD OF WILDLIFE COMMISSIONERS **TAG ALLOCATION AND APPLICATION HUNT COMMITTEE**

FRIDAY, SEPTEMBER 22, 2023 @ 7:00 AM

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

Or

Please click this URL to join.

<https://us02web.zoom.us/j/86039794949?pwd=WDliZ3hPelZGYVZxWmhYRGxQVm>

[VLZz09](#)

Passcode: 397594

Public Comment will be taken on every action item after discussion but before action on each item and are limited to three (3) minutes per person. 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 to the Committee Staff or attend and make comment during the live meeting or, if utilized, be allowed to speak through a virtual platform which will become part of the official record. Persons attending virtually wishing to comment are invited to raise their virtual hands in the virtual meeting forum during the appropriate time. To ensure the public has notice of all matters the Committee will consider, Committee members may choose not to respond to public comments to avoid deliberation on topics not listed for action on the agenda.

FORUM RESTRICTIONS AND ORDERLY BUSINESS: 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 Commission and related Committees, 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.

Please provide the Board of Wildlife Commissioners Tag Allocation and Application Hunt Committee with the complete electronic or written copies of testimony and visual presentations to include as exhibits with the minutes. Minutes of the meeting will be produced in summary format. All persons present are asked to sign-in whether speaking or not.

1. Call to Order, Pledge and Roll Call – Committee Chairman Tommy Caviglia

2. Public Comment Period

This period is for general comment on anything not on the agenda. No action will be taken but may be scheduled on a future Committee agenda. The 3- and 6-minute time limits apply. Persons making comment are asked to begin by stating their name for the record. If applicable, commentors will be allowed to speak within the virtual platform utilized for the meeting and taken in the order of hands raised. Commentors can raise their hands by clicking the "raise hand" button found at the bottom of the program.

3. Approval of Agenda – Committee Chairman Tommy Caviglia

FOR POSSIBLE ACTION

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

4.* Approval of Minutes – Committee Chairman Tommy Caviglia

FOR POSSIBLE ACTION

The Committee may take action to approve Committee minutes from the June 24, 2023, meeting.

5.* Commission Policy 24 – Game Administrator Shawn Espinosa FOR POSSIBLE ACTION

The Committee will discuss possible changes to the demand-tag success formula defined in Commission Policy 24.

6.* Junior Tag Transfer – Management Analyst Megan Manfredi FOR POSSIBLE ACTION

The Committee will discuss possible options for establishing a junior tag transfer program as authority to establish such a program was given from SB 311 out of the 2023 Legislative Session.

7. TAAHC Workshop – Management Analyst Megan Manfredi FOR POSSIBLE ACTION

The Committee will review a list of potential future agenda topics and determine which will be brought forth to a future Committee meeting for deeper discussion.

8. Future Committee Meeting – Committee Chairman Tommy Caviglia FOR POSSIBLE ACTION

The committee will discuss possible future agenda topics and set a date and time for the next committee meeting.

9. Public Comment Period

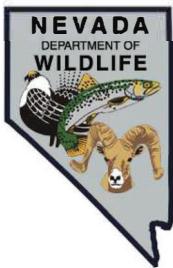
This period is for general comment on anything not on the agenda. No action will be taken but may be scheduled on a future Committee agenda. The 3- and 6-minute time limits apply. Persons making comment are asked to begin by stating their name for the record. If applicable, commentors will be allowed to speak within the virtual platform utilized for the meeting and taken in the order of hands raised. Commentors can raise their hands by clicking the “raise hand” button found at the bottom of the program.

*Support material is posted at the NDOW website at this link: <https://nvboardofwildlife.org/>

Support material for this meeting may also be requested from Kimberly Munoz, NDOW Data and Technology Services Division Administrator, at kim.munoz@ndow.org, (775) 688-1565 or Megan Manfredi, NDOW Management Analyst, at mmmanfredi@ndow.org, (775) 688-1881.

Note: In accordance with NRS 241.020, this agenda closes three days prior to the meeting date and has been posted at <https://notice.nv.gov/> and the following Department of Wildlife offices: 6980 Sierra Center Parkway, Reno, NV 89511; 1100 Valley Rd, Reno, NV 89512; 380 W. “B” St, Fallon, NV 89406; 815 East Fourth St, Winnemucca, NV 89445; 60 Youth Center Rd, Elko, NV 89801; 1218 North Alpha St, Ely, NV 89301; and 3373 Pepper Lane, Las Vegas, NV 89120.

Notice to the Public: Nevada Department of Wildlife receives Federal Aid in Fish and/or Wildlife Restoration. The U.S. Department of the Interior prohibits discrimination based on race, color, national origin, age, sex, or disability. Individuals with hearing impairment may contact the Department at 775-688-1500 via a text telephone (TTY) telecommunications device by first calling the State of Nevada Relay Operator at 1-800-326-6868. Disabled individuals in need of special services should contact the Department prior to the meeting at (775) 688-1599.



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division

6980 Sierra Center Parkway, Ste. 120 • Reno, Nevada 89511
(775) 688-1500 Fax (775) 688-1987

MEMORANDUM:

Tuesday, August 22, 2023

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Kailey Musso, Management Analyst 3, Director's Office

Title: **Executive Order 2023-008, Commission General Regulations**

Description: With Executive Order 008, Governor Lombardo lifted the freeze on all regulations. Agencies are allowed to proceed with administrative rulemaking as of June 30, 2023.

Summary:

The Department has reviewed all regulations which were previously on hold, regulations that were discussed during the most recent legislative session, and regulations which were identified to be removed through Executive Order 2023-003. A summary of priority regulations will be brought to the Commission.

Recommendation:

None at this time.



EXECUTIVE ORDER

Order Lifting the Freeze on the Regulatory Process

WHEREAS, state regulations should protect workers, consumers, and the environment, while promoting entrepreneurship and economic growth; and

WHEREAS, Nevada has been identified nationally as having among the nation's most onerous occupational licensing requirements, and it is in the State's best long-term economic interest to have a fair, open, competitive and inclusive economy; and

WHEREAS, state regulations can become outdated, result in unintended consequences, create conflicts and/or impose unnecessary burdens on citizens, businesses, professions, or government entities; and

WHEREAS, it is in the best interest of the State of Nevada that its regulatory environment be concise, transparent, stable, balanced, predictable, and thoughtfully constructed; and

WHEREAS, regulatory agencies and occupational or professional licensing boards have submitted responses to Executive Order 2023-003 and 2023-004 that have, among other things, identified regulations that need to be repealed or amended; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides that, "The Supreme Executive Power of this State shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada";

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, it is hereby ordered as follows:

SECTION 1:

On July 1, 2023, pursuant to Nevada Revised Statutes Chapter 233B (or other applicable regulatory rules) and the processes set forth therein, all agencies, boards, and commissions that were subject to Executive Order 2023-003 and/or Executive Order 2023-004 shall begin the process of repealing, streamlining, clarifying, reducing, or otherwise improving those regulations, thereby minimizing barriers to economic efficiency, which were identified in the responses received from each agency, board, or commission pursuant to Sections 1 and 2 of Executive Order 2023-003, and/or Section 2 of Executive Order 2023-004, subject to collaboration with the Governor's Office.

SECTION 2:

On July 1, 2023, agencies, boards, and commissions shall begin to promulgate new regulations as required by laws adopted during the 82nd Legislative Session in accordance with Nevada Revised Statutes Chapter 233B or other applicable rules.

SECTION 3:

All regulations adopted or implemented in accordance with Sections 1 or 2 of this Executive Order shall be concise and easily understandable to ensure greater access and transparency in the regulatory process.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 30th day of June, in the year two thousand twenty-three.



A handwritten signature in blue ink, appearing to read "Steve Sisolak".

Governor

A handwritten signature in blue ink, appearing to read "Lucy Flores".

Secretary of State

A handwritten signature in blue ink, appearing to read "Debbie Bowman".

Deputy

Executive Order 2023-003

Informational Report – Executive Order 2023-003

Name of department and commission:

Nevada Board of Wildlife Commission and Nevada Department of Wildlife

Address: 6980 Sierra Center Parkway, Suite 120

City: Reno Zip: 89511 Telephone: 775-688-1599

Name of Director: Alan Jenne

Director Email: ajenne@ndow.org

Section 1 – Listed Regulations for Clarification and Improvement

Section 1 – Comprehensive Review of Regulations / Section 3 – Mandatory Meeting and Report

The above-named department, agency, board, or commission conducted a comprehensive review of the regulations subject to its enforcement that can be streamlined, clarified, reduced, or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth. The regulations identified for Section 1 of Executive Order 2023-03 are listed below with the information as required on page 1 of the instruction sheet on the following pages of the report:

Regulation	Page Number
1. NAC 501.310 – Application for money from Account: Review and recommendations.	2
2. NAC 501.330 – Duties of Secretary of Commission.	3
3. NAC 502.4187 – Bonus points: Award and accumulation; effect of refund.	3
4. NAC 502.4188 – Bonus points: Categories of species.	5
5. NAC 502.4189 – Bonus points: Use; transfer; applications by group of certain tags; junior hunts.	6
6. NAC 503.0935 – Special permit for handling, moving or temporarily possessing protected wildlife.	7
7. NAC 503.094 – Scientific permit for collection or possession of wildlife.	9
8. NAC 503.095 – Permit to collect unprotected wildlife for commercial purposes.	11
9. NAC 503.110 – Restrictions on importation, transportation and possession of certain species.	12
10. NAC 503.1465 – Archery disability permit for person with permanent disability: Issuance; application; expiration.	17
11. NAC 503.200 – Definitions.	18
12. NAC 503.205 – License or permit required to hunt, trap, possess or sell raptors; possession of eggs and feathers.	20
13. NAC 503.212 – Banding of raptors.	21
14. NAC 503.214 – Duties of owner of raptor if leg band must be removed or is lost.	23
15. NAC 503.227 – Transfer of raptor originally taken from wild to holder of permit for captive propagation of raptors.	24
16. NAC 503.230 – Release of raptors.	25
17. NAC 503.330 – Taking of raptors for falconry: Grounds for denial of permit; reinstatement of privilege; administrative fine.	26

Executive Order 2023-003

18. NAC 503.360 – Taking of raptors for falconry: Requirements if raptor is injured while being taken.	27
19. NAC 503.375 – Housing of raptors: General requirements.	28
20. NAC 503.593 – Waters in which chumming and fishing with a spear prohibited.	29
21. NAC 504.488 – Possession of live animals under authority of permit or license held on February 28, 1994.	30

1. Regulation Language:

NAC 501.310 Application for money from Account: Review and recommendations. ([NRS 501.3575](#)) Upon receipt of an application, the Department shall review the application [~~complete the portions of the application the Department is required to complete~~] and send the application to the Wildlife Heritage Committee of the Commission and to each county advisory board to manage wildlife for review and comment [~~before~~ *by* April 15 of each year. The Wildlife Heritage Committee of the Commission shall prepare its recommendations for funding and present such recommendations for public comment and approval by the Commission at the first meeting of the Commission after April 30 of each year.

2. Explanation for change:

General administrative cleanup that removes unnecessary language and provides applicants an extra day to submit an application for use of funds from the Wildlife Heritage Account.

3. Public Meetings:

- a. March 29, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

Executive Order 2023-003

1. Regulation Language:

NAC 501.330 Duties of Secretary of Commission. (NRS 501.3575)

1. On or before November 1 of each year, the Secretary of the Commission shall make available to the public the application form described in [NAC 501.300](#).
2. [On or before] *At* the first [meeting of the] Commission *meeting of the calendar year* [after January 31 of each year], the Secretary of the Commission shall provide to the Commission an accounting of:
 - (a) Seventy-five percent of the amount of money deposited in the Account during the previous calendar year; and
 - (b) All interest earned on the Account during that year.

2. Explanation for change:

General administrative cleanup that would allow for the Secretary of the Commission to provide a funds report to the Commission during the first meeting of the year, generally held before January 31.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 502.4187 Bonus points: Award and accumulation; effect of refund. (NRS 501.105, 501.181, 502.160, 502.175)

1. Except as otherwise provided in [NAC 502.417](#) to [502.4225](#), inclusive, an applicant to obtain a tag for a season who is unsuccessful, or an applicant for a bonus point who does not wish to

Executive Order 2023-003

obtain a tag and is applying for the sole purpose of earning a bonus point, must be awarded a bonus point for[:]

(a) The hunt number of the species for which the applicant applied if he or she applied for a:

(1) Tag to hunt wild turkey; or

(2) Bonus point for a tag described in subparagraph (1); or

(b) T] the category of the species for which he or she applied if he or she applied for a tag to hunt deer, elk, mountain goat, antelope, black bear, moose, *wild turkey* or bighorn sheep, or for a bonus point for such a tag.

Ê Regardless of the number of applications to obtain a tag or bonus point for a season submitted by a person, the Department shall not award the person more than one bonus point per season for each species or category of a species for which the person applied.

2. Except as otherwise provided in subsections 3 and 4, the bonus points awarded to a person accumulate until the person is successful in drawing a tag for a season for that species or category of a species or the person fails to apply for a season for 2 consecutive calendar years during which that type of hunt for a season is open. If an applicant is successful in drawing a tag for a season for a species or category of a species or fails to apply for a season for 2 consecutive calendar years during which that type of hunt for a season is open, the applicant loses all of his or her bonus points for that species or category of a species.

3. Except as otherwise provided in [NAC 502.4189](#), a person may not use any bonus points awarded to the person for being unsuccessful in a junior hunt to apply for a drawing for a tag for any other type of hunt after the person is no longer eligible to participate in a junior hunt.

4. If a person is successful in obtaining a tag for a species or category of a species pursuant to [NAC 502.4215](#), he or she must not lose any bonus point awarded to him or her for that species or category of a species.

5. If an applicant requests and receives a refund for the value of his or her hunting license, the Department shall not award the applicant a bonus point for any species or category of species applied for during the period that the applicant possessed the hunting license.

6. The Department shall not award bonus points for depredation hunts or management hunts.

7. As used in this section, "management hunt" means a hunt established to seek the harvest of additional wildlife within a population.

2. Explanation for change:

General administrative cleanup that removes outdated hunt number language that is no longer used when assigning bonus points to an applicant of the Department of Wildlife.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:

- i. No public comment on this item.

Executive Order 2023-003

- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 502.4188 Bonus points: Categories of species. ([NRS 501.105](#), [501.181](#), [502.160](#), [502.175](#))

1. [Except as otherwise provided in subsection 2, a] Any bonus points awarded by the Department pursuant to the bonus point program must be awarded in one of the following categories of species, subspecies and gender:

- (a) Antlered mule deer;
- (b) Antlerless mule deer;
- (c) Mule deer, either antlered or antlerless;
- (d) Antlered Rocky Mountain elk;
- (e) Antlerless Rocky Mountain elk;
- (f) Rocky Mountain elk, either antlered or antlerless;
- (g) Spike Rocky Mountain elk;
- (h) Pronghorn antelope whose horns are longer than their ears;
- (i) Pronghorn antelope whose horns are shorter than their ears;
- (j) Rams, from one of the following subspecies:
 - (1) Nelson bighorn sheep;
 - (2) California bighorn sheep; or
 - (3) Rocky Mountain bighorn sheep;
- (k) Ewes, from one of the following subspecies:
 - (1) Nelson bighorn sheep;
 - (2) California bighorn sheep; or
 - (3) Rocky Mountain bighorn sheep;
- (l) Mountain goats;
- (m) Black bears[; or]
- (n) Moose-*or*

[2. Bonus points awarded by the Department pursuant to the bonus point program for] (o) wild turkey [hunts must be awarded by hunt number.]

2. Explanation for change:

General administrative cleanup that removes outdated hunt number language that is no longer used when assigning bonus points to an applicant of the Department of Wildlife.

3. Public Meetings:

Executive Order 2023-003

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 502.4189 Bonus points: Use; transfer; applications by group for certain tags; junior hunts. (NRS 501.105, 501.181, 502.160, 502.175)

1. Each applicant in a drawing for a tag for a season receives a number of additional draw numbers that is equal to the number of bonus points that he or she has accumulated squared, as expressed in the following equation:

$$n=b^2$$

where "n" is the number of additional draw numbers and "b" is the number of bonus points. The number of additional draw numbers determines the number of draw numbers for the species or category of the species for which the application was submitted. The applicant's lowest randomly assigned draw number is the number used for the drawing.

2. Except as otherwise provided in subsection 5, bonus points accumulated by a person for a species or category of species cannot be transferred to any other person or any other species or category of species.
3. Any bonus points accumulated by an applicant automatically transfer with the applicant if the applicant changes his or her state of residence. Bonus points transferred pursuant to this subsection apply to the same species or category of species to which they applied before the transfer.
4. The number of bonus points applicable to applications submitted by a group pursuant to **NAC 502.4185** for tags is the quotient of the total number of points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.
5. If a person [has applied for a junior hunt for deer for 5 years or] becomes ineligible to **apply for a junior hunt for deer pursuant to NAC 502.333 or becomes ineligible to** participate in a junior

Executive Order 2023-003

hunt for deer because of his or her age, each unused bonus point accumulated by that person for a junior hunt for deer automatically transfers to the category for antlered mule deer. The provisions of this subsection do not apply to a bonus point accumulated by the person for a junior hunt for deer in a year in which the person also accumulated a bonus point in the category for antlered mule deer.

6. If a person becomes ineligible to apply for a junior hunt for wild turkey pursuant to NAC 502.333 or becomes ineligible to participate in a junior hunt for wild turkey because of his or her age, each unused bonus point accumulated by that person for a junior hunt for wild turkey automatically transfers to the category for wild turkey.

2. Explanation for change:

This regulation change would improve the junior turkey hunt program by allowing for a junior turkey bonus point holder to keep their bonus points once they become ineligible to participate in the junior turkey hunt program by rolling them into the wild turkey bonus point category used by adult hunters.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.0935 Special permit for handling, moving or temporarily possessing protected wildlife. ([NRS 501.105](#), [501.181](#), [502.240](#), [503.597](#))

1. The Department may issue a special permit pursuant to subsection 1 of [NRS 503.597](#) to allow a person to handle, move or temporarily possess any wildlife which is classified as protected for the purpose of reducing or eliminating the risk of harm to the wildlife that may

Executive Order 2023-003

result from any lawful activity conducted on land where the wildlife is located. The fee for such a special permit is \$200.

2. An applicant for a special permit specified in subsection 1 must include on the application:

- (a) The name and date of birth of the applicant;
- (b) The physical or mailing address and telephone number of the applicant;
- (c) The name, address and telephone number of the place of employment of the applicant;
- [(d) The driver's license number, the state that issued the driver's license and the date of issue of the driver's license of the applicant if the applicant holds a driver's license;]**

(d) [(e)] The name of the company or other entity that the applicant is representing, if different from the employer of the applicant;

(e) [(f)] The name of each person who, at the direction of the applicant, will handle, move or temporarily possess the wildlife under the authority of the special permit;

(f) [(g)] The common and scientific name and the number of each species of wildlife, or nests or eggs thereof, to be handled, moved or temporarily possessed;

(g) [(h)] The manner in which each specimen of wildlife will be handled, moved or temporarily possessed;

(h) [(i)] The locations at which and the dates when the wildlife are to be handled, moved or temporarily possessed;

(i) [(j)] The locations at which or to which the wildlife will be handled, moved or temporarily possessed, if any;

(j) [(k)] A brief synopsis, not to exceed five pages, of the purpose and justification for the handling, moving or temporary possession of the wildlife; and

(k) [(l)] The signature of the applicant and the date on which the applicant signed the application.

3. A special permit specified in subsection 1 must be valid for not more than 1 year. Upon its approval of the application and submission of the fee, the Department shall issue the special permit based on a calendar year.

4. Based on its evaluation of the application, the Department may make such stipulations and conditions on the use and scope of the special permit as the Department deems appropriate. A violation of a stipulation or condition is cause for the cancellation of the special permit.

5. Not later than 30 days after expiration of a special permit specified in subsection 1, the holder of the special permit shall submit to the Department a report which includes, without limitation:

(a) A list of each species of wildlife which is classified as protected that was handled, moved or temporarily possessed, and for each such species:

(1) The number of wildlife handled, moved or temporarily possessed at each location where the wildlife was handled, moved or temporarily possessed; and

(2) The date on which the wildlife was handled, moved or temporarily possessed; and

(b) Any other information which the Department requires.

6. A special permit specified in subsection 1 which is issued by the Department for the handling, movement or temporary possession of:

(a) A migratory bird that is protected by the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq.; or

(b) A species of wildlife that is listed as threatened or endangered by the United States Fish and Wildlife Service,

is not valid for the handling, movement or temporary possession of the migratory bird or the threatened or endangered species until the Department receives a copy of the federal permit

Executive Order 2023-003

issued by the United States Fish and Wildlife Service to the applicant for the handling, movement or temporary possession of the bird or species.

2. Explanation for change:

This regulation would remove the requirement for an applicant applying for a special use permit to submit to the Department of Wildlife their driver's license number. This change is another way to continue to protect a person's personal identifiable information as these applications are emailed to Department staff across the state.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.094 Scientific permit for collection or possession of wildlife. (NRS 501.105, 501.181, 503.650)

1. The Department may issue a scientific permit pursuant to [NRS 503.650](#) which authorizes the taking, killing, possessing or banding of any species of wildlife, or the collecting of the nest or eggs thereof, for strictly scientific or educational purposes.

2. An applicant for a scientific permit must include on his or her application:
 - (a) The name of the applicant;
 - (b) The name of the company or institution that the applicant is representing;
 - (c) The physical or mailing addresses of the applicant's residence and place of employment;
 - (d) The telephone numbers of the applicant's residence and place of employment;
 - [(e) The driver's license number of the applicant, if he or she has been issued a driver's license;]**
 - [(e) [(f)] The name of each person or group of persons who will collect wildlife under the authority of the scientific permit and at the direction of the applicant;**

Executive Order 2023-003

(f) [(g)] The common and scientific name and the number of each species of wildlife, or nests or eggs thereof, to be collected, possessed, marked or banded;

(g) [(h)] The manner and means by which each specimen of wildlife will be collected or captured;

(h) [(i)] The locations at which and the dates when the specimens of wildlife are to be collected;

(i) [(j)] A brief synopsis, not to exceed five pages, of the purpose and justification for the collection and possession of the specimens of wildlife;

(j) [(k)] The location where the specimens of wildlife will be transferred or held once collected; and

(k) [(l)] The signature of the applicant and the date on which the application was signed.

3. A scientific permit must be valid for not more than 2 years. Upon its evaluation of the application, the Department will issue the scientific permit based on a calendar year or a fiscal year.

4. Not later than 30 days after the date on which the permit expires, the holder of a scientific permit shall submit to the Department a complete report which details the species of wildlife collected, the number of each species of wildlife collected at each location, the date on which each species of wildlife was collected and any other information which the Department requires.

5. Based on its evaluation of the application, the Department may make such stipulations and conditions on the use and scope of a scientific permit as the Department determines appropriate. A violation of a stipulation or condition is cause for the cancellation of the permit.

6. A scientific permit issued by the Department for the collection or possession of:

(a) A migratory bird that is protected by the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq.; or

(b) A species of wildlife that is listed as threatened or endangered by the United States Fish and Wildlife Service,

is not valid for the collection or possession of the migratory bird or the threatened or endangered species until the Department receives a copy of the federal permit issued by the United States Fish and Wildlife Service to the applicant for the collection or possession of the bird or species.

2. Explanation for change:

This regulation would remove the requirement for an applicant applying for a special use permit to submit to the Department of Wildlife their driver's license number. This change is another way to continue to protect a person's personal identifiable information as these applications are emailed to Department staff across the state.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:

Executive Order 2023-003

- i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.095 Permit to collect unprotected wildlife for commercial purposes. ([NRS 501.105](#), [501.181](#), [503.380](#))

1. It is unlawful for a person to collect unprotected wildlife for commercial purposes without a permit.

2. Except as otherwise provided in [NAC 503.513](#) and [503.545](#), the Department will issue a permit authorizing a natural person to collect unprotected wildlife for commercial purposes with a seine, net, noose, trap or other device if, after an investigation is conducted, it is proved to the Department that the collecting will not be detrimental to wildlife or the habitat of the wildlife. The annual fee for a permit issued pursuant to this section is \$250.

3. An application for a permit issued pursuant to this section must be submitted on a form furnished by the Department or a facsimile of the form.

4. An applicant for a permit issued pursuant to this section must include on the application:

- (a) The name of the applicant;
- (b) The physical and mailing addresses of the applicant's residence and place of employment;
- (c) The telephone numbers of the applicant's residence and place of employment;

[d] The driver's license number of the applicant, if he or she has been issued a driver's license;]

(d) [(e)] The date of birth of the applicant;

(e) [(f)] The methods and equipment to be used in the collection of the wildlife;

(f) [(g)] The location, by county or region, where the wildlife is to be collected;

(g) [(h)] The address of the location where the wildlife will be held while it is in the possession of the applicant;

(h) [(i)] If the applicant has been convicted of violating the laws or regulations of any state or the United States Fish and Wildlife Service relating to the commercialization of wildlife within the 5 years immediately preceding the date of the application, a description of each violation, a description of the penalty imposed for each violation and the name of the state in which each conviction occurred; and

(i) [(j)] The applicant's signature and the date on which the application is signed.

5. Such a permit is not transferable and may be cancelled by the Department for a violation of its conditions or if operation of the permit is found to be detrimental to wildlife.

6. Within 30 days after the expiration of a permit for the collection of unprotected wildlife, the Department may require the person to whom it was issued to report to the Department the

Executive Order 2023-003

number and disposition of the unprotected species he or she has taken. Any failure to submit the report is a cause for denial of a future application for a similar permit.

2. Explanation for change:

This regulation would remove the requirement for an applicant applying for a special use permit to submit to the Department of Wildlife their driver's license number. This change is another way to continue to protect a person's personal identifiable information as these applications are emailed to Department staff across the state.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

NAC 503.110 Restrictions on importation, transportation and possession of certain species. ([NRS 501.105](#), [501.181](#), [503.597](#), [503.650](#), [504.295](#))

1. Except as otherwise provided in this section and [NAC 504.486](#), the importation, transportation or possession of the following species of live wildlife or hybrids thereof, including viable embryos or gametes, is prohibited:

(a) Fish:

Common Name	Scientific Classification
(1) Lampreys.....	All species in the family Petromyzontidae
(2) Freshwater stingray.....	All species in the family Potamotrygonidae
(3) Freshwater shark.....	All species in the genus <i>Carcharhinus</i>
(4) Bowfin.....	<i>Amia calva</i>
(5) Gars.....	All species in the family Lepisosteidae

Executive Order 2023-003

Common Name	Scientific Classification
(6) Herring and shad, except threadfin shad and gizzard shad.....	All species in the family Clupeidae, except <i>Dorosoma petenense</i> and <i>Dorosoma cepedianum</i>
(7) European Whitefish.....	All species in the genus <i>Leuciscus</i>
(8) Mexican banded tetra.....	<i>Astyanax mexicanus</i>
(9) Piranhas.....	All species in the genera <i>Serrasalmus</i> , <i>Serrasalmo</i> , <i>Pygocentrus</i> , <i>Pristobrycon</i> , <i>Hydrolycus</i> , <i>Rooseveltiella</i> and <i>Pygopristis</i>
(10) South American Parasitic Catfish.....	All species in the families Cetopsidae and Trichomycteridae
(11) White perch.....	<i>Morone americana</i>
(12) Freshwater drum.....	<i>Aplodinotus grunniens</i>
(13) Grass carp, except certified triploids as authorized by a special permit....	<i>Ctenopharyngodon idella</i>
(14) Pike top minnow.....	<i>Belonesox belizanus</i>
(15) Snakehead.....	All species in the genera <i>Parachanna</i> and <i>Channa</i>
(16) Walking catfish.....	All species in the genera <i>Clarias</i> , <i>Heteropneustes</i> and <i>Dinotoperus</i>
(17) Tiger fish, Tifgerfish and Wolf fish.....	All species in the genera <i>Hydrocynus</i> and <i>Hoplias</i>
(18) Sticklebacks.....	All species in the genera <i>Apeltes</i> , <i>Eucalia</i> , <i>Gasterosteus</i> and <i>Pungitius</i>
(19) Tilapia.....	All species in the genera <i>Coelotilapia</i> , <i>Coptodon</i> , <i>Heterotilapia</i> , <i>Oreochromis</i> , <i>Pelmatolapia</i> , <i>Tilapia</i> and <i>Sarotherodon</i>
(20) Nile perch.....	All species in the genera <i>Lates</i> and <i>Luciolates</i>
(21) Goldeye.....	All species in the genus <i>Hiodon</i>
(22) Carp:	
(I) Bighead.....	<i>Hypophthalmichthys nobilis</i>
(II) Black.....	<i>Mylopharyngodon piceus</i>
(III) Crucian.....	<i>Carassius carassius</i>
(IV) Indian.....	<i>Catla catla</i> , <i>Cirrhina mrigala</i> and <i>Labeo rohita</i>
(V) Silver.....	<i>Hypophthalmichthys molitrix</i>
(23) Rudd.....	<i>Scardinius erythrophthalmus</i>
(24) Northern Pike.....	<i>Esox lucius</i>
(25) Swamp eel.....	All species in the genus <i>Monopterus</i>
(26) Round goby.....	<i>Neogobius melanostomus</i>
(27) Flathead catfish.....	<i>Pylodictis olivaris</i>
(28) Peacock bass.....	All species in the genus <i>Cichla</i>
(b) Reptiles:	

Executive Order 2023-003

Common Name	Scientific Classification
(1) Alligators, crocodiles and gharials...	All species in the family <i>Crocodylia</i>
(2) Bird snake.....	All species in the genus <i>Thelotornis</i>
(3) Boomslang.....	<i>Dispholidus typus</i>
(4) Keelbacks.....	All species in the genus <i>Rhabdophis</i>
(5) Burrowing Asps.....	All species in the family Atractaspidae
(6) Coral snakes, cobras, kraits, mambas, Australian elapids and sea snakes.....	All species in the family Elapidae.
(7) Pit vipers and true vipers, except species indigenous to this State.....	All species in the family Viperidae, except species indigenous to this State
(8) Snapping Turtles.....	All species in the family Chelydridae
(9) Gila monsters and bearded lizards	All species in the family <i>Helodermatidae</i>
 (c) Amphibians:	
Common Name	Scientific Classification
(1) Clawed frogs.....	All species in the genus <i>Xenopus</i>
(2) Giant or marine toads.....	<i>Bufo horribilis</i> , <i>Bufo marinus</i> and <i>Bufo paracnemis</i>
 (d) Mammals:	
Common Name	Scientific Classification
(1) Deer, elk, wapiti, moose and caribou	All species in the family Cervidae
(2) Wild Dogs or Dhole.....	<i>Cuon alpinus</i>
(3) Raccoon Dog.....	<i>Nyctereutes procyonoides</i>
(4) Mongooses and Meerkats.....	All species in the genera <i>Atilax</i> , <i>Cynictis</i> , <i>Helogale</i> , <i>Mungos</i> , <i>Suricate</i> , <i>Ichneumia</i> and <i>Herpestes</i>
(5) Wild European Rabbit.....	<i>Oryctolagus cuniculus</i>
(6) Multimammate Rat or Mouse.....	All species in the genus <i>Mastomys</i> (= <i>Praomys</i>)
(7) Bats.....	All species in the order Chiroptera
(8) Nutria.....	<i>Myocastor coypus</i>
(9) Coyote.....	<i>Canis latrans</i>
(10) Foxes.....	All species in the genera <i>Vulpes</i> , <i>Fennecus</i> , <i>Urocyon</i> , <i>Alopex</i> , <i>Lycalopex</i> and <i>Pseudalopex</i>
(11) Raccoon.....	<i>Procyon lotor</i>
(12) Skunk.....	All species in the genera <i>Spilogale</i> , <i>Mephitis</i> and <i>Conepatus</i>
(13) Wild pigs and hogs.....	All species in the family Suidae, except domestic breeds of <i>Sus scrofa</i>
(14) Reedbucks.....	All species in the genus <i>Redunca</i>
(15) Oryx and Gemsbok.....	All species in the genus <i>Oryx</i>

Executive Order 2023-003

Common Name	Scientific Classification
(16) Addax.....	<i>Addax nasomaculatus</i>
(17) Blesbok, Topi and Bontebok.....	All species in the genus <i>Damaliscus</i>
(18) Hartebeests.....	All species in the genera <i>Alcelaphus</i> and <i>Sigmooceros</i>
(19) Wildebeest and Gnus.....	All species in the genus <i>Connochaetes</i>
(20) Chamois.....	<i>Rupicapra rupicapra</i> and <i>R. pyrenaica</i>
(21) Tahr.....	All species in the genus <i>Hemitragus</i>
(22) Ibex, Wild Goats, Tur and Markhor.....	All species in the genus <i>Capra</i> , except domestic goats, <i>Capra hircus</i>
(23) Barbary (Aoudad) Sheep.....	<i>Ammotragus lervia</i>
(24) Mouflon sheep, Urial, Bighorn and Argali.....	All species in the genus <i>Ovis</i> , except domestic sheep, <i>Ovis aries</i>

(e) Birds:

Common Name	Scientific Classification
(1) Pink Starling or Rosy Pastor.....	<i>Sturnus roseus</i>
(2) Red-billed Dioch.....	<i>Quelea quelea</i>
(3) Red-whiskered Bulbul.....	<i>Pycnonotus jocosus</i>

(f) Crustaceans:

Common Name	Scientific Classification
(1) Asiatic mitten crab.....	<i>Eriocheir sinensis</i>
(2) Crayfish.....	All species in the families Parastacidae, Cambaridae and Astacidae, except <i>Procambarus clarkii</i> , <i>Orconectes causeyi</i> and indigenous species of the genus <i>Pacifastacus</i>

(g) Mollusks:

Common Name	Scientific Classification
(1) African giant snail.....	<i>Achatina fulica</i>
(2) Zebra and quagga mussels.....	All species in the genus <i>Dreissena</i>
(3) New Zealand mud snail.....	<i>Potamopyrgus antipodarum</i> , <i>P. jenkinsi</i>
(4) Apple snails.....	All species in the genus <i>Pomacea</i>
(5) Golden mussel.....	<i>Limnoperna fortunei</i>

Executive Order 2023-003

2. The headquarters of the Department and each regional office of the Department will maintain a physical description and picture of each species listed in this section when reasonably available.

3. The Department may issue a scientific permit for the collection or possession of wildlife or a commercial license for the possession of live wildlife, whichever is applicable, for the importation, transportation or possession of a species listed in this section only to:

(a) A zoo or aquarium which is an accredited institutional member of the Zoological Association of America, the Association of Zoos and Aquariums or their successors.

[(b) A person who displays, exhibits or uses the species for entertainment or commercial photography, including, without limitation, motion pictures, still photography or television, if the species:

(1) Is accompanied by evidence of lawful possession;

(2) Is not in this State for more than 90 days; and

(3) Is maintained under complete control and prohibited from coming into contact with members of the general public.

Ê If the person is displaying, exhibiting or using mammals for commercial purposes other than for food or fiber, he or she must possess the appropriate license issued by the United States Department of Agriculture.]

(b) [(c)] A college, university or governmental agency, for scientific or public health research.

(c) [(d)] Any other scientific institution, as determined by the Department, for research or medical necessity.

(d) [(e)] Any person engaged in commercial aquaculture, upon application and proof to the Department that the activity will not be detrimental to aquatic life, other wildlife or recreational uses. As a condition of the issuance to such a person of a commercial license for the possession of a species listed in this section, a bond may be required to provide for the removal of any species to which the license applies that may escape or be released from captivity for any reason. The amount of the bond will be determined by the Department after considering the degree of potential hazard to wildlife.

(e) [(f)] A tax-exempt nonprofit organization that exhibits wildlife solely for educational or scientific purposes.

4. An interstate shipment of a species listed in this section may be transported through this State, without a permit or license issued by the Department, if:

(a) The shipper or transporter has evidence of lawful possession of the species issued by the state or country where the species originated;

(b) Mammals, birds or fish are accompanied by a health certificate issued by the state or country where the species originated that indicates the destination, origin and proof of ownership of the species being transported;

(c) The species is in this State for less than 48 hours; and

(d) The species is not unloaded or otherwise released while being transported through this State.

5. This section does not apply to the Department when it is conducting authorized introductions or transplantations of a native species of big game mammal listed in this section.

1. Explanation for change:

This regulation change removes the portions of regulations that allow prohibited species to be possessed in the state for the purpose of making income through entertainment as the risk to the

Executive Order 2023-003

state of a prohibited species getting loose outweighs the benefits of allowing them brought in for entertainment purposes.

2. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

3. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it was determined that businesses who possibly could be affected by the regulation change would not be considered as a small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.1465 Archery disability permit for person with [permanent] disability: Issuance; application; expiration. ([NRS 501.105](#), [501.181](#), [503.150](#))

1. The Department may issue an archery disability permit to a person with a [permanent] disability. The permit authorizes a person with a [permanent] disability to hunt, during a hunt that is restricted to the use of archery, using a crossbow or a bow that uses a mechanical device that is capable of anchoring a nocked arrow at full draw or partial full draw and complies with the requirements of subsection 2 of [NAC 503.144](#).

2. A person using an archery disability permit shall present the permit upon the request of a law enforcement officer.

3. An application for an archery disability permit must:

(a) Be submitted to the Department on a form provided by the Department;

(b) Include a certificate issued by a licensed physician certifying that the applicant has a [permanent] disability; and

(c) Include any other information required by the Department to issue the permit.

4. An archery disability permit issued pursuant to this section **[does not expire] expires after 1 year from the date of issuance**.

5. As used in this section, “[permanent] disability” means a disability which prohibits a person from manually drawing and holding at full draw a bow that complies with the provisions of subsection 2 of [NAC 503.144](#).

Executive Order 2023-003

2. Explanation for change:

This regulation change removes the term “permanent” from the regulation, broadening the use of the permit to more individuals who have injuries preventing them from holding a bow at full draw during the current hunting season but whose injuries would eventually heal and are not categorized as a permanent disability.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.200 Definitions. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#)) As used in [NAC 503.200](#) to [503.470](#), inclusive, unless the context otherwise requires:

1. “Abatement” means the training and use of a raptor to flush, haze or take wildlife for the purpose of mitigating depredation and nuisance problems, including, without limitation, threats to human health and safety.
2. “Bate” means to attempt to fly while tethered.
3. “Captive-bred” or “bred in captivity” means raptors, including eggs, hatched in captivity from parents that mated or otherwise transferred gametes in captivity.
4. “Captivity” means a live raptor that is held in a controlled environment which is intensively manipulated by humans for the purpose of producing raptors of selected species, and which has boundaries designed to prevent raptors, eggs or gametes of the selected species from entering or leaving the controlled environment.
5. “Eyas” means a nestling bird not yet capable of flight.
6. “Facility” means an indoor or outdoor facility used for housing a raptor.

Executive Order 2023-003

7. "Falconry" means the sport of taking, or attempting to take, quarry by means of a trained raptor.

8. "Falconry licensee" means a person who holds an apprentice, general or master falconry license.

9. "Form 3-186A" means:

(a) Form 3-186A provided by the United States Fish and Wildlife Service; or

(b) If the United States Fish and Wildlife Service no longer provides Form 3-186A, any form provided by the Department for reporting the acquisition, transfer, release, loss, rebanding, implantation, death or theft of a raptor.

10. "Hack" means to train a raptor for falconry by temporarily releasing and subsequently taking the raptor.

11. "Hybrid raptor" means a raptor that is:

[(a) The offspring of raptors listed as two or more distinct species in 50 C.F.R. § 10.13; or

(b) T] the offspring of raptors recognized by ornithological authorities as two or more distinct species listed in 50 C.F.R. § 10.13.

12. "Owner of a raptor" means a person who has reported the acquisition of a raptor to the Department on Form 3-186A and who has not subsequently reported the transfer, release, loss, death or theft of the raptor to the Department on Form 3-186A.

13. "Passage" means a bird that has fledged and is less than 1 year of age.

14. "Raptor" means a live migratory bird of the order *Accipitriformes*, *Falconiformes* or *Strigiformes*, other than the bald eagle (*Haliaeetus leucocephalus*) or the golden eagle (*Aquila chrysaetos*), regardless of whether the raptor was originally taken from the wild or is a captive-bred raptor, is a hybrid raptor, is protected under the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq., or is used in falconry.

15. "Raptor rehabilitator" means a person who has been issued a permit to rehabilitate raptors pursuant to [NAC 503.315](#).

16. "Retake" means to take, by a falconry licensee who is not the person who originally identified the raptor as a falconry raptor, a raptor that has been marked with a leg band, transmitter or any other item identifying it as a falconry raptor.

17. "Take" means to trap or capture, or attempt to trap or capture, a raptor for the purpose of falconry.

2. Explanation for change:

General administrative cleanup that removes repetitive language and consolidates language into a single sentence.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:

- i. No public comment on this item.

Executive Order 2023-003

- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.205 License or permit required to hunt, trap, possess or sell raptors; possession of eggs and feathers. (NRS 501.105, 501.181, 503.582, 503.583)

1. Except as otherwise provided in subsection 4 and [NAC 503.228](#), [503.405](#) and [503.415](#), it is unlawful for any person to hunt, trap, possess or sell any species of owl, hawk or other bird of prey, including any raptor or its parts, without first obtaining a license or permit from the headquarters of the Department.

2. The Department shall not issue a license or permit authorizing a person to possess a raptor unless the facility at which the raptor will be housed satisfies the requirements of [NAC 503.375](#) to [503.395](#), inclusive.

3. A person shall not transport, fly or otherwise work with a raptor outside of the facility at which the raptor is housed without having the license or permit required pursuant to subsection 1 in his or her immediate possession.

4. A falconry licensee who lawfully possesses a raptor may allow a person who is not a falconry licensee to hold or practice flying the raptor if the falconry licensee is present and supervising the person.

5. Raptor eggs may not be taken or possessed, except that raptor eggs laid by a bird in the possession of a person who holds a permit for captive propagation of raptors may be possessed if the holder of the permit notifies the headquarters of the Department in writing within 5 business days after the first egg has been laid. Eggs laid by a raptor held under the authority of a falconry license must be reported by the falconry licensee to the Department within 5 business days after the first egg has been laid. The falconry licensee will dispose of the egg as directed by the Department.

6. Raptor feathers that are molted or are from raptors held in captivity that die, may be retained and exchanged by falconry licensees for imping purposes only and subject to the following conditions:

(a) Raptor feathers may not be purchased, sold or bartered.

(b) A falconry licensee may:

(1) Possess feathers for each species of raptor he or she lawfully possesses or has possessed;

(2) Receive feathers for each species of raptor he or she lawfully possesses or has possessed from any other falconry licensee, a propagator in the United States, [\[a raptor rehabilitator or\]](#) a wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service; and

Executive Order 2023-003

(3) Donate feathers to a falconry licensee, a propagator in the United States, [a raptor rehabilitator,] a wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service, any person otherwise authorized by a license or permit to acquire and possess raptor feathers or any person or institution exempt from those license or permit requirements pursuant to 50 C.F.R. § 21.12.

(c) If a license or permit authorizing a person to possess raptor feathers expires or is revoked, any raptor feathers possessed by the person must be:

(1) Donated to a falconry licensee, a propagator in the United States[a raptor rehabilitator,] a wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service, any person otherwise authorized by a license or permit to acquire and possess raptor feathers or any person or institution exempt from those license or permit requirements pursuant to 50 C.F.R. § 21.12; or

(2) Burned, buried or otherwise destroyed.

2. Explanation for change:

Removes the term “raptor rehabilitator” because individuals categorized as a raptor rehabilitator can also be categorized as a “wildlife rehabilitator” for the purposes of simplification.

3. Public Meetings:

- a. March 29, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.212 Banding of raptors. (NRS 501.105, 501.181, 503.582, 503.583)

1. Except as otherwise provided in [NAC 503.214](#) and [503.217](#), the owner of a raptor shall attach a leg band to the raptor pursuant to the provisions of this section.
2. For a raptor originally taken from the wild:

Executive Order 2023-003

(a) For a goshawk (*Accipiter gentilis*), Harris's hawk (*Parabuteo unicinctus*), peregrine falcon (*Falco peregrinus*) or gyrfalcon (*Falco rusticolus*):

(1) Unless the raptor is already so banded, the owner of the raptor shall attach to the raptor a permanent, nonreusable and numbered leg band which is supplied by the United States Fish and Wildlife Service [and provided by the Department]; and

(2) The owner of the raptor may implant in the raptor a 134.2-kilohertz microchip that complies with the standards established by the International Organization for Standardization or its successor; and

(b) For a raptor that is not of a species listed in paragraph (a), a person shall not attach to the raptor a nonreusable and numbered leg band which is supplied by the [Department] *United States Fish and Wildlife Service*.

3. For a captive-bred raptor, unless the raptor is already banded, the owner of the raptor shall attach to the raptor a nonreusable and numbered leg band which is supplied by the United States Fish and Wildlife Service [and provided by the Department].

2. Explanation for change:

Clarifies what governmental agency requires information to be submitted and what agency provides the bands for raptors.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

Executive Order 2023-003

1. Regulation Language:

NAC 503.214 Duties of owner of raptor if leg band must be removed or is lost. (NRS 501.105, 501.181, 503.582, 503.583)

1. If a leg band attached to a raptor pursuant to [NAC 503.212](#) must be removed or is lost, the owner of the raptor shall, not later than 5 working days after the removal or after the loss is discovered, report the removal or loss to the United States Fish and Wildlife Service on its Internet website and shall:

(a) Request a replacement leg band from the Department and attach to the raptor the replacement leg band immediately after receiving the replacement leg band; or

(b) Purchase and immediately implant in the raptor a 134.2-kilohertz microchip that complies with the standards established by the International Organization for Standardization or its successor.

2. Not later than 5 days after rebanding a captive-bred raptor pursuant to subsection 1, the owner of the raptor:

(a) Shall report the rebanding, and any other information required by the [\[Department\]-United States Fish and Wildlife Service](#), to the Department on Form 3-186A; and

(b) Shall report the rebanding, and any other information required by the United States Fish and Wildlife Service, to the United States Fish and Wildlife Service on its Internet website.

2. Explanation for change:

Clarifies what governmental agency requires information to be submitted.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

Executive Order 2023-003

1. Regulation Language:

NAC 503.227 Transfer of raptor originally taken from wild to holder of permit for captive propagation of raptors. (NRS 501.105, 501.181, 503.582, 503.583) The owner of a raptor may transfer a raptor which was originally taken from the wild to the holder of a permit for captive propagation of raptors issued pursuant to **NAC 503.315**:

1. If the raptor is a sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii*), merlin (*Falco columbarius*) or American kestrel (*Falco sparverius*):
 - (a) Except as otherwise provided in paragraph (b), only if the raptor has been used for falconry for 1 year or more; or
 - (b) If the raptor has been used for falconry for less than 1 year, only if the owner provides to the Department written certification by a licensed veterinarian, ~~raptor rehabilitator~~ or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service that the raptor has been injured and cannot be flown for falconry; and
2. If the raptor is any other species:
 - (a) Except as otherwise provided in paragraph (b), only if the raptor has been used for falconry for 2 years or more; or
 - (b) If the raptor has been used for falconry for less than 2 years, only if the owner provides to the Department written certification by a licensed veterinarian, **[raptor rehabilitator]** or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service that the raptor has been injured and cannot be flown for falconry.

2. Explanation for change:

Removes the term "raptor rehabilitator" because individuals categorized as a raptor rehabilitator can also be categorized as a "wildlife rehabilitator" for the purposes of simplification.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
 - c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

Executive Order 2023-003

1. Regulation Language:

NAC 503.230 Release of raptors. (NRS 501.105, 501.181, 503.582, 503.583)

1. The owner of a raptor of any species may release the raptor to the wild pursuant to the provisions of this section.
2. A falconry licensee shall not intentionally and permanently release to the wild a hybrid raptor or a raptor which is of a species not indigenous to this State.
3. A falconry licensee shall not intentionally and permanently release to the wild a captive-bred raptor that is of a species indigenous to this State unless:
 - (a) The falconry licensee:
 - (1) Temporarily releases and subsequently takes the raptor to allow the raptor to adjust to the wild; and
 - (2) Receives written authorization from the Department to release the raptor to the wild permanently; and
 - (b) The falconry licensee releases the raptor at an appropriate time during the year and at an appropriate location, as determined by the Department and included in the written authorization required pursuant to subparagraph (2) of paragraph (a).
4. A falconry licensee shall not intentionally and permanently release to the wild a raptor which was originally taken from the wild and which is of a species indigenous to this State unless the falconry licensee:
 - (a) **[R]** receives written authorization from the Department to release the raptor to the wild permanently; and
 - (b) **Releases the raptor** at an appropriate time during the year and at an appropriate location, as determined by the Department **[and included in the written authorization required pursuant to paragraph (a)]**.
5. Before releasing a raptor to the wild pursuant to this section, the falconry licensee shall remove the leg band, if any, from the raptor.
6. Not later than 5 days after releasing a raptor to the wild pursuant to this section, the falconry licensee shall:
 - (a) Return the leg band, if any, removed pursuant to subsection 5 to the Department; and
 - (b) Report the release to the Department on Form 3-186A.

2. Explanation for change:

Removes redundant information and consolidates subsections into a single section.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:

Executive Order 2023-003

- i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.330 Taking of raptors for falconry: Grounds for denial of permit; reinstatement of privilege; administrative fine.

1. If a holder of a permit to take raptors has submitted any false statement on his or her application for the permit or fails to return the permit and leg band for cancellation or validation within the period specified, the Department shall deny him or her a permit to take raptors for the following year.

[2.] Any person who has been denied a permit to take raptors pursuant to the provisions of this section may have the privilege reinstated if the person pays to the Department an administrative fine of \$50.

2. Explanation for change:

Consolidates two subsections into a single section.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.

Executive Order 2023-003

- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.360 Taking of raptors for falconry: Requirements if raptor is injured while being taken. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

1. If a holder of a permit to take raptors takes a raptor that is injured while being taken, the holder of the permit:

(a) Is responsible for the cost of any care and rehabilitation provided to the raptor, regardless of whether the holder of the permit keeps the raptor; and

(b) Shall:

(1) Attach a leg band to the raptor pursuant to [NAC 503.212](#);

(2) As soon as practicable after the taking, transport the raptor to the Department or to a licensed veterinarian, **[raptor rehabilitator]** or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service; and

(3) Not later than 5 days after the taking, report the taking to the Department on Form 3-186A.

2. A raptor that is injured while being taken may not be removed from this State unless the raptor has been declared rehabilitated by the Department or by a licensed veterinarian, **[raptor rehabilitator]** or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service to whom the raptor was transported pursuant to subsection 1.

3. A raptor which is transported to the Department or to a licensed veterinarian, **[raptor rehabilitator]** or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service pursuant to subsection 1 and which is:

(a) Subsequently returned to the person who took the raptor counts toward the number of raptors that the person may obtain or possess pursuant to his or her permit, [NRS 503.583](#) and [NAC 503.250](#) and [503.300](#).

(b) Not returned to the person who took the raptor does not count toward the number of raptors that the person may obtain or possess pursuant to his or her permit, [NRS 503.583](#) and [NAC 503.250](#) and [503.300](#).

2. Explanation for change:

Removes the term “raptor rehabilitator” because individuals categorized as a raptor rehabilitator can also be categorized as a “wildlife rehabilitator” for the purposes of simplification.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

Executive Order 2023-003

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.375 Housing of raptors: General requirements.

- 1. Each raptor possessed pursuant to [NAC 503.200](#) to [503.470](#), inclusive, must be housed in humane and healthful conditions.
- 2. The owner of a raptor is responsible for the conditions in which the raptor is housed.
- 3. A facility that houses raptors must:
 - (a) Protect each raptor housed therein from wild and domesticated predators;
 - (b) Have available for each raptor housed therein a perch that is suitable for the raptor; *and*
 - (c) Have at least one opening for sunlight; *and*
 - (d) **Provide a healthy environment for each raptor housed therein.]**

2. Explanation for change:

Removes repetitive regulation language found in section one of the same regulation.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.

Executive Order 2023-003

- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.593 Waters in which chumming and fishing with a spear prohibited. (NRS 501.105, 501.181, 503.300)

- 1. Chumming is prohibited in:
 - (a) Lake Tahoe.
 - (b) Topaz Lake.
- [(c) Crittenden Reservoir.]**
- (c) [(d)]** The collection ditch of the Ruby Lake National Wildlife Refuge.
- (d) [(e)]** Spooner Lake.
- 2. Fishing with a spear for unprotected fish is prohibited in:
 - (a) Lake Tahoe.
 - (b) Topaz Lake.

2. Explanation for change:

Crittenden Reservoir is now considered privately owned property where the Department of Wildlife does not have jurisdiction. Crittenden Reservoir used to be a cooperative Wildlife Management Area which the current owners did not wish to renew the cooperative agreement.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

Executive Order 2023-003

2. Regulation Language:

NAC 504.488 Possession of live animals under authority of permit or license held on February 28, 1994. (NRS 501.105, 501.181, 504.295) A person who, on February 28, 1994, holds any permit or license issued by the Department that authorizes the possession of a live animal may, except as otherwise provided in the particular permit or license, continue to possess that animal [and its progeny] for the life of that animal [and its progeny]. The animal [and its progeny]:

1. Must not, if the animal is of a species listed in [NAC 503.110](#), be released, sold, bartered, given away or traded within this State.
2. Must not, if the animal is not of a species listed in [NAC 503.110](#), be:
 - (a) Released in this State without the prior written authorization of the Department; or
 - (b) Sold, bartered, given away or traded within this State except:
 - (1) Pursuant to the conditions set forth in the permit or license under which the animal [and its progeny]-are held; and
 - (2) To a person who holds a commercial or noncommercial license for the same species.
3. May be exported out of this State pursuant to applicable federal and state laws and any regulations adopted pursuant thereto.

3. Explanation for change:

The term “progeny” contradicts NAC 503.110 which prohibits the possession of certain species within the state of Nevada. The removal of the term from regulation would phase out the prohibited species from the state that were grandfathered into the program with the establishment of the regulation in 1994.

4. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

5. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

Executive Order 2023-003

Section 2 – Regulation for Removal

Section 2 – Regulation for Removal / Section 3 – Mandatory Meeting and Report

The above-named department, agency, board or commission conducted a comprehensive review of the regulations subject to its enforcement and identified the following ten (10) or more regulations recommended for removal. The regulations identified for Section 2 of Executive Order 2023-03, ranked in descending order of priority, are listed below with the information as required on page 1 of the instruction sheet on the following pages of the report:

Regulation	Page Number
1. NAC 504.320 – Crittenden-Dake Reservoir Cooperative Wildlife Management Area.	31
2. NAC 504.486 – Exhibit of wildlife under authority of federal exhibitor's license.	32
3. NAC 576.110 – “Alternative livestock” defined.	33
4. NAC 576.200 – Prerequisites to importation.	34
5. NAC 576.210 – Permits: Application; prerequisites to issuance; expiration; fees.	35
6. NAC 576.220 – Permits: Revocation.	36
7. NAC 576.230 – Identification of animals; loss of identification device.	37
8. NAC 576.240 – Maintenance, retention and availability of records.	38
9. NAC 576.250 – Maintenance of facilities for confinement.	39
10. NAC 576.260 – Reporting of escapes and infections.	40
11. NAC 503.455 – Use of raptors to conduct abatement activities.	41
12. NAC 503.445 – Use of raptors in conservation education programs.	42
13. NAC 503.225 – Transfer, sale, trade, barter, purchase or acquisition by trade or barter of raptors.	43
14. NAC 503.350 – Taking of raptors for falconry: authorization for another person to take raptors for holder of permit.	45
15. NAC 502.407 – Questionnaire with turkey tag: Submission to Department; ineligibility for tag; reinstatement of certain privileges.	46
16. NAC 503.405 Care of a raptor by falconry licensee who is not owner of raptor.	47
17. NAC 503.390 – Housing of raptors: Inspection of facilities	48
18. NAC 502.211 – Removal of personal information from lists sold by Department.	49
19. – NAC 502.015 - “Batch Report” defined.	50

1. Regulation Language:

[NAC 504.320 Crittenden-Dake Reservoir Cooperative Wildlife Management Area. (NRS 501.105, 501.181) The Crittenden and Dake Reservoirs and an area 100 feet wide surrounding these reservoirs are the Crittenden-Dake Reservoir Cooperative Wildlife Management Area. The following activities are prohibited on these areas:

1. Towing a person on water skis, a surfboard, an inflatable device or any similar device.

Executive Order 2023-003

2. Overnight camping.
3. Entering land posted as off-limits above the crossfence at the upper end of Crittenden Reservoir. Vehicles may be parked only in areas designated by the Department.]

2. Explanation for change:

Crittenden Reservoir is now considered privately owned property where the Department of Wildlife does not have jurisdiction. Crittenden Reservoir used to be a cooperative Wildlife Management Area which the current owners did not wish to renew the cooperative agreement.

3. Public Meetings:

- a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.
- March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 504.486 Exhibit of wildlife under authority of federal exhibitor's license. (NRS 501.105, 501.181, 504.295) A person who holds an exhibitor's license issued by the Animal and Plant Health Inspection Service of the United States Department of Agriculture may exhibit in this State wildlife listed in that license, for not more than 90 days, without obtaining any license or permit issued by the Department for the possession, transportation, importation or exportation of that wildlife.]

2. Explanation for change:

Executive Order 2023-003

Removes the 90 day exception of receiving a permit from the Department of Wildlife in order for the Department to monitor what species and animals are being brought into Nevada at any given time.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.110 “Alternative livestock” defined. (NRS 576.129) “Alternative livestock” has the meaning ascribed to it in NRS 501.003.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture’s authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.

Executive Order 2023-003

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.200 Prerequisites to importation. (NRS 576.129) A person shall not import any alternative livestock into this State unless:

- 1. The person holds a permit for those alternative livestock which describes their destination in this State.
- 2. Each animal is identified by an identification device and entry number.
- 3. The person holds a health certificate for each animal which identifies the animal by its identification device and entry number and which contains:
 - (a) The dates and results of the tests required by this section;
 - (b) The certifications required by this section; and
 - (c) Any other information required by the Department.
- 4. Each animal is certified by a veterinarian as having originated from a herd that, for the 12 months before the entry of the animal into this State:
 - (a) Has been free from tuberculosis and brucellosis; and
 - (b) Is not known to have been exposed to infection by *Mycobacterium bovis* or *Parelaphostrongylus tenuis*.
- 5. Each animal which is 6 months of age or older is certified by a veterinarian as having reacted negatively, within 30 days before its entry into this State, to:
 - (a) Two official tests for brucellosis, including a complement fixation test; and
 - (b) An official single cervical test for tuberculosis.
- 6. If the alternative livestock are Rocky Mountain elk (*Cervus elaphus nelsoni*), each animal is certified not to be a hybrid with any other cervid species or subspecies by a laboratory for genetic testing which is recognized by the Administrator of the Division of Animal Industry of the Department. To issue the certification, the laboratory must use the most recent and scientifically accepted genetic tests available.
- 7. Except as otherwise provided in this subsection, if the alternative livestock are Rocky Mountain elk (*Cervus elaphus nelsoni*), a veterinarian certifies that each animal originates from a herd which is participating in an official program for monitoring chronic wasting disease and that chronic wasting disease has not been diagnosed in that herd for the 5 years immediately preceding the date the alternative livestock are imported into this State. The Administrator of the Division of Animal Industry of the Department may waive the requirements of this subsection if an official ante mortem test for chronic wasting disease is available on or before the date the

Executive Order 2023-003

alternative livestock are imported into this State and each animal tests negative for chronic wasting disease using that test.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.210 Permits: Application; prerequisites to issuance; expiration; fees. (NRS 576.129)]

1. An application for a permit must be obtained from the State Department of Agriculture, P.O. Box 11100, Reno, Nevada 89510.
2. A permit will be issued to each person:
 - (a) Who submits to the Department:
 - (1) A completed application;
 - (2) An application fee of \$200; and
 - (3) Any fees imposed pursuant to paragraph (b).
 - (b) Whose facilities to confine the alternative livestock pass an inspection by the Department to ensure the person's compliance with NAC 576.250. The Department shall charge:
 - (1) No fee for its initial inspection of those facilities; and
 - (2) A fee of \$100 for each additional inspection of those facilities.

Executive Order 2023-003

3. A permit expires on January 1 unless renewed on or before that date. The fee for renewal is \$100.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.220 Permits: Revocation. (NRS 576.129)]

1. The Board may revoke a permit if the holder of the permit fails to comply with any term or condition of the permit.
2. Notice of the revocation must be given to the holder of the permit personally, or by registered mail sent to his or her last known address. If the notice is given by registered mail, it shall be deemed received by the holder of the permit on the date 14 days after it is mailed.
3. The holder of a revoked permit:
 - (a) Shall, not later than 30 days after receiving notice of the revocation, dispose of any alternative livestock he or she held under the authority of that permit.
 - (b) Shall not abandon, release, sell or transport any alternative livestock he or she held under the authority of that permit without the prior written permission of the Board.]

Executive Order 2023-003

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.230 Identification of animals; loss of identification device. (NRS 576.129) The holder of a permit shall:

1. Ensure that each of the alternative livestock the holder of the permit possesses in this State under the authority of that permit is identified by an identification device. Each of the progeny of the alternative livestock must be identified by an identification device within 60 days after its birth.
2. Report the loss of an identification device to the Department within 48 hours after the holder of the permit discovers the loss, and identify the animal with another identification device within 7 days after making that report.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into

Executive Order 2023-003

Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.240 Maintenance, retention and availability of records. (NRS 576.129) The holder of a permit shall:

- 1. Maintain, on a form approved by the Department, a current monthly record of the total inventory of his or her herd of alternative livestock. The record must identify each animal by its identification device and note:
 - (a) The sex of each animal;
 - (b) The date of birth of any progeny;
 - (c) The date and source of each addition to the herd;
 - (d) The removal of any animals from the herd;
 - (e) The death of any animals in the herd; and
 - (f) The replacement of any lost identification devices.
- 2. Retain the record for not less than 3 years.
- 3. Make the record available for inspection upon request by a representative of the Board.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into

Executive Order 2023-003

Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.250 Maintenance of facilities for confinement. (NRS 576.129) The holder of a permit shall maintain the following facilities to confine his or her alternative livestock:

1. An enclosure, with a restraining device, for the safe and humane restraint of individual animals; and
2. An enclosure with a perimeter fence that meets the following requirements:
 - (a) For Rocky Mountain elk (*Cervus elaphus nelsoni*), the top of the fence must be not less than 8 feet above the ground. At least the bottom 7 feet of the fence must be constructed of smooth woven high-tensile mesh wire, which is no smaller than 12 1/2 gauge, with vertical spacing that does not exceed 6 inches. The top foot of the fence may be constructed of strands of smooth high-tensile wire, which are no smaller than 12 1/2 gauge and spaced not more than 6 inches apart.
 - (b) For Fallow deer (*Dama dama*) and reindeer (*Rangifer tarandus*), the top of the fence must be not less than 7 feet above the ground. At least the bottom 6 feet of the fence must be constructed of smooth woven high-tensile mesh wire, which is no smaller than 12 1/2 gauge, with vertical spacing that does not exceed 6 inches. The top foot of the fence may be constructed of strands of smooth high-tensile wire, which are no smaller than 12 1/2 gauge and spaced not more than 6 inches apart.
 - (c) The fence posts must be:
 - (1) Constructed of wood with a diameter of not less than 4 inches, or an equivalent strength of steel;
 - (2) Extended from not less than 3 feet below the ground to the full height of the fence; and

Executive Order 2023-003

- (3) Spaced not more than 24 feet apart.
- (d) The posts for corners and gates must be:
 - (1) Constructed of wood with a diameter of not less than 6 inches, or an equivalent strength of steel; and
 - (2) Extended from not less than 3 feet below the ground to the full height of the fence.
 - (e) Each gate must be of the same height as the fence, constructed of a material whose strength is equivalent to the fence and secured by a latching device and padlock.
 - (f) The fence must be maintained at all times in such a manner as to prevent the escape of alternative livestock.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[**NAC 576.260 Reporting of escapes and infections. (NRS 576.129)** The holder of a permit shall, immediately after discovering that any of the alternative livestock he or she holds under the authority of that permit has escaped or become infected with any disease, report the escape or infection to the Department.]

Executive Order 2023-003

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 17 people in attendance.
- April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.455 Use of raptors to conduct abatement activities. (NRS 501.105, 501.181, 503.582, 503.583)

1. A master falconry licensee may conduct abatement activities using a raptor in his or her lawful possession if the falconry licensee possesses:

(a) A Federal Migratory Bird Abatement permit issued by the United States Fish and Wildlife Service *provided to the Department* or, if the United States Fish and Wildlife Service no longer issues those permits, a permit to conduct abatement activities issued by the Department; and

(b) A permit to collect unprotected wildlife issued to the master falconry licensee by the Department pursuant to NRS 503.380 and NAC 503.095.

2. A general falconry licensee may conduct abatement activities using a raptor in his or her lawful possession under the supervision of a master falconry licensee who is authorized to conduct abatement activities pursuant to subsection 1.

3. Except as otherwise provided in subsection 4, a general or master falconry licensee may receive payment for conducting abatement activities against a species listed in 50 C.F.R. § 21.43 only in accordance with the conditions of his or her Federal Migratory Bird Abatement permit

Executive Order 2023-003

issued by the United States Fish and Wildlife Service or, if the United States Fish and Wildlife Service no longer issues those permits, his or her permit to conduct abatement activities issued by the Department.

4. A falconry licensee may not receive payment for depredation control activities conducted against a species listed in 50 C.F.R. § 21.43.

[5. A falconry licensee who receives a Federal Migratory Bird Abatement permit issued by the United States Fish and Wildlife Service shall provide a copy of the permit to the Department.]

2. Explanation for change:

Simplifies language by removing a subsection and adding the requirement to another portion of the regulation.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.445 Use of raptors in conservation education programs.

1. A general or master falconry licensee may, without obtaining any additional license or permit, use a raptor in his or her lawful possession in a conservation education program which is presented in a public venue.

2. An apprentice falconry licensee may use a raptor in his or her lawful possession in a conservation education program which is presented in a public venue if the presentation is supervised by a general or master falconry licensee.

3. A raptor used in a conservation education program pursuant to this section must otherwise be used primarily for falconry.

Executive Order 2023-003

4. A conservation education program presented pursuant to this section must include information concerning the biology, ecological roles and conservation requirements of raptors and other migratory birds. Each of those topics is not required to be included in each presentation.

[5. In addition to the requirements of subsection 4, a falconry licensee shall not present a conservation education program pursuant to this section that does not include information on falconry and conservation education.]

5. [6.] A falconry licensee presenting a conservation education program pursuant to this section:

- (a) May accept a fee for the program which does not exceed the actual costs of presenting the program; and
- (b) Is responsible for all liability associated with the program.

2. Explanation for change:

Removes repetitive language found within the same regulation in subsection four.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.225 Transfer, sale, trade, barter, purchase or acquisition by trade or barter of raptors. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

1. A falconry licensee may receive by transfer legally acquired raptors from other persons authorized to possess raptors and may transfer a raptor in his or her lawful possession to any other person authorized to possess a raptor.

[2. A person authorized to possess a raptor may transfer or acquire by transfer a raptor which was originally taken from the wild.]

Executive Order 2023-003

2. [3.] A person shall not sell, trade, barter, purchase, acquire by trade or barter, or attempt to sell, trade, barter, purchase or acquire by trade or barter, a raptor which was originally taken from the wild.

3. [4.] A person authorized to possess a raptor may transfer, sell, trade, barter, purchase, acquire by trade or barter, or attempt to transfer, sell, trade, barter, purchase, or acquire by transfer, trade or barter, a captive-bred raptor only if the raptor is:

(a) Two weeks of age or more; and

(b) Except as otherwise provided in [NAC 503.217](#), banded pursuant to [NAC 503.212](#) or [503.214](#).

4. [5.] If a person acquires a raptor pursuant to this section:

(a) Except as otherwise provided in paragraph (b), the raptor does not count toward the number of raptors the person may obtain from the wild pursuant to his or her permit, [NRS 503.583](#) and [NAC 503.300](#), regardless of whether the raptor was bred in captivity or was originally taken from the wild; and

(b) If the person acquired the raptor with the intent to keep the raptor, and if the raptor was acquired from a [raptor] *wildlife* rehabilitator and was originally taken from the wild, the raptor counts toward the number of raptors the person may obtain from the wild pursuant to his or her permit, [NRS 503.583](#) and [NAC 503.300](#).

2. Explanation for change:

Removes redundant information and clarifies terms of a wildlife rehabilitator.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

Executive Order 2023-003

1. Regulation Language:

NAC 503.350 Taking of raptors for falconry: Authorization for another person to take raptors for holder of permit. (NRS 501.105, 501.181, 503.582, 503.583)

1. A holder of a permit to take raptors may authorize another person to take a raptor for the holder of the permit subject to the conditions specified in this section.

2. If the holder of the permit is at the site of the taking, *or if the holder of the permit has a long-term or permanent physical impairment that prevents him or her from being at the site of the taking:*

(a) The holder of the permit shall report the taking to the Department on Form 3-186A not later than 5 days after the taking; and

(b) The taken raptor counts toward the number of raptors the holder of the permit may obtain or possess pursuant to his or her permit, NRS 503.583 and NAC 503.250 and 503.300.

[3. If the holder of the permit has a long-term or permanent physical impairment that prevents him or her from being at the site of the taking:

(a) The holder of the permit shall report the taking to the Department on Form 3-186A not later than 5 days after the taking; and

(b) The taken raptor counts toward the number of raptors that the holder of the permit may obtain or possess pursuant to his or her permit, NRS 503.583 and NAC 503.250 and 503.300.]

2. Explanation for change:

Removes repetitive language by consolidating sections of the regulation.

3. Public Meetings:

a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.

March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

Executive Order 2023-003

1. Regulation Language:

NAC 502.407 Questionnaire with turkey tag: Submission to Department; ineligibility for tag; reinstatement of certain privileges. ([NRS 501.105, 501.119, 501.181, 502.160](#))

1. Unless otherwise provided by an annual regulation of the Commission, the properly completed questionnaire issued as part of a turkey tag must be received by the Department not later than *the deadline established in an annual regulation of the Commission.* [11 p.m. on:

(a) May 31, or the next business day if May 31 falls on a weekend or state holiday, following the close of the season for the spring hunt for turkey; or

(b) November 30, or the next business day if November 30 falls on a weekend or state holiday, following the close of the season for the fall hunt for turkey.]

2. A person who fails to return the questionnaire or the information required by the questionnaire within the period specified or who submits incomplete or false information on the questionnaire is ineligible for all turkey tags for 1 year.

3. A person who is ineligible for a tag pursuant to subsection 2 may have those privileges reinstated if the person:

(a) Pays to the Department an administrative fine of \$50; and

(b) Submits to the Department the properly completed questionnaire issued as part of the turkey tag or the information required by the questionnaire.

[4. A person who seeks to have privileges reinstated pursuant to the provisions of subsection 3 must perform the actions specified in that subsection not later than 11 p.m. on:

(a) June 30, or the next business day if June 30 falls on a weekend or state holiday, following the close of the spring hunt for turkey; or

(b) December 31, or the next business day if December 31 falls on a weekend or state holiday, following the close of the fall hunt for turkey.]

2. Explanation for change:

The proposed regulation changes remove the hard deadlines for submitting a turkey harvest return card and allows a turkey applicant who missed the established deadline in the annual regulation of the Commission to pay the \$50 penalty, submit the late survey, and apply during the following year's turkey application period.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

Executive Order 2023-003

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.405 Care of raptor by falconry licensee who is not owner of raptor.

- 1. A falconry licensee who is not the owner of a raptor may provide care for the raptor if the falconry licensee also possesses:
 - (a) A copy of the Form 3-186A that the owner of the raptor submitted to the Department when the owner obtained the raptor; and
 - (b) A statement that:
 - (1) Is signed by the owner of the raptor and the falconry licensee;
 - (2) Authorizes the falconry licensee to provide care for the raptor; and
 - (3) Indicates:
 - (I) The period during which the falconry licensee may provide care for the raptor; and
 - (II) Whether the falconry licensee may practice falconry with the raptor.
- 2. A falconry licensee providing care for a raptor pursuant to this section may do so only:
 - (a) At a facility owned or maintained by the owner of the raptor or the falconry licensee; and
 - (b) Except as otherwise provided in subsection 3, for not more than 120 days.
- 3. The Department may extend beyond 120 days the period during which a falconry licensee may provide care for a raptor if the owner of the raptor provides evidence satisfactory to the Department that any illness, military service, family emergency or other extenuating circumstance justifies the extension.
- 4. A raptor for which care is provided by a falconry licensee pursuant to this section:
 - (a) Counts toward the number of raptors that the owner of the raptor may possess pursuant to [NAC 503.250](#); and
 - (b) Does not count toward the number of raptors that the falconry licensee may possess pursuant to [NAC 503.250](#).

[5. If indicated by a statement signed pursuant to paragraph (b) of subsection 1, a falconry licensee providing care for a raptor pursuant to this section may practice falconry with the raptor in accordance with this chapter and [NRS 503.582](#) and [503.583](#).]

2. Explanation for change:

Removes repetitive language found within the same regulation under subsection 1.(b)(3)(II).

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

Executive Order 2023-003

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 503.390 Housing of raptors: Inspection of facilities. (NRS 501.105, 501.181, 503.582, 503.583)]

- 1. Except as otherwise provided in subsection 2, if the owner of a raptor is present at the facility at which the raptor is housed, the Department may inspect the facility without advance notice by the Department and during any reasonable hour.
- 2. If a raptor is housed at a facility owned by a person other than the owner of the raptor, the Department:
 - (a) If the owner of the facility is present at the facility, may inspect the facility without advance notice by the Department and during any reasonable hour; and
 - (b) May not enter the facility or in any way disturb the raptor unless the owner of the raptor is present.
- 3. The owner of a raptor shall submit to the Department a signed and dated statement indicating:
 - (a) That the owner of the raptor agrees to any inspection conducted pursuant to subsection 1; or
 - (b) If the raptor is housed at a facility owned by a person other than the owner of the raptor, that the owner of the raptor and the owner of the facility agree to any inspection conducted pursuant to subsection 2.
- 4. The owner of a raptor shall notify the Department of any change in the location of the facility at which the raptor is housed not later than 5 business days after the change.]

2. Explanation for change:

Determined to be a redundant regulation compared to NAC 503.260 that defines inspections of a premises, equipment, species, or records of a falconry license holder.

3. Public Meetings:

Executive Order 2023-003

- a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.
March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 502.211 Removal of personal information from lists sold by Department. (NRS 501.181) Upon the written request of a person who has obtained a license, permit, tag or other licensing document from the Department pursuant to title 45 of NRS, or any regulations adopted pursuant thereto, the Department shall remove the name and other personal information of the person from any list sold by the Department.]

2. Explanation for change:

The Department of Wildlife protects a person's personal information by asking a customer if they would allow their information to be shared by the Department to 3rd party entities who ask for it. This distinction determines if a customer's information will be shared or remain private pursuant to chapter 239B or NRS. No exchange of funds are made between the Department and the requestors of lists obtaining customer data.

3. Public Meetings:

- a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.
March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

Executive Order 2023-003

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

5. Regulation Language:

[NAC 502.015 “Batch report” defined. (NRS 501.105, 501.181) “Batch report” means a report of the documents issued by a license agent and submitted to the license office.]

6. Explanation for change:

Batch reports are no longer used by the Department. The term is not found anywhere else in NAC 502 besides this definition.

7. Public Meetings:

- a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.
- March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
- April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
- April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

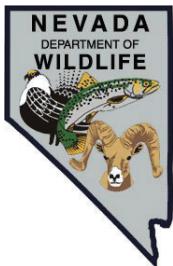
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

8. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.

Executive Order 2023-003

- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division

6980 Sierra Center Parkway, Ste. 120 • Reno, Nevada 89511
(775) 688-1500 Fax (775) 688-1987

MEMORANDUM:

Friday, August 18, 2023

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Kailey Musso, Management Analyst 3, Director's Office

Title: **Commission Policies**

Description: The Administrative Policies, Regulations and Procedures (APRP) Committee's remaining policy is Policy 23.

Summary:

*The formatting of every policy will be updated, as they are passed, so that it is consistent in each policy.

Policy 23 was last reviewed at the May Commission Meeting. The policy has been simplified and removed repetitive language after many Committee and Commission meetings. The policy was most recently updated to reflect the changes from *Assembly Bill 70 of the 2023 Legislative Session*. The policy will now be considered for a third reading.

Recommendation:

Adopt

Commission Policy 23

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 23

Number: P-23

Title: Management of Predatory Wildlife

Reference: NRS 501.100, 501.105,
501.181, 502.253

Effective Date: December 7, 2013

Amended Date: May 13, 2016 and
September 22, 2023

The Nevada Department of Wildlife (Department) and the Nevada Board of Wildlife Commissioners (Commission) recognize that predator species play a significant ecological role in the environment. The Department and the Commission also recognize that an integral part of wildlife management is finding balance between predator species and those species they prey upon. Predation management actions are a viable and legitimate wildlife management tool that must be available to wildlife professionals when necessary. The Predation Management Program will incorporate predation management actions for the protection of game animals and sensitive wildlife species at risk. The use of proven and emerging science-based techniques for predator population management will be employed with the objective of increasing survival rates and positively influencing populations of targeted prey species within the carrying capacity of available habitat for that species.

PURPOSE

The purpose of this policy is to inform the public and guide the Department in actions relating to the management of predatory wildlife. The Department's predation management actions towards predatory wildlife will be directed by the Predation Management Plan.

Research, Management, and Habitat activities funded and conducted for the benefit of nonpredatory game species pursuant to NRS 502.253 (1)(b) will be submitted and evaluated in conjunction with the Heritage Grant Proposal process to be considered with similar projects. Proposals must be submitted between January 1 and March 1 of each calendar year to receive consideration for annual allocations. Department applicants should submit projects through the Habitat Conservation Framework Project Portal (HCFPP) here: <https://ndow-beta.appgeo.com/>. For more information on how to submit projects through the HCFPP, use the HCFPP User Manual.

NEED

Wildlife populations can be subject to continued states of decline due to various factors. When evidence suggests that predation may be a significant factor to these declines, the Department may consider predator management actions. The Commission is cognizant of the diverse public opinions concerning predation issues. The Commission also recognizes the need to increase public education, be transparent and report on actions to facilitate a better understanding of predation management, including the effects of not managing predators.

AUTHORITY FOR PREDATION MANAGEMENT

Pursuant to Nevada Revised Statutes (NRS) 501.100 the Legislature has declared “wildlife in this State not domesticated and in its natural habitat is part of the natural resources belonging to the people of the State of Nevada. The preservation, protection, management and restoration of wildlife within the State contribute immeasurably to the aesthetic, recreational, and economic aspects of these natural resources.”

In accordance with NRS 501.105 and 501.181, the Board of Wildlife Commissioners (Commission) shall establish policies necessary to the preservation, protection, propagation, restoration, transplanting, introduction, and management of wildlife and its habitat in this state.

Pursuant to NRS 502.253(1) a fee of \$3 is charged for processing each application for a game tag to be used by the Department, at the direction of the applicant, for costs related to developing and implementing an annual program for the:

- (a) Lethal removal of predatory wildlife; or
- (b) Improvement of wildlife habitat and research or management activities beneficial to nonpredatory game species.

Pursuant to NRS 502.253(2) the Department is hereby authorized to expend a portion of the money collected pursuant to subsection 1 of NRS 502.253 to enable the State Department of Agriculture to develop and carry out programs described in subsection 1 of NRS 502.253.

Pursuant to NRS 502.253(3) any program developed, or wildlife management activity or research so conducted must be developed or conducted under the guidance of the Commission pursuant to NRS 501.181(2). Pursuant to NRS 501.181(2) the Commission shall guide the Department in its administration and enforcement of provisions of Title 45, Wildlife (Chapters 501–506) of NRS by establishment of broad policies for the protection, propagation, restoration, transplanting, introduction, and management of wildlife in this State.

Pursuant to NRS 502.253(1) the revenue from the \$3 fee must be accounted for separately and deposited in the Wildlife Fund Account.

POLICY FOR PROGRAMS FOR THE MANAGEMENT AND CONTROL OF PREDATORY WILDLIFE

1. Management decisions will be based on the best available scientific information.
2. Projects will be conducted in the most efficient and cost-effective manner possible. Clear goals, measurable objectives, and timelines will be defined at the onset, with an emphasis on identifying and refining prescriptive measures of predation management for use in the future.
3. Lethal and/or nonlethal predator control efforts will be undertaken in a targeted fashion to minimize specific predator-caused losses to wildlife populations.

4. The U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services (Wildlife Services), is the cooperating agency in legal predatory wildlife control. Contractors may be used for lethal and/or nonlethal predator control, predator-prey research, and predator population monitoring efforts.
5. Geographical locations for project areas will be determined based on an objective analysis and on the needs of wildlife populations in the area.
6. Priority will be given to act in areas where other efforts are completed, underway, or planned that will also benefit wildlife populations to provide the best data possible.
7. Control activities will be conducted where game and sensitive wildlife populations are at risk of being disproportionately affected by predation.
8. If needed to assess project viability, statewide and project area estimates of predator populations or densities will be based on an objective analysis.

PREDATION MANAGEMENT PLAN AND REPORT PROCEDURES

The Department shall prepare an annual Predation Management Plan. The Predation Management Plan shall identify and implement programs for the management and control of predatory wildlife for the benefit of other species of wildlife.

The Predation Management Plan Fiscal Year procedure and timeline:

1. The Department shall prepare a Draft Predation Management Plan (Draft Plan) outlining proposed actions needed for the protection of wildlife populations. Descriptions of Control Projects Research Projects:
 - A. Project Number and Title.
 - B. Justification (detailed description of the proposed project).).
 - C. Project Purpose (Lethal and/or nonlethal predator control).
 - D. Project Manager.
 - E. Project Type (Implementation, Experimental Management).
 - F. Potentially Affected Species.
 - G. Duration.
 - H. Project Area (Unit(s), County, or Statewide).
 - I. Limiting Factor Statement, including why potential non-lethal methods would not be effective.
 - J. Response Variable (if applicable).
 - K. Project Goals and measurable objectives, including the criteria to adjust, alter or end a project based off the response variable or other considerations.
 - L. Habitat Conditions (whether such habitat is a migratory corridor, summer range, winter range, fawning, calving, nesting or brood-rearing habitat or a combination of any of the above).
 - M. Methods and Timing.
 - N. Department Comments from previous year's Predator Report.
 - O. Project Direction (Department Recommendation).
 - P. Project Budget (\$3 Predator Fee, Pittman Robertson funding, private donations, etc., cumulative expense and remaining funds).
 - Q. Project Summary.

2. A Draft Plan shall be submitted to the Commission prior to the January Commission meeting. The Draft Plan will be made available to all "Stakeholders," including but not limited to contractors (including Wildlife Services), County Advisory Boards to Manage Wildlife (CABMWs), the Nevada Department of Agriculture's Predatory Animal and Rodent Control Committee (PARC), conservation organizations, and the general public and shall serve as a vehicle to elicit suggestions for changes, adjustments, new ideas, and input from all Stakeholders.
3. The Department shall attend a meeting of the PARC between the Commission's first meeting of the year and the Commission's March meeting to present and discuss the Draft Plan.
4. The Wildlife Damage Management Committee (WDMC), under the Nevada Board of Wildlife Commissioners, shall set a meeting in conjunction with the March meeting of the Commission to review all comments received on the Draft Plan. After consideration of findings and recommendations of the Department, and with respect to lethal control projects, recommendations of Wildlife Services and other contractors, PARC, as well as all comments and recommendations received, the Chairman of the WDMC shall make a preliminary report to the Commission on which projects should be funded in the subsequent Fiscal Year. At the March meeting, the Commission shall review the report of the WDMC and may vote to make a recommendation to the Department on the ranking of all projects or may vote to grant final approval to the Draft Plan.
5. The Final Draft Predation Management Plan will be finalized and approved no later than at the Commission's May Meeting. The Final Plan will be posted on the Department's website on or before June 30.
6. If, at any other time of the year, the Department, in consultation with the WDMC and PARC, identifies additional or changing Predation Management needs and determines that money is available to fund additional projects, the Department may approve projects which are urgent in nature or which present unique opportunities.
7. In August of each year, contractors, or grantees of Projects from the previous Fiscal Year shall submit a report to the Department which should include a summary of work completed, including predators removed, habitat work conducted (if applicable), and viability of the project moving forward.
8. The Department shall prepare an annual Predation Management Status Report (Status Report) detailing results of the previous Fiscal Year's projects. This report will include a summary of all lethal removal reports, excluding any sensitive data, proprietary information, or time-sensitive locational information. This Status Report shall be presented at the last Commission meeting of each calendar year.
9. This Status Report will be used in Department and Commission deliberations in subsequent years and in future Predation Management planning efforts. A summary of the status report will be included in the following years' Draft Predation

Management Plan to make deliberations easier for the Committees and Commission.

This policy shall remain in effect until amended, repealed or superseded by the Commission.

**BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS' REGULAR SESSION,
September 22, 2023.**

**Chairman Tommy Caviglia
Board of Wildlife Commissioners**

DEFINITIONS

Experimental Management: The primary objectives are management of predators through lethal or non-lethal means and to learn the effects of a novel management technique. NDOW will collaborate with USDA Wildlife Services, private contractors, and other wildlife professionals to conduct lethal or non-lethal management of predators and will put forethought into project design. Response variables will be identified, and data will be collected to determine project effectiveness. Expected outcomes will include project effectiveness, agency reports, and possible peer-reviewed publications.

Experimentation: The primary objective is for increasing knowledge of predators in Nevada. NDOW may collaborate with other wildlife professionals to study and learn about predators of Nevada. Expected outcomes will include agency reports, peer-reviewed publications, and information on how to better manage Nevada's predators.

Implementation: The primary objective is to implement management of predators through lethal or non-lethal means. NDOW will collaborate with USDA Wildlife Services and private contractors to conduct lethal and non-lethal management of predators. Identifying and monitoring a response variable is not a primary objective for implementation.

Nonpredatory Game Animals: For the purposes of this policy includes mule deer, pronghorn antelope, bighorn sheep, Rocky Mountain elk, mountain goat, moose, upland game birds, upland game mammals, and migratory game birds.

Predation: The act of an individual animal or group of animals killing another live animal.

Predation Management: Selective reduction and/or management of terrestrial, avian, or aquatic predator populations when and where predation is identified by the Department as a limiting factor negatively affecting another wildlife population.

Predator: Any wild animal species subsisting, wholly or in part, on other living animals captured through its own efforts.

Predator Removal: The physical removal of an animal from an area where its presence is undesirable for wildlife management purposes, generally requiring lethal actions.

Prey: Any animal hunted or killed as food by a predator.

Sensitive Wildlife Species: For the purposes of this policy includes nonpredatory reptiles, mammals, birds, fish, and amphibians.



**STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Habitat Division**

6980 Sierra Center Parkway, Ste. 120 · Reno, Nevada 89511
(775) 688-1500 Fax (775) 688-1987

MEMORANDUM

AUGUST 22, 2023

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife and Interested Publics

From: Mark Freese, Habitat Division Administrator

Title: **Designation of Wildlife Management Areas**

Purpose: The Commission will review Policy 65 – Designation of Wildlife Management Areas and may make any necessary changes and may adopt the policy.

Summary

The Pole Canyon Conservation and Public Access Easements were executed in December 2022. Public access and recreation limitations and restrictions were included in the easements. In order to regulate and enforce public access on these easements the Commission must first designate this area as a Cooperative Wildlife Management Area. This is the second reading.

Brief Explanation of Proposed Guidance

NRS 504.140 states, "The Department is authorized, subject to approval by the Commission, to enter into agreements with landowners, individually or in groups, to establish wildlife management areas and to enforce regulations necessary thereto for the purpose of providing greater areas for the public to hunt or fish on private lands and to protect the landowner or lessee from damage due to trespass or excessive hunting or fishing pressure." Public access and recreation limitations and restrictions were included in the easements. In order to regulate and enforce public access on these easements the Commission must first designate this area as a Cooperative Wildlife Management Area.

Recommendation

The Department recommends that the Commission review and adopt the proposed Policy 65 changes, designating Pole Canyon as a Cooperative Wildlife Management Area.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 65

Number: P-65

Title: Designation of Wildlife Management Areas

Reference: NRS 504.140 and 504.143

Effective Date: March 28, 1980

Amended Date: July 29, 2000 November 3, 2017, March 26, 2022, and September 22, 2023

PURPOSE

To establish guidelines for the designation of cooperative wildlife management areas and state-owned or controlled wildlife management areas and to list same.

POLICY

Cooperative Wildlife Management Areas

Any area shall be so designated when the Department, subject to the approval by the Commission, enters into an agreement to establish areas and to enforce regulations thereby providing a greater opportunity for the public to hunt, fish, camp, boat or participate in other compatible recreational activity on private lands and to protect the landowner or lessee from damage due to trespass or excessive pressure. The following areas have been designated:

1. Fort Churchill Cooling Pond Cooperative Wildlife Management Area.
2. Pole Canyon Cooperative Wildlife Management Area

Wildlife Management Areas

Any areas shall be designated when the Nevada Board of Wildlife Commissioners (the Commission) acquires lands and waters to effectuate a coordinated and balanced program resulting in the maximum revival of fish and wildlife and in the maximum recreational advantages to the people of the State. The following areas have been so designated and are identified by NDOW administrative region:

Western Region

1. Mason Valley Wildlife Management Area.
2. Scripps Wildlife Management Area.
3. Fernley Wildlife Management Area.
4. Humboldt Wildlife Management Area.
5. Alkali Lake Wildlife Management Area.
6. Carson Lake and Pasture

Eastern Region

1. Franklin Lake Wildlife Management Area.
2. Bruneau River Wildlife Management Area.
3. Steptoe Valley Wildlife Management Area.
4. Argenta Wildlife Management Area.

Southern Region

1. Overton Wildlife Management Area.
2. Wayne E. Kirch Wildlife Management Area.
3. Key Pittman Wildlife Management Area.

The lands and waters designated as wildlife management areas under the provisions of this policy are subject to any Commission regulations established pursuant to Chapter 504 of the Nevada Revised Statutes.

This policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners.

BY ORDER OF THE NEVADA BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, SEPTEMBER 22, 2023.

Chairman Tommy Caviglia
Nevada Board of Wildlife Commissioners



STATE OF NEVADA

DEPARTMENT OF WILDLIFE

Fisheries Division

6980 Sierra Center Parkway, Ste 120 • Reno, Nevada 89511
 (775) 688-1500 Fax (775) 688-1987

MEMORANDUM

August 28, 2023

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Chris Crookshanks, Administrator, Fisheries Division

Title: **Commission General Regulation 512, Knott Creek Reservoir Motor Restrictions, Hobart Reservoir, Smith Creek Reservoir and Snake Range High Lakes Tackle Restrictions, and Dixie Valley Toad reclassification – Workshop/Public Comment Allowed**

Description: The Commission will hold a workshop to consider amending Nevada Administrative Code (NAC) to amend motor restrictions on Knott Creek Reservoir (NAC 488.455-470), amend tackle restrictions on Hobart Reservoir (NAC 503.504), Smith Creek Reservoir and the Snake Range High Lakes (NAC 503.506), and update the classification of the Dixie Valley Toad (NAC 503.075).

Presenter: Fisheries Staff Specialist Kim Tisdale

Summary:

Commission General Regulation 512 includes various amendments to NAC 488.455 through 503.506 to update motor and tackle restrictions at various waters and update a species classification within the NAC. Proposed changes to each section of NAC 488 and 503 are described below in detail.

NAC 488.455- 488.470

The Department is proposing an amendment to NAC 488.455- 488.470 to change the motor restrictions on Knott Creek Reservoir in Humboldt County. The current regulation restricts the speed at which one can operate their vessel on Knott Creek Reservoir, however, it does not restrict the type of motor that can be used. If approved, this change would allow only vessels without motors and vessels which are powered by electric motors on Knott Creek Reservoir. The Department is proposing this amendment based on numerous requests over the past several years from anglers who recreate at Knott Creek Reservoir. Knott Creek Reservoir is a remote, scenic high elevation lake in the Pine Forest Range in Humboldt County which sits on the edge of a Wilderness Area. Recreationists who visit this reservoir expect a peaceful experience in a

beautiful place; the constant noise from two-stroke motors trolling on the lake all day is not what most people want to experience. Knott Creek Reservoir is a fairly small lake (216 acres), so an electric motor is sufficient to allow anglers troll around the reservoir.

NAC 503.504 – 503.506

The Department is proposing tackle restriction changes to lakes and reservoirs in the Western and Eastern regions. These changes are described below:

Hobart Reservoir: The Department is proposing to amend the tackle restriction in place at Hobart Reservoir (Washoe County, Western Region) from “artificial lures with single barbless hooks” to “artificial lures”. Eliminating the restrictive tackle regulation will reduce the barriers to entry for those trying to fish Hobart Reservoir and increase success rates for catching and keeping fish. Currently the single barbless restriction can be intimidating for anglers that do not fish frequently and can prevent them from fishing Hobart Reservoir. Brook Trout are the dominant species and have overpopulated the reservoir resulting in good catch rates, however, the fish tend to be small. This regulation may help reduce Brook Trout numbers by increasing the catch rate and could potentially result in larger fish. It may also increase the number of anglers that fish Hobart Reservoir in any given year by eliminating this tackle restriction that has no biological justification for being in place.

Smith Creek Reservoir: The Department is proposing to remove the tackle restriction in place for Smith Creek Ranch (Lander County, Eastern Region) and manage it under Eastern Region general regulations. Under NAC 503.506, only artificial lures with single barbless hooks may be used on Smith Creek Reservoir. The majority of Smith Creek Reservoir is situated on private land, although a small portion of the reservoir is on BLM land which is accessible to the public. In 2009, the owner of the Smith Creek Ranch approached NDOW Fisheries staff to request more restrictive regulations on the reservoir. At that time, the Ranch was actively managing the trout fishery in the reservoir and regularly stocking the reservoir with trout. The more restrictive regulations, including tackle restrictions, were requested to limit the number of fish taken by the public and manage for the reservoir’s potential to produce trophy trout. In 2009, the NBWC approved the proposal by the Department to adopt a season that runs from April 1 through November 15, any hour of the day or night, and artificial lures only with single barbless hooks. Since that time, the ranch has changed hands and the fishery is no longer actively managed by the Smith Creek Ranch. The current fishery does not warrant special regulations and should be managed under general regulations.

Snake Range High Lakes: The Department is proposing to amend NAC 503.506 to require artificial lures with single barbless hooks for the Snake Range High Lakes. In September 2021, the NBWC approved CR21-15 which modified the harvest limit for the Snake Range High Lakes from 10 trout to zero (0) trout which was intended to protect adult Bonneville Cutthroat Trout in these lakes during the period in which self-sustaining trout populations are becoming established as a result of reintroduction efforts by NDOW and the National Park Service. At the same time, the Department was recommending a change in tackle restrictions to require artificial lures with single barbless hooks, however, an oversight occurred and a CGR was not submitted so that change did not occur. The Department is proposing to correct that error with this proposal.

The justification submitted in 2021 when the original proposal was considered is as follows: The Snake Range in White Pine County is home to a number of high mountain lakes. However, only two of these lakes (Johnson Lake and Baker Lake) are capable of sustaining trout populations. All previous introductions of trout into the remaining lakes in the Snake Range within Great Basin National Park have proven unsuccessful.

Great Basin National Park in cooperation with the Nevada Department of Wildlife is conducting a project to introduce native Bonneville Cutthroat Trout (BCT) to Baker and Johnson lakes. Since there is no brood stock or hatchery source for BCT in the state of Nevada, only a relatively small number of BCT can be captured in the nearby streams and released into the lakes on a periodic basis. While these populations are in their early stages of establishment, the Department, in cooperation with Great Basin National Park, proposes the institution of special fishing regulations to protect them from overharvest and hooking mortality. The Park would still promote angling in both water bodies but would prefer that catch and release as well as artificial lures with single barbless hooks regulations be instituted. The catch and release regulation would eliminate mature fish being removed from the population via harvest. The artificial lures with single barbless hooks regulation is expected to decrease hooking mortality due to fish swallowing the hook, decrease overall hooking injuries when fish are hooked in the mouth, and decrease handling time necessary to remove the hook making catch and release fishing easier and more effective. Once viable populations of BCT become established in both lakes, Great Basin National Park would be in favor of lifting one, or both, of the special regulations.

NAC 503.075

The Department is proposing an amendment to 503.075 to update the classification of the Dixie Valley Toad to “endangered”. On December 1, 2022, the US Fish and Wildlife Service (USFWS) announced that the Dixie Valley Toad will be listed as endangered under the Endangered Species Act. The Dixie Valley Toad is the smallest of the western toads and is endemic to Nevada. Its range is restricted to a 760-acre wetland complex, fed by hot springs in the remote Dixie Valley northeast of Fallon, Nevada (Churchill County). In their listing determination, the USFWS listed the primary threats to the Dixie Valley Toad include geothermal development, disease, predation by other non-native frog species, groundwater pumping for human and agricultural use, and climate change.

Recommendation:

This information and regulation language is presented as a hearing/workshop item. September 23, 2023 will be the first Commission workshop on this proposed amendment to NAC 488 and NAC 503. The Department recommends Commission adoption following all workshops and consideration of public and Commission input.

NAC 488.455 Areas in which reduced speed required. (NRS 488.045, 488.059, 501.181, 501.243)

1. On the following waters, a vessel must be operated at a speed that leaves a flat wake, but in no case may a vessel be operated at a speed in excess of 5 nautical miles per hour:

<u>Waters</u>	<u>County</u>
(a) Bassett Lake.....	White Pine
(b) Cave Lake.....	White Pine
(c) Knott Creek Reservoir	Humboldt
(d) Jakes Creek Reservoir.....	Elko
(e) Onion Valley Reservoir.....	Humboldt
(f) Wayne E. Kirch Wildlife Management Area.....	Nye
(g) The lagoon south of Laughlin within sec. 33, T. 32 S., R. 66 E., M.D.B. & M., as marked with signs or buoys, or both.....	Clark
(h) Likes Lake.....	Churchill
(i) The Pitt Taylor Arm of Rye Patch Reservoir.....	Pershing
(j) Illipah Reservoir.....	White Pine
(k) Mason Valley Wildlife Management Area.....	Lyon
(l) Upper Wall Canyon Reservoir.....	Washoe
(m) Echo Canyon Reservoir.....	Lincoln
(n) Silver Creek Reservoir.....	White Pine
(o) Key Pittman Wildlife Management Area.....	Lincoln
(p) Colorado River, the backwater south of Big Bend of the Colorado State Recreation Area within sec. 5, T. 33 S., R. 66 E., M.D.B. & M., as marked with signs or buoys, or both.....	Clark
(q) Jiggs Reservoir.....	Elko

2. All boat harbors and other areas designated by buoys on any of the following waters are zones in which a vessel must be operated at a speed that leaves a flat wake, but in no case may a vessel be operated at a speed in excess of 5 nautical miles per hour:

<u>Waters</u>	<u>County</u>
---------------	---------------

(a) Lake Mead National Recreation Area.....	Clark
(b) South Fork Reservoir.....	Elko
(c) Wildhorse Reservoir.....	Elko
(d) Lake Tahoe, Zephyr Cove.....	Douglas
Cave	
Rock.....	Douglas
Glenbrook	
Bay.....	Douglas
Round Hill Pines	
Beach.....	Douglas
Sand	
Harbor.....	Washoe
Incline Village General Improvement District Boat	
Ramp.....	Washoe
Crystal Shores	
West.....	Washoe
(e) Washoe Lake State Park.....	Washoe
County Boat Ramp.....	Washoe
(f) Walker Lake State Recreation Area.....	Mineral
Sportsmen's	
Beach.....	Mineral
(g) Lahontan Reservoir, Churchill Beach.....	Churchill
North Shore	
Marina.....	Churchill
Silver Springs	
Beach.....	Lyon
(h) Rye Patch Reservoir, Rye Patch Dam Access.....	Pershing
(i) Topaz Lake, Boat Ramps.....	Douglas
(j) Colorado River, adjacent to Harrah's Casino in Laughlin.....	Clark
(k) Big Bend of the Colorado State Recreation Area, the lagoon used for launching boats.....	Clark

[Bd. of Wildlife Comm'rs, Motorboat Reg. No. 100 §§ 39 & 40, eff. 2-10-82] — (NAC A 12-1-82; 12-3-84, eff. 1-1-85; 12-3-90; 12-13-91; 12-16-92; 11-18-93; 10-13-

95; R123-97, 11-14-97; R206-97, 6-19-98; R106-99, 10-27-99; R004-10, 4-20-2010; R055-13, 12-23-2013)

NAC 488.470 Areas limited to vessels without motors and vessels powered by electric motors; exceptions. ([NRS 488.045](#), [488.059](#), [501.181](#), [501.243](#))

1. Except as otherwise provided in subsection 3, only vessels without motors are permitted on the following waters:

<u>Waters</u>	<u>County</u>
(a) Angel Lake.....	Elko
(b) Blue Lake.....	Humboldt
(c) Marlette Lake.....	Washoe
(d) Truckee River from the California-Nevada state line to the point where the river enters the Pyramid Lake Indian Reservation.....	Storey and Washoe

2. Except as otherwise provided in subsection 3, only vessels without motors and vessels which are powered by electric motors are permitted on the following waters:

<u>Waters</u>	<u>County</u>
(a) Groves Lake.....	Lander
(b) Sparks Marina Park.....	Washoe
(c) The lagoon south of Laughlin within section 33, T. 32 S., R. 66 E., M.D.B. & M., as marked with signs or buoys, or both.....	Clark Douglas
(d) Spooner Lake.....	Humboldt
(e) <i>Knott Creek Reservoir</i>	

3. The provisions of this section do not apply to a vessel that is:

(a) Owned, operated and used for official purposes by a federal, state or local governmental entity which has jurisdiction over the body of water on which the vessel is operated; or

(b) Operating pursuant to a permit for a marine event that is requested by a federal, state or local governmental entity which has jurisdiction over the body of water on which the vessel is operated and issued pursuant to [NRS 488.305](#) and [NAC 488.490](#) to [488.510](#), inclusive.

[Bd. of Wildlife Comm'rs, Motorboat Reg. No. 100 § 38, eff. 2-10-82] — (NAC A 12-3-84, eff. 1-1-85; 10-16-87; 12-11-87; 12-13-91; R123-97, 11-14-97; R105-99, 10-27-99; R160-03, 1-20-2004; R006-04, 4-23-2004; R020-08, 6-17-2008; R139-16, 9-21-2017)

NAC 503.504 Western Region: Applicable waters; restrictions on bait and lures. ([NRS 501.105](#), [501.181](#), [503.300](#), [503.310](#))

503.504 1. The Western Region consists of all waters within Carson City and Churchill, Douglas, Humboldt, Lyon, Mineral, Storey, Pershing and Washoe Counties.

2. In the Western Region:

(a) Live bait fish may be used only in the river basin from which it is taken and only in the following waters:

(1) The Carson River Basin.

(2) The Humboldt River downstream from Stall Diversion Dam located near Golconda in Humboldt County, including Rye Patch Reservoir, Pitt-Taylor Reservoir, all waters in the Lovelock Valley, Chimney Reservoir and the Little Humboldt River downstream from Chimney Reservoir.

(3) The portion of the Lake Tahoe Basin located in Carson City and Douglas and Washoe Counties.

(4) Except as otherwise provided in subsection 3, the Truckee River Basin.

(5) The Walker River from the railroad bridge near Wabuska downstream to and including Walker Lake, except waters on the Walker River Paiute Reservation.

(b) Other forms of aquatic and animal life, including, but not limited to, grasshoppers, earthworms, crayfish, any unprotected species of freshwater bait fish or parts thereof which are prepared and preserved commercially, and preserved salmon eggs may be used as bait.

3. The following provisions apply to all other waters in the Western Region:

(a) The capture, possession while fishing or the use of fish as bait, whether dead or alive, or parts thereof, is prohibited.

(b) Only artificial lures with single barbless hooks may be used in:

- (1) Catnip Reservoir;
- (2) ~~Hobart Reservoir;~~
- (3) Knott Creek Reservoir, including inlet and outlet streams;
- (4) Marlette Lake, including tributaries and outlet streams;
- (5) The portion of the East Walker River which is from one-quarter of a mile above the confluence of the East Walker River and Sweetwater Creek downstream to one-half of a mile below the confluence of the East Walker River and Red Wash Creek; and
- (6) The portion of the Truckee River from the bridge on East Mustang Road downstream to the boundary of the Pyramid Lake Paiute Reservation.

(c) Only artificial lures may be used in:

- (1) Hinkson Slough on the Mason Valley Wildlife Management Area;
- (2) *Hobart Reservoir*.

NAC 503.506 Eastern Region: Applicable waters; restrictions on bait and lures. ([NRS 501.105](#), [501.181](#), [503.300](#), [503.310](#))

503.506 1. The Eastern Region consists of all waters in Elko, Eureka, Lander and White Pine Counties.

2. Within this region:

- (a) The possession while fishing or use of fish as bait, whether dead or alive, or parts thereof, or any unprotected species of freshwater bait fish or parts thereof which are prepared and preserved commercially except preserved salmon eggs, is prohibited.
- (b) Aquatic bait may be used only in the water from which it is taken.

3. Only artificial lures may be used in the Tonkin Springs Reservoir and the collection ditch of the Ruby Lake National Wildlife Refuge.

4. Only artificial lures with single barbless hooks may be used *on the Snake Range High Lakes* and ~~in the Smith Creek Reservoir and~~ on the south fork of the Humboldt River from the access causeway for the Lucky Nugget subdivision upstream to Lee. Only one single barbless hook may be attached to each hook eye or ring of the lure.

503.075 Amphibians. (NRS 501.105, 501.110, 501.181)

1. Amphibians are classified as game, protected, threatened, sensitive, endangered or unprotected amphibians.
2. The following amphibians are classified as protected:

	Common Name	Scientific Name
(a) Frog	Northern leopard.....	<i>Lithobates pipiens</i>
	Relict leopard	<i>Lithobates onca</i>
	<i>Columbia</i> Spotted	<i>Rana luteiventris</i>
(b) Toad	Amargosa	<i>Anaxyrus nelsoni</i>
	<i>Dixie Valley</i>	<i>Anaxyrus williamsi</i>
	Hot Creek.....	<i>Anaxyrus monfontanus</i>
	Railroad Valley.....	<i>Anaxyrus nevadensis</i>

3. The following species of protected amphibians are further classified as endangered:

	Common Name	Scientific Name
(a) Toad	<i>Dixie Valley</i>	<i>Anaxyrus williamsi</i>

4. Unprotected amphibians are all species of amphibians which are not classified as game, protected, threatened, sensitive or endangered amphibians.



**STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Habitat Division**

6980 Sierra Center Parkway, Ste. 120 · Reno, Nevada 89511
(775) 688-1500 Fax (775) 688-1987

MEMORANDUM

AUGUST 22, 2023

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife and Interested Publics

From: Mark Freese, Habitat Division Administrator

Title: **Wildlife Management Area Regulations NAC 504**

Purpose: The Commission will review Wildlife Management Area Regulations NAC 504 and may make any necessary changes and may advance the proposed changes to a second reading.

Summary

The Commission has recently designated the Argenta Wildlife Management Area (WMA) and are in the process of designating the Pole Canyon as a cooperative WMA. Additionally, the Department will be incorporating the Blue Diamond properties into the Steptoe WMA. Restrictions on the use of firearms and ammunition, campfires, camping, trapping, access, guiding, and predator hunting are recommended by the Department with some items stipulated as part of the Pole Canyon access easement. In order to regulate and enforce access easement stipulations and Department recommendations the Commission must modify and update WMA Regulations NAC 504.

Brief Explanation of Proposed Guidance

Restrictions on the use of firearms and ammunition, campfires, camping, trapping, access, guiding, and predator hunting are proposed to protect wildlife resources, ensure WMA's are safe for the public to recreate, and comply with stipulations as part of the Pole Canyon access easement.

Recommendation

The Department recommends that the Commission review and adopt attached WMA regulation updates.

WILDLIFE MANAGEMENT AREAS

NAC 504.135 Restrictions on use of firearms and ammunition. (NRS 501.105, 501.181, 503.150, 504.140, 504.143)

1. Except as otherwise provided in subsection 6, the discharging of a rifle or pistol is prohibited on the following wildlife management areas:

- (a) Overton in Clark County.
- (b) Key Pittman in Lincoln County.
- (c) Wayne E. Kirch in Nye County.
- (d) Scripps in Washoe County.
- (e) Mason Valley in Lyon County.

(f) Argenta in Lander County.

2. Deer may be hunted on the Mason Valley, ~~and~~ Wayne E. Kirch **and Argenta** Wildlife Management Areas only by persons using:

(a) Shotguns and rifled shotgun slugs or shotgun rounds with sabots that contain a single expanding projectile; or

- (b) Bows and arrows.

Ê A shotgun that is used to hunt deer pursuant to this subsection may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.

3. The use of shotguns capable of holding more than three shells is prohibited on all wildlife management areas owned or managed by this State unless the shotgun is plugged with a one-piece filler, incapable of removal without disassembling the gun, so that the total capacity of the shotgun does not exceed three shells. ***The use of a shotgun capable of holding more than three shells is permissible on all wildlife management areas owned or managed by this State during the Snow and Ross' Geese season during such time as all other waterfowl seasons are closed.***

4. The use or possession of shells for a shotgun containing shot that is toxic or larger than standard-size T is prohibited on the following wildlife management areas:

- (a) Overton in Clark County.
- (b) Key Pittman in Lincoln County.
- (c) Wayne E. Kirch in Nye County.
- (d) Scripps in Washoe County.
- (e) Mason Valley in Lyon County.
- (f) Fernley in Lyon County.
- (g) Alkali Lake in Lyon County.
- (h) Humboldt in Churchill and Pershing Counties.
- (i) Steptoe Valley in White Pine County.
- (j) Franklin Lake in Elko County.
- (k) Carson Lake in Churchill County**
- (l) Argenta in Lander County**

5. The use or possession of shotgun rounds with sabots that contain other than rifled slugs or a single expanding projectile is prohibited on all wildlife management areas owned or managed by this State.

6. The provisions of subsection 1 do not apply to persons authorized by the Department to use rifles and pistols for the control of predatory animals and rodents.

7. For the purposes of this section, all shot shall be deemed toxic unless it has been approved as nontoxic by the United States Fish and Wildlife Service pursuant to 50 C.F.R. § 20.134.

[Bd. of Fish & Game Comm'rs, No. 9 § 23.01-9, eff. 12-29-66; A 10-1-73; 9-1-78; 9-1-80] — (NAC A by Bd. of Wildlife Comm'rs, 1-2-86; 8-22-86, eff. 9-15-86; 10-16-87; 9-13-91; R054-02, 11-19-2002, eff. 3-1-2003; R185-05, 2-23-2006; R107-14, 12-22-2014)

NAC 504.140 Campfires and bonfires prohibited; exceptions. (NRS 501.105, 501.181, 504.140, 504.143)

1. Except as otherwise provided in subsection 2, campfires and bonfires are prohibited in wildlife management areas.

2. Campfires are permitted in the:

(a) Wayne E. Kirch Wildlife Management Area within the Dave Deacon Campground.

(b) Humboldt Wildlife Management Area in those sites designated for camping.

(c) Fernley Wildlife Management Area.

(d) Mason Valley Wildlife Management Area in those sites designated for camping.

(e) Overton Wildlife Management Area within the rest and trails area.

(f) Bruneau Wildlife Management Area.

(g) *Steptoe Valley Wildlife Management Area in those sites designated for camping.*

[Bd. of Fish & Game Comm'rs, No. 9 § 23.01-11, eff. 12-29-66; A 9-1-78] — (NAC A by Bd. of Wildlife Comm'rs, 11-5-81; 4-27-84, eff. 5-25-84; 8-22-86, eff. 9-15-86; R030-00, 4-3-2000; R054-02, 11-19-2002, eff. 3-1-2003)

NAC 504.145 Restrictions on camping; building prohibited; restrictions on operation of certain devices. (NRS 501.105, 501.181, 504.140, 504.143)

1. Except as otherwise provided in subsection 2, camping is prohibited in wildlife management areas.

2. Camping is permitted in the:

(a) Mason Valley Wildlife Management Area in those sites designated for camping.

(b) Wayne E. Kirch Wildlife Management Area within the Dave Deacon Campground.

(c) Humboldt Wildlife Management Area in those sites designated for camping.

(d) Fernley Wildlife Management Area.

(e) Overton Wildlife Management Area within the rest and trails area.

(f) Bruneau Wildlife Management Area, except that camping is not permitted in any building or other structure located within that wildlife management area.

(g) Steptoe Valley Wildlife Management area in those sites designated for camping.

3. Camping facilities, including, without limitation, house trailers, must not be stored, parked or maintained in a wildlife management area for more than 8 days, or left in a wildlife management area for occasional occupancy by a person or group of persons associated with the facility.

4. The erection, fabrication or maintenance of a permanent dwelling or building in a wildlife management area is prohibited.

5. A person camping in a site, campground or area within a wildlife management area designated for camping pursuant to subsection 2 shall not operate a television, radio or any other device, including, without limitation, a generator, between the hours of 10 p.m. and 5 a.m. if the device produces sound that is audible beyond the campsite in which it is operated.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 9 part § 23.01-15, eff. 12-29-66; A 4-1-73; 9-1-78; A by Bd. of Wildlife Comm'rs, 9-1-80] — (NAC A 4-27-84, eff. 5-25-84; 8-22-86, eff. 9-15-86; R030-00, 4-3-2000; R054-02, 11-19-2002, eff. 3-1-2003)

NAC 504.160 Construction and use of hunting blinds; use of decoys. ([NRS 501.105](#), [501.181](#), [504.140](#), [504.143](#))

1. Except as otherwise provided in subsection 6, a person may construct a hunting blind on any wildlife management area if the Department has no obligation to protect a privately constructed blind or to arbitrate the use or priority of use of such a blind. A blind to be constructed must:

(a) Be temporary and portable;

(b) Except as otherwise provided in paragraph (c), be constructed of lumber, screen, fabric, synthetic material or native vegetation; and

(c) In the Kirch, Steptoe Valley and Mason Valley Wildlife Management Areas, be constructed of native vegetation, removable fabric, or a synthetic material that is of a temporary nature.

(d) In the Argenta Wildlife Management Area, turkey tag holders are limited to use of one portable blind on the WMA.

2. A group of persons may construct a blind only after the supervisor of the wildlife management area has approved the plans for the blind.

3. Sunken blinds, and barrels and boxes used as sunken blinds, must be covered when not in use to prevent the entrapment of animals.

4. The use of a sink box is prohibited.

5. A blind may not be locked or reserved for the use of a particular person or group of persons.

6. The Department may:

- (a) Prohibit the construction of a hunting blind if it is detrimental to a wildlife management area or portion thereof.
- (b) Designate a hunting blind on a wildlife management area as intended for the use of persons with physical disabilities pursuant to the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 to 12213, inclusive, and the regulations adopted pursuant thereto.

7. A person may use decoys on a wildlife management area so long as the decoys are not left set up in the field between the hours of 9 p.m. and 3 a.m.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 9 §§ 23.01-17 and 23.01-19, eff. 12-29-66; A 4-1-73; 9-1-78; A by Bd. of Wildlife Comm'rs, 8-29-80]—(NAC A by R054-02, 11-19-2002, eff. 3-1-2003)

NAC 504.320 Pole Canyon Cooperative Wildlife Management Area (NRS 501.105, 501.181)

Pole Canyon is a Wildlife Management Area established in cooperation with Ecotrust Forests III, LLC. The following activities are prohibited on this area:

- 1. *Overnight camping including the parking area;*
- 2. *Motorized vehicles, electric or battery-assisted vehicles, or bicycles, and bicycles, except in the Franklin River Access parking area and only on the 1,340 feet of existing 2-track dirt road in the Horse Canyon (Horse Creek) Public Right of Way.*
- 3. *Animal assisted access, except for horses and mules.*
- 4. *Commercial guiding*
- 5. *Predator Hunting*
- 6. *Trapping*
- 7. *Campfires*

~~Towing a person on water skis, a surfboard, an inflatable device or any similar device.~~

- ~~2. Overnight camping.~~
- ~~3. Entering land posted as off limits above the crossfence at the upper end of Crittenden Reservoir. Vehicles may be parked only in areas designated by the Department.~~



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division
 6980 Sierra Center Parkway, Ste. 120 · Reno, Nevada 89511
 (775) 688-1500 Fax (775) 688-1987

MEMORANDUM:

SEPTEMBER 5, 2023

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Megan Manfredi, Management Analyst III, Data and Technology Services

Title: **Commission General Regulation 509, License and Vessel Product Refunds**

Purpose: The Commission will hold a workshop to consider amending Nevada Administrative Code (NAC) 502 and 488 to allow the Department authority to provide refunds on license and vessel products.

Summary

The Commission will hold a workshop to consider amending Nevada Administrative Code (NAC) 502 and 488 to allow the Department authority to provide refunds on license and vessel products.

Brief Explanation of the Proposed Regulation

The Licensing Division offers clients a variety of license, permit, and vessel related products. As currently written in regulation, tags and hunting licenses are the only refundable products. The Department recommends amending NAC 488 and 502, adding language which would allow for the return of all, or a portion of fees collected on license, permit and vessel related products. The proposed amendment would align business practices with regulation and offer clients a stronger customer service experience.

Recommendation

The Department recommends that the Commission review, amend if needed, and move towards adoption of the proposed regulation.

NAC 502.199, NAC 488.100

NAC 502.199 Application for initial issuance of licensing document; required information and statement. (NRS 501.105, 501.181)

1. For each application for the initial issuance of a license, tag, permit or other licensing document, the applicant or license agent shall correctly enter the information required on the application for the license, tag, permit or other licensing document.
2. The information required pursuant to subsection 1 must include:
 - (a) The applicant's:
 - (1) Legal name;
 - (2) Physical and mailing address;
 - (3) City, county and state of residence; and
 - (4) Zip code.
 - (b) The applicant's social security number or, if the applicant is a citizen of a country other than the United States, the passport number issued to the applicant by that country. If the applicant has not been issued a social security number, the application must include a notarized affidavit on a form provided by the Department indicating that the applicant has not been issued a social security number.
 - (c) If the applicant was born after January 1, 1960, and is applying for a hunting license or permit or combination hunting and fishing license, a statement indicating that the applicant has presented proof of successful completion of a course in the responsibilities of hunters pursuant to [NRS 502.330](#).
 - (d) If the applicant is a resident of this State, an attestation by the applicant indicating that he or she is eligible for a resident license, tag or permit pursuant to [NRS 502.015](#).
 - (e) A description of the applicant, including his or her height, weight, gender, hair color, eye color and date of birth.
 - (f) The applicant's electronic mail address, if any.
3. In addition to the information required pursuant to subsection 2, the applicant must include in his or her application the statement required pursuant to [NRS 502.060](#) indicating whether the applicant is entitled to the license, tag, permit or other licensing document. If the applicant is at least 12 years of age but less than 18 years of age, the parent or legal guardian of the applicant must, pursuant to [NRS 502.060](#), acknowledge an attached statement indicating that the parent or legal guardian has been advised of the provisions of [NRS 41.472](#).
4. *The Department may return all, or a portion of any fee collected from a person pursuant to the provisions of this section, in accordance with NRS 353.1465.*

(Added to NAC by Bd. of Wildlife Comm'r's by R029-17, eff. 12-19-2017)

NAC 488.100 Application for certificate of number or certificate of ownership. (NRS 488.045, 488.075, 501.181)

1. Except as otherwise provided in subsection 2, each application for a certificate of number or certificate of ownership must contain:
 - (a) The name of the owner.
 - (b) The physical address and mailing address, including the zip codes, of the registered owner.
 - (c) The mailing address, including the zip code, of the lien holder, if any.
 - (d) Other identifying information for each registered owner, including, without limitation:
 - (1) The social security number, or the tax identification number or employer identification number if the application is made under a business name; and
 - (2) The date of birth and either the registered owner's driver's license number or another unique number from an identification document that is issued by a governmental authority.
 - (e) The state of principal operation of the vessel.
 - (f) The identification number previously issued for the vessel, if any.
 - (g) The reason for the application, including applying for a new identification number, renewal of the certificate of number or transfer of ownership.
 - (h) The manner in which the vessel is operated, including pleasure, livery, government, dealer or manufacturer, commercial carrying of passengers, commercial fishing, charter fishing or other operation.

- (i) The manufacturer, make and model of the vessel.
- (j) The model year of the vessel.
- (k) The hull number assigned to the vessel.
- (l) The length of the vessel.
- (m) The type of vessel, including open motorboat, cabin motorboat, houseboat, sail only, inflatable boat, personal watercraft, rowboat, airboat, auxiliary sail, paddlecraft, pontoon boat or other type of vessel.
- (n) The material from which the hull was made, including wood, steel, aluminum, fiberglass, plastic, rubber, vinyl, canvas or other material.
- (o) The type of propulsion used, including air thrust, water jet, sail only, manual, propeller or other type of propulsion.
- (p) The type of drive of the engine, including inboard, outboard, sterndrive, pod drive or other type of drive.
- (q) The type of fuel or power used, including gasoline, diesel, electric or other type of fuel or power.
- (r) The signature of the owner.

2. An application for a certificate of number for a vessel which is to be operated by a manufacturer or dealer for demonstration need not include the information described in paragraphs (i) to (r), inclusive, of subsection 1.

3. The following documents, when presented with an application for a certificate of number or certificate of ownership as evidence of proof of ownership of a vessel, will be attached to the application and may be used as evidence of information requested in the application:

- (a) A certificate of ownership to the vessel;
- (b) A manufacturer's statement of origin;
- (c) A Statement of Fact submitted pursuant to subsection 2 of [NAC 488.305](#);
- (d) A dealer's report of vessel sale;
- (e) A copy of a valid marine document issued by the United States Coast Guard for a documented vessel;
- (f) A certificate of inspection of the vessel completed by an employee of the Department;
- (g) Proof of payment of Nevada sales or use tax paid to the Department of Taxation or proof of exemption from those taxes as provided in [NRS 372.320](#);
- (h) Such other proof of ownership as may be requested by the Department; and
- (i) A statement signed by the owner indicating that:

4. *The Department may return all, or a portion of any fee collected from a person pursuant to the provisions of this section, in accordance with NRS 353.1465.*



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division
6980 Sierra Center Parkway, Ste. 120 • Reno, Nevada 89511
(775) 688-1500 Fax (775) 688-1987

MEMORANDUM

August 21, 2023

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Management Analyst Megan Manfredi, Data and Technology Services Division

Title: **Commission General Regulation 510, First Come First Served (FCFS) Exchange to Obtain a Tag**

Purpose: The Commission will consider and may take action to approve amending the Nevada Administrative Code (NAC) chapter 502 that would include the trade of money, goods or services in exchange for a tag procurement through the FCFS program as grounds for suspension.

Summary

This regulation includes an additional provision that would qualify for a suspension from the FCFS program.

Brief Explanation of the Proposed Regulation

The proposed regulation change would include the trade of money, goods, or services in exchange for a tag procurement through the FCFS program as grounds for suspension. The proposed change is intended to keep a fair and equitable system for all participating parties.

Recommendation

The Department recommends that the Commission review and adopt the proposed regulation as presented.

**APPROVED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 510**

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: §§1 and 2, NRS 502.175

A REGULATION relating to licensing and the purchase of tags.....

Section 1. NAC 502.4215 is hereby amended to read as follows:

502.4215 1. The Department may provide all eligible hunters with an opportunity to apply electronically for any tags that are:

- (a) Remaining after tags have been issued for a season by using the computerized system of drawing and alternate list; or
- (b) Returned less than 14 calendar days before the opening day for that season.

► The Department shall act upon applications for such tags in the order received.

2. If an application for a tag described in subsection 1 is successfully drawn, the Department shall collect from the applicant:

- (a) The appropriate fee for the tag as provided in NRS 502.250; and
- (b) The fee for a hunting license or combination hunting and fishing license, as provided in NRS 502.240, if:
 - (1) The applicant has not obtained a hunting license and indicates on the application that he or she wishes to purchase the hunting license or combination hunting and fishing license only if his or her application is successfully drawn; or
 - (2) The hunting license or combination hunting and fishing license submitted with the application for the tag or permit will expire before the opening day of the season for the

permit or tag.

3. If a tag is issued to a person pursuant to this section, the person will be treated as if he or she was successful in drawing a tag for a season for that species in respect to any applicable bonus points and waiting periods.

4. If a person who uses the electronic system to apply for a tag pursuant to subsection 1 abuses the electronic system by attempting to create or by creating an unfair advantage in obtaining the tag, he or she, ***and all involved parties***, shall be suspended by the Department from applying for any tags remaining for the applicable season. Activities that are cause for such suspension include, without limitation:

(a) The use of a technological program designed to carry out tasks that would otherwise be performed under human supervision;

(b) The use of technology designed to create an unfair advantage;

(c) Multiple logins into a single customer's account; ~~or~~

(d) Multiple browser sessions open at a single time.; *or*

(e) Exchange of anything of value including, without limitation, money, goods and/or services, to obtain a tag;

(f) Offering to obtain a tag in exchange for anything of value including, without limitation, money barter, goods and/ or services.

5. If a person who uses the electronic system to apply for a tag pursuant to subsection 1 abuses the system by making continued and substantial efforts to create an unfair advantage, as described in subsection 4, he or she, ***and all involved parties***, shall be suspended by the Department from using the electronic system to apply for remaining tags in any future hunting seasons.



STATE OF NEVADA

DEPARTMENT OF WILDLIFE

Fisheries Division

6980 Sierra Center Parkway, Ste 120 • Reno, Nevada 89511
 (775) 688-1500 Fax (775) 688-1697

MEMORANDUM

August 24, 2023

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Chris Crookshanks, Administrator, Fisheries Division

Title: **Commission Regulation 23-15, Fishing Seasons and Regulations for the Two-Year Period January 1, 2024, through December 31, 2025 – Fisheries Division Administrator Chris Crookshanks – For Possible Action**

Description: The Commission will consider adopting Commission Regulation 23-15 to establish Fishing Seasons and Regulations for the two-year period January 01, 2024 through December 31, 2025.

Presenter: Fisheries Division Staff Specialist Kim Tisdale

Summary:

The Commission will consider adopting Commission Regulation 23-15, Fishing Seasons and Regulations for the two-year Period January 1, 2024 through December 31, 2025. This memorandum presents a synopsis of Department recommendations for CR 23-15 including county specific recommendations for fishing seasons and regulations, including descriptions and rationale for those changes.

The Department is proposing the following changes:

- Allow possession limits to be implemented for all waters statewide including general regulation waters and special regulation waters. The possession limit would be 2 times the daily limit of the water being fished.
- More simplified regional general fishing regulations. Each Region (Eastern, Southern, Western) will have *one* general regulation for *all* counties within their respective Regions.
- Eliminate the seasonal closure on Big Springs Reservoir, Onion Valley Reservoir, Blue Lakes (Humboldt County) and Catnip Reservoir (Washoe County) making them all open year around.
- Eliminate the seasonal closure and size restriction for trout on Knott Creek Reservoir (Humboldt County).

- Propose limits on our newest urban ponds, Mountain View Park Pond (Douglas County) and Battle Born Pond (Washoe County), to be consistent with all other urban ponds (3 game fish).
- Propose changes to Hobart Reservoir (Washoe County) to extend the season until October 31, eliminate the size restriction, and limit the number of tiger trout anglers can reduce to possession.
- Reduce the limit of trout on Twelvemile Creek (Washoe County) to be consistent with Oregon fishing regulations.
- Eliminate the seasonal closure on black bass at Eagle Valley Reservoir (Lincoln County).
- Allow for unlimited possession of bullheads at Nesbitt Lake (Lincoln County) and all waters on the Kirch WMA, including Tule and Dacey reservoirs (Nye County).
- Several daily limit and size restrictions changes that are a result of simplification of the general regulations and efforts to reduce the number of special regulation waters throughout the State.

Background:

In an ongoing effort to simplify regulations and reduce the barriers to participation in fishing, the Fisheries Division is proposing broad changes to our fishing regulations including a simplification of general regulations across the State, and the implementation of possession limits for all waters throughout the State which would allow anglers to keep twice their daily limit from any water they're fishing.

Due to the proposed changes to the statewide general regulations and the institution of a possession limit, every county in the state has changes proposed this biennial.

STATEWIDE CHANGES

Regional General Regulation Changes and Daily/Possession Limits

Eastern Region General Regulations – Elko, Eureka, Lander and White Pine counties

Proposed Regulation:

All waters <small>lakes and reservoirs</small> (Except as noted below)	Open year around	Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession). Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
All streams and rivers (Except as noted below)	Open year around	10 trout, 10 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night

Southern Region General Regulations – Clark, Esmeralda, Lincoln and Nye counties

Proposed Regulation:

All waters. (Except as noted below)	Open year around	Daily: 10 trout and 15 warmwater game fish of which not more than 10 may be black bass Possession: 20 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
--	------------------	---	------------------------------

Western Region General Regulations – Carson City, Churchill, Douglas, Humboldt, Lyon, Mineral, Pershing, Storey and Washoe counties

Proposed Regulation:

All waters. (Except as noted below)	Open year around	Daily: 5 trout, 5 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye	Any hour of the day or night
--	------------------	--	------------------------------

Description and Rationale:

Currently, general regulations are listed by county, and can apply to either *all waters*, *all lakes and reservoirs*, or *all streams and rivers*. In the Eastern and Western Regions, we have different general regulations for different counties, and some counties are even different depending on whether they apply to *lakes/reservoirs* or *rivers/streams*. In this proposal, regional general regulations have been consolidated so there is only one general regulation per region. This should reduce confusion for our anglers fishing general regulation waters throughout the state.

Under current Nevada regulations, there is no distinction between a “daily” limit and a “possession” limit. There is simply a “limit.” An angler may not have more than one limit in possession at any time, regardless of days fished. There has been an interest over the years, from anglers, CAB members and Fisheries Division staff, to implement a possession limit which would allow anglers who may be spending multiple days at a fishery to take more than one daily limit of fish. Most Nevada fisheries offer robust populations that are monitored annually and are fully capable of supporting any increased harvest this regulation may generate. Many Nevada sportsmen and women are already familiar with this concept as the Game Division’s small game regulations generally distinguish between daily and possession limits.

The Department is proposing to establish “possession” limits for all waters, including general *and* special regulation waters, that would be two times the daily limit. These proposed possession limits

are included in the attached CR 23-15 and are also included in the proposed changes described throughout this document.

Outside of general regulation and possession limit changes described above, there are several counties where additional changes are proposed for fishing seasons and regulations. These counties include **Douglas, Elko, Humboldt, Lander, Lincoln, Nye, Washoe, and White Pine counties**:

DOUGLAS COUNTY

Other than general regulation and possession limit changes, all regulations in Douglas County are proposed to remain the same with the exception of the following (changes are delineated in ~~red~~ strike-out text or **green** bold text):

Mountain View Park Pond

Proposed Regulation:

Mitch Park Pond, Lampe Park Pond, Martin Slough Ponds (on Gilman Avenue), Seeman Pond, Mountain View Park Pond	Open year around	Daily: 3 game fish Possession: 6 game fish	Hours parks are open to public use.
---	------------------	--	-------------------------------------

Description and Rationale:

The Department is proposing to add Mountain View Park Pond to the Douglas County special regulation for urban ponds where the season and harvest limits for this water would be "*Season is open year around, during hours the park is open to public use. Daily limit is 3 game fish.*" This is a new fishery in Douglas County which should be managed consistent with the regulations established for other waters statewide that are managed under the Urban Fishing Concept. Without adoption of this regulation, Mountain View Park Pond would fall under the Douglas County general regulation of 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye. Urban ponds tend to experience high use, especially after stocking events, so harvest of these fish is rapid, requiring frequent stocking throughout the fishing season to maintain recreational fishing. Reducing harvest limits at Mountain View Park Pond would allow stocked fish to persist in the pond for a longer period allowing those fish to be distributed among a larger user group.

ELKO COUNTY

Other than general regulation and possession limit changes, all regulations in Elko County are proposed to remain the same with the exception of the following (changes are delineated in ~~red~~ **green bold** text or ~~green bold~~ text):

Ruby Lake National Wildlife Refuge

Proposed Regulation:

OPEN WATERS:			
Ruby Lake National Wildlife Refuge	Open year round	Daily: From Jan. 1 – June 14: 5 3 -trout and 5 black bass.*. Possession: 10 trout and 10 black bass Daily: From June 15 – Dec. 31: 5 3 trout and 10 black bass. *. Possession: 10 trout and 20 black bass *Minimum size for black bass is 10 inches total length.	1 hour before sunrise to 1 hour after sunset

Description and Rationale:

As a result of efforts by the Department to simplify trout and mountain whitefish limits across Eastern Region waters, the trout limit at Ruby Lake NWR is proposed to increase from 3 to 5 daily. While the harvest of trout could increase at Ruby Lake National Wildlife Refuge with this proposed daily limit increase, the proposed change provides an important benefit of having more consistent and simplified trout angling regulations for anglers, game wardens, and fisheries biologists. If changes are implemented, angler use and success would be monitored to ensure continued satisfactory angler success rates at Ruby Lake NWR.

Jarbridge River, East Fork and West Fork and tributary streams

Proposed Regulation:

Jarbridge River, East Fork and West Fork and tributary streams	Open year around	Daily: 5 trout, 5 10 mountain whitefish, except possession of bull trout is prohibited. All captured bull trout must be released immediately. Possession: 10 trout and 10 mountain whitefish	Any hour of the day or night
--	------------------	---	------------------------------

Description and Rationale:

As a result of efforts by the Department to simplify trout and mountain whitefish limits across Eastern Region waters, the mountain whitefish limit at the Jarbridge River, East Fork and West Fork and tributary streams is proposed to decrease from 10 to 5 daily. While this may limit the number of mountain whitefish anglers can harvest (for those who choose to do so), this change would allow mountain whitefish limits to mirror trout limits for the waters where both species are present which simplifies regulations for anglers, game wardens and biologists.

Willow Creek Reservoir

Proposed Regulation:

Willow Creek Reservoir Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	5 trout and 15 warmwater game fish of which not more than 10 may be black bass and 5 may be channel catfish. Minimum size for black bass is 10 inches total length. Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
--	------------------	---	------------------------------

Description and Rationale:

The Department is proposing to remove the special regulations from Willow Creek Reservoir and manage it as a general regulation water. This change would remove the minimum size restriction for black bass and increase the number of catfish anglers are permitted to take. The current size restriction on bass has been in place for many years and has not realized a change in the fishery, likely due to the limited use the reservoir receives. There is no sufficient management or biological basis to maintain the size restriction. All other limits remain the same.

Wilson Sink Reservoir, its outlet and inlet stream up to State Route 11

Proposed Regulation:

Wilson Sink Reservoir, its outlet and inlet stream up to State Route 11 Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	5 trout, 10 mountain whitefish, and 10 black bass. Minimum size for black bass is 10 inches total length Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
---	------------------	--	------------------------------

Description and Rationale:

The Department is proposing to remove the special regulations from Wilson Sink Reservoir and manage it as a general regulation water. This change would remove the minimum size restriction for black bass. The current size restriction on bass has been in place for many years and has not realized a change in the fishery, likely due to the limited use the reservoir receives. There is no sufficient management or biological basis to maintain the size restriction. All other limits would remain the same.

Bruneau River and tributary streams

Proposed Regulation:

Bruneau River and tributary streams Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	10 trout and 10 mountain whitefish Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
---	------------------	--	------------------------------

Description and Rationale:

As a result of efforts by the Department to simplify trout and mountain whitefish limits across Eastern Region waters, the mountain whitefish and trout limits on the Bruneau River and tributary streams is proposed to decrease from 10 to 5 daily. While this may limit the number of mountain whitefish anglers can harvest (for those who choose to do so), this change would allow mountain

whitefish limits to mirror trout limits for the waters where both species are present which simplifies regulations for anglers, game wardens and biologists. We believe the change will be of minimal impact to anglers utilizing these streams since the new “possession” limit, if approved, would allow anglers to keep 10 of each over the course of two days.

HUMBOLDT COUNTY

Other than general regulation and possession limit changes, all regulations in Humboldt County are proposed to remain the same with the exception of the following (changes are delineated in **red** ~~strike-out~~ text or **green bold** text):

Blue Lakes and Onion Valley Reservoir

Proposed Regulation:

Blue Lakes and Onion Valley Reservoir Remove from Special Regulations. Will fall under Western Region General Regulations	Open year around Second Saturday in June through November 15	5-trout Daily: 5 trout, 5 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye	Any hour of the day or night
---	---	--	------------------------------

Description and Rationale:

The Department is proposing to remove the seasonal closure for Blue Lakes and Onion Valley Reservoir in the Pine Forest Range and include it within the Western Region general regulation. There is no biological reason to have these reservoirs closed for a portion of the year. The population of trout in these reservoirs are supported by hatchery stocking with little or no recruitment from inlet streams. The current regulation prohibits fishing for 7 months of the year. Spring and late fall angling in high desert reservoirs can be the best time to fish as opposed to the summer months. This change will provide quality fishing opportunity during the seasons when fishing can be the most productive and allow outdoor recreationalists to fish the reservoir when in the area for other activities (hunting, 4 wheeling, exploring).

Knott Creek Reservoir

Proposed Regulation:

Knott Creek Reservoir including inlet and outlet streams	Open year around Second Saturday in June through November 15	Daily: 1 trout. Minimum size for trout is 18 inches total length Possession: 2 trout	Any hour of the day or night
--	---	--	------------------------------

Description and Rationale:

The Department is proposing to remove the seasonal closure for Knott Creek Reservoir and allow year-round angling. There is no biological reason to have the reservoir closed for a portion of the year. The population of trout in this reservoir is supported by hatchery stocking with little or no recruitment from inlet streams. The current regulation prohibits fishing for 7 months of the year. Spring and late fall angling in high desert reservoirs can be the best time to fish as opposed to the summer months, this change will provide quality fishing opportunity during the seasons when fishing can be the most productive and allow outdoor recreationalists to fish the reservoir when in the area for other activities (hunting, 4 wheeling, exploring).

Additionally, this proposal would eliminate the 18" size restriction. The size restriction has no biological or management-based justification for Knott Creek Reservoir. According to annual creel survey data, the five-year average harvest rate of trout at Knott Creek is 2% (2018-2022). With this low harvest rate there will be no measurable impact on the size structure or population at Knott Creek Reservoir fishery and will allow anglers and NDOW law enforcement an easier regulation to abide by and enforce. An increase in harvest of smaller fish (<18 inches) may result in faster growth rates of other individuals and in turn a larger proportion of trophy class fish.

Big Springs Reservoir

Proposed Regulation:

Big Springs Reservoir Remove from Special Regulations. Will fall under Western Region General Regulations	Open year around Second Saturday in May through the last day of February	5-trout Daily: 5 trout, 10 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye	Any hour of the day or night
---	---	---	------------------------------

Description and Rationale:

The Department is proposing to remove the seasonal closure for Big Springs Reservoir and include it within the Western Region general regulation. Big Spring Reservoir, which was once an incredibly productive rainbow trout fishery, has been mostly dry since the main springs that supply water the reservoir stopped flowing in the early 2000s. The regulations were kept in place in the hope that the springs would once again flow and the fishery could be restored, but over 20 years later, that has not happened. Historically, NDOW spawned Rainbows out of Big Springs Reservoir with LCT out of nearby Catnip Reservoir to produce Bowcutt/Cuttbow trout for the hatcheries. During those years, having a spring closure made sense to protect LCT that would stage at the main springs; however, the Bowcutt/Cuttbow program is no longer conducted at Big Springs Reservoir and has been moved to Marlette Lake. Removing Big Springs Reservoir from the special regulations will simplify the regulations for anglers and not give the perception that the reservoir has water and is fishable when anglers see it listed special regulation section of the Fishing Guide.

LANDER COUNTY

Other than general regulation and possession limit changes, all regulations in Lander County are proposed to remain the same with the exception of the following (changes are delineated in ~~red~~ **strike-out** text or **green bold** text):

Smith Creek Reservoir

Proposed Regulation:

Smith Creek Reservoir Remove from Special Regulations. Will fall under Eastern Region General Regulations	April 1 through November 15 Open year around	1-trout Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
---	---	---	------------------------------

Description and Rationale:

The Department is proposing to remove the special regulations in place for Smith Creek Ranch and manage it under Eastern Region general regulations. The majority of Smith Creek Reservoir is privately owned, although most of the southern shoreline is BLM land which is accessible to the

public. In 2009, the landowner, who regularly stocked trout into the reservoir, requested a meeting with NDOW staff to request more restrictive regulations on the reservoir to limit the number of fish taken by the public. In 2009, the NBWC approved the proposal to adopt a season that runs from April 1 through November 15, any hour of the day or night, and artificial lures only with single barbless hooks. Since that time, the ranch has changed hands and the fishery is no longer actively managed by the Smith Creek Ranch. The current fishery does not warrant special regulations and should be managed under general regulations.

LINCOLN COUNTY

Other than general regulation and possession limit changes, all regulations in Lincoln County are proposed to remain the same with the exception of the following (changes are delineated in **red** ~~strike-out~~ text or **green bold** text):

Nesbitt Lake (Key Pittman WMA)

Proposed Regulation:

Nesbitt Lake (Key Pittman Wildlife Management Area)	Open year around except the portion above the old fence line as posted is closed to trespass February 15 through August 15 and closed to fishing during the waterfowl season	Daily: 50 bullhead and 15 other warmwater game fish of which not more than 10 may be black bass. No limit on bullheads (unlimited possession) Possession: 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
---	--	---	------------------------------

Description and Rationale:

This proposed change will allow unlimited harvest of bullheads at Nesbitt Lake within Key Pittman Wildlife Management Area. Nesbitt Lake supports a self-sustaining warmwater fishery, with largemouth bass and bluegill being the primary species targeted by anglers. Bullheads are highly prolific and are opportunistic omnivores, consuming a wide variety of food items including aquatic vegetation, aquatic invertebrates, fish eggs, and small-bodied fish (i.e., juvenile largemouth bass, bluegill, and crappie). Due to a low predation rate and extremely low harvest by anglers, the population of bullheads at Nesbitt Lake have expanded greatly and are now overabundant. A reduction in bullhead numbers will reduce competition for food resources and habitat for more desirable game species present in the reservoirs.

This proposed regulation change will increase harvest opportunities for the few anglers that target bullheads, increase available habitat and forage for more popular game fishes, and decrease predation on eggs and juvenile life stages of more popular game fish species.

Eagle Valley Reservoir and Meadow Valley Wash above the reservoir

Proposed Regulation:

Eagle Valley Reservoir and Meadow Valley Wash above the reservoir	Open year around	Daily: 5 trout and 15 warmwater game fish of which not more than 10 may be black bass. Zero black bass (catch and release only) from April 1 through June 30 Possession: 10 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
---	------------------	---	------------------------------

Description and Rationale:

This proposed change will remove the seasonal catch and release regulation which went into effect in 2015 and was intended to protect large black bass that spawn in the shallow waters. Creel surveys conducted after that regulation went into effect have shown a trend of low numbers of anglers targeting black bass in Eagle Valley Reservoir. Therefore, few spawning black bass are susceptible to angling pressure and the seasonal regulation is no longer needed. Removing this seasonal catch and release regulation will increase harvest opportunities for the low number of anglers that do target black bass, and aid towards preventing overpopulation and potential stunting of the black bass fishery.

NYE COUNTY

Other than general regulation and possession limit changes, all regulations in Nye County are proposed to remain the same with the exception of the following (changes are delineated in **red strike-out** text or **green bold** text):

Kirch Wildlife Management Area

Proposed Regulation:

Kirch Wildlife Management Area: All other waters within the Kirch Wildlife Management Area	Open year around except the upper portions of Adams-McGill, Cold Springs and Haymeadow reservoirs closed to trespass February 15 through August 15 as posted. A 100-yard area as posted around the inflow from Hot Creek to Adams-McGill Reservoir is closed to fishing January 1 through April 1.	Daily: 5 trout 50-bullhead and 15 ether warmwater game fish of which not more than 10 may be black bass. No limit on bullheads (unlimited possession). Limit is 5 black bass from April 1 through June 30. Possession: 10 trout and 30 warmwater game fish of which 20 may be black bass	Any hour of the day or night
Tule Reservoir	Open August 16 through February 14	Daily: 5 trout 50-bullhead , and 15 ether warmwater game fish of which not more than 10 may be black bass. No limit on bullheads (unlimited possession). Possession: 10 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
Dacey Reservoir	Open year around except the upper portions of Dacey Reservoir closed to trespass February 15 through August 15 as posted. A 100-yard area as posted around the inflow from Hot Creek to Dacey Reservoir is closed to fishing January 1 through April 1.	Daily: 1 trout 50-bullhead , and 15 ether warmwater game fish of which not more than 10 may be black bass. No limit on bullheads (unlimited possession) Limit is zero black bass (catch and release only) from April 1 through June 30. Possession: 2 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night

Description and Rationale:

This proposed change will allow unlimited harvest of bullheads in waters within Kirch Wildlife Management Area (WMA). Bullheads are highly prolific and are opportunistic omnivores, consuming a wide variety of food items including aquatic vegetation, aquatic invertebrates, fish eggs, and small-bodied fish (i.e., juvenile largemouth bass, bluegill, and crappie). Due to a low predation rate and

extremely low harvest by anglers, the populations of bullheads at Kirch WMA reservoirs have expanded greatly and are now overabundant. A reduction in bullhead numbers will reduce competition for food resources and habitat for more desirable game species present in the reservoirs.

This proposed regulation change will increase harvest opportunities for the few anglers that target bullheads, increase available habitat and forage for more popular game fishes, and decrease predation on eggs and juvenile life stages of more popular game fish species.

WASHOE COUNTY

Other than general regulation and possession limit changes, all regulations in Washoe County are proposed to remain the same with the exception of the following (changes are delineated in **red** ~~strike-out~~ text or **green** bold text):

Catnip Reservoir, tributaries and outlet stream

Proposed Regulation:

Catnip Reservoir, tributaries and outlet stream	Open year around Second-Saturday in June through November 15	Daily: 1 trout Possession: 2 trout	Any hour of the day or night
---	--	---	------------------------------

Description and Rationale:

The Department is proposing to remove the seasonal closure for Catnip Reservoir and allow year-round angling. There is no biological reason to have this reservoir closed for a portion of the year. The population of LCT in Catnip is supported by a stocking with little or no recruitment from the inlet stream. Historically, NDOW spawned LCT out of Catnip Reservoir with Rainbows out of nearby Big Springs Reservoir to produce Bowcutt/Cuttbow trout for the hatcheries. During those years, having a spring closure made sense to protect LCT that would stage at the stream inlet; however, the Bowcutt/Cuttbow program is no longer conducted at Catnip Reservoir and has been moved to Marlette Lake. The current regulation prohibits fishing for 7 months of the year. Spring and late fall angling in high desert reservoirs can be the best time to fish as opposed to the summer months, this change will provide quality fishing opportunity during the seasons when fishing can be the most productive and allow outdoor recreationalists to fish the reservoir when in the area for other activities (hunting, 4 wheeling, exploring).

Hobart Reservoir and tributaries and Franktown Creek downstream from Hobart Reservoir to Red House

Proposed Regulation:

Hobart Reservoir and tributaries and Franktown Creek downstream from Hobart Reservoir to Red House	May 1 through October 31 September 30	Daily: 5 trout of which not more than 2 may be tiger trout, only one of which is longer than 14 inches total length Possession: 10 trout of which not more than 4 may be tiger trout	1 hour before sunrise to 2 hours after sunset
--	--	---	---

Description and Rationale:

The Department is proposing to extend the season at Hobart Reservoir through October 31, remove the size restriction on trout and reduce the total number of tiger trout and angler can take in one day to two (2) total.

Season Extension: Angling is currently permitted at Hobart Reservoir until the end of September. Over the years, many anglers have request extending the season further into the fall to enjoy the great fall fishing experience the reservoir could potentially provide. Extending the season by one month will allow for more use by the public with little to no negative impact to the fishery. Discussions with Carson City officials indicate they are supportive of the fishing season extension and willing to maintain the access into October for an extended season. Carson City officials manage the Ash Canyon access road and occasionally **may** be required to close the road to vehicular traffic due to weather conditions prior to the October 31 season closure, but anglers who are willing to hike in would still have the ability to utilize this fishery.

Removal of size restriction/limit on tiger trout: Brook Trout are the dominate species in Hobart Reservoir and have resulted in an overpopulated fishery with poor quality fish. Twenty years of the current regulation has resulted in no change to species composition or quality of fish as intended. Tiger trout have been stocked as a biological control for brook trout in the reservoir but need to persist for multiple years to reach sizes suitable for them to consistently prey upon wild brook trout. This regulation should help reduce brook trout numbers by increasing angling pressure and allowing tiger trout to grow and persist for multiple years to attain a size that more effectively controls the brook trout population. Ideally this regulation will help to balance the number, size and quality of trout in the lake. Concurrent to this CR change, the Department is proposing a CGR to amend the tackle restriction in place at Hobart Reservoir from “artificial lures with single barbless hook” to “artificial lures” which is intended to reduce the barriers to entry for those trying to fish Hobart Reservoir and increase success rate for catching and keeping fish.

Battle Born Pond

Proposed Regulation:

Washoe County Urban Ponds: Battle Born Pond , Davis Creek Pond, Idlewild Ponds, Marilyn's Pond, Paradise Ponds, Rancho San Rafael Pond, Sparks Marina Pond, Crystal Peak Park Verdi Pond, Virginia Lake and Wilson Common	Open year around	Daily: 3 game fish Possession: 6 game fish	Hours parks are open to public use
--	------------------	---	------------------------------------

Description and Rationale:

The Department is proposing to add Battle Born Pond to the Washoe County special regulation for urban ponds where the season and harvest limits for this water would be “*Season is open year around, during hours the park is open to public use. Daily Limit is 3 game fish.*” This is a new fishery in Washoe County which should be managed consistent with the regulations established for other waters statewide that are managed under the Urban Fishing Concept. Without adoption of this regulation, Battle Born Pond would fall under the Washoe County general regulation of 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye. Urban ponds tend to experience high use, especially after stocking events, so harvest of these fish is rapid, requiring frequent stocking throughout the fishing season to maintain recreational fishing. Reducing harvest limits at Battle Born Pond would allow stocked fish to persist in the pond for a longer period allowing those fish to be distributed among a larger user group.

This proposed change also includes some clean up to correct the name of Verdi Pond which was incorrectly called “Crystal Peak Park Pond” when it was initially included in the Urban Pond regulation. Verdi Pond is located within Crystal Peak Park in Verdi, NV.

Twelvemile Creek

Proposed Regulation:

Twelvemile Creek	Open year around	Daily: 2 trout Possession: 4 trout	Any hour of the day or night
------------------	------------------	---------------------------------------	------------------------------

Description and Rationale:

Currently Twelvemile Creek falls under the Western Region General Regulation and is inconsistent with the regulation immediately across the Oregon/Nevada border on the same creek. The vast majority of Twelvemile Creek lies within the state of Oregon and therefore mimicking their regulation makes the most sense. The fishery consists of native redband rainbow trout so reducing the daily limit from 5 to 2 (to match Oregon) not only provides consistency and eliminates confusion for the angler, it also provides additional limited protection for a native trout species.

WHITE PINE COUNTY

Other than general regulation and possession limit changes, all regulations in White Pine County are proposed to remain the same with the exception of the following (changes are delineated in **red** ~~strike-out~~ text or **green** bold text):

Ruby Lake National Wildlife Refuge

Proposed Regulation:

OPEN WATERS:			
Ruby Lake National Wildlife Refuge	Open year round	From Jan. 1 – June 14: Daily: 5 3 trout and 5 black bass.*. Possession: 10 trout and 10 black bass From June 15 – Dec. 31: Daily: 5 3 trout and 10 black bass. *. Possession: 10 trout and 20 black bass *Minimum size for black bass is 10 inches total length.	2 1 hours before sunrise to 2 1 hours after sunset

Description and Rationale:

As a result of efforts by the Department to simplify trout and mountain whitefish limits across Eastern Region waters, the trout limit at Ruby Lake NWR is proposed to increase from 3 to 5 daily. While the harvest of trout could increase at Ruby Lake National Wildlife Refuge with this proposed daily limit increase, the proposed change provides an important benefit of having more consistent and simplified trout angling regulations for anglers, game wardens, and fisheries biologists. If changes are implemented, angler use and success would be monitored to ensure continued satisfactory angler success rates at Ruby Lake NWR.

In addition, changes to the hours are being proposed to clean up an oversight that occurred when CR21-15 Amendment #1 was approved by the NBWC in September 2022. At that time, the

Department proposed to modify the fishing hours at the Ruby Lake National Wildlife Refuge to be open 1 hour before sunrise to 1 hour after sunset to ensure fishing hours were consistent with Refuge hours of operation. The change was only proposed for Elko County and should also have been included in White Pine County since the refuge boundary spans both counties. Approval of this change will make regulations for the Ruby Lake NWR consistent for both counties.

Snake Range High Lakes

Proposed Regulation:

Snake Range Mountain High Lakes	Open year around	0 trout, catch and release only	Any hour of the day or night
---------------------------------	------------------	---------------------------------	------------------------------

Description and Rationale:

This change corrects the name of the Snake Range High Lakes.

Recommendation:

The Department recommends Commission approval of the proposed changes to Commission Regulation 23-15 after consideration of public and Commission input.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

**FISHING SEASONS
CR 23-15**

The Board of Wildlife Commissioners, under the authority of 501.181 of the Nevada Revised Statutes, does hereby adopt the following regulation for the management of the fisheries resource:

**2024/2025 FISHING SEASONS
JANUARY 1, 2024 THROUGH DECEMBER 31, 2025**

LIMITS

“Daily Limit” means the maximum number of game fish that may be lawfully taken and reduced to possession by a person in one day. The “Possession Limit” is two times the daily limit for the water in which the fish were caught. A daily/possession limit includes fish caught in Nevada which have been processed or preserved and are stored at any location. Fish that are caught and immediately released back to the water alive are not considered to be reduced to possession or part of the limit.

A person shall not reduce game fish to possession if he already has the number of that fish in possession which equals or exceeds the possession limit of the water being fished.

General limits are listed by region. Exceptions to general limits are included as “special regulations” and are listed by individual water.

COUNTY	WATERS	SEASON	LIMITS	HOURS
CARSON CITY				
CLOSED WATERS:	None			
OPEN WATERS:	All waters. (Except as noted below)	Open year around	Daily: 5 trout, 5 40 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye	Any hour of the day or night
	Lake Tahoe and tributaries	Open year around	Daily: 5 game fish Possession: 10 game fish	1 hour before sunrise to 2 hours after sunset
	Baily Fishing Pond	Open year around	Daily: 3 game fish Possession: 6 game fish	Hours park is open to public use
CHURCHILL COUNTY				
CLOSED WATERS:	Lahontan Dam spilling pool (bowl) on the Carson River below Lahontan Dam. All waters within the boundaries of the Stillwater National Wildlife Refuge.			
OPEN WATERS:	All waters. (Except as noted below)	Open year around	Daily: 5 trout, 5 40 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye	Any hour of the day or night
	Lahontan Reservoir	Open year around	Daily: 15 game fish of which not more than 5 may be black bass, 5 may be walleye, and 2 may be white bass or white bass hybrids (wiper) 15 inches total length or longer. White bass or white bass hybrids (wiper) under 15 inches may be included in the 15 game fish limit. Possession: 30 game fish of which not more than 10 may be black bass, 10 may be walleye, and 4 may be white bass or white bass hybrids (wiper) 15 inches total length or longer	Any hour of the day or night
	Carson River, and all waters in Lahontan Valley	Open year around	Daily: 25 game fish of which not more than 5 may be black bass and 5 may be walleye Possession: 50 game fish of which not more than 10 may be black bass and 10 may be walleye	Any hour of the day or night
	Liberty Pond	Open year around	Daily: 3 game fish Possession: 6 game fish	Hours park is open to public use
CLARK COUNTY				
CLOSED WATERS:	Lakes Mead and Mohave and the Colorado River areas as posted immediately above and below Hoover and Davis dams; and except as otherwise posted by the National Park Service, those waters within the flat wake buoys at the following marinas and harbors: Overton Beach, Echo Bay Resort, Callville Bay Marina, Las Vegas Wash, Cottonwood Cove, Hemenway Harbor and Las Vegas Boat Harbor. Veterans Memorial Park, Boulder City, all waters except the Boulder City Urban Fishing Pond as posted. Spring Mountain Ranch State Park Pond. Las Vegas Wash, all waters within the Clark County Wetlands Park.			

COUNTY	WATERS	SEASON	LIMITS	HOURS
OPEN WATERS:	All waters. (Except as noted below)	Open year around	Daily: 10 trout and 15 warmwater game fish of which not more than 10 may be black bass Possession: 20 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
	Lake Mead	Open year around	Daily: 5 trout, 6 black bass, 25 catfish, 15 crappie. No limit on striped bass less than 20 inches total length (unlimited possession). The daily limit on striped bass 20 inches total length or longer is 20 fish. No limit on other game fish Possession: 10 trout, 12 black bass, 50 catfish, and 30 crappie. The possession limit on striped bass 20 inches in total length or longer is 40 fish	Any hour of the day or night
	Lake Mohave	Open year around	Daily: 5 trout, 6 black bass, 25 catfish, 15 crappie. No limit on striped bass less than 20 inches total length (unlimited possession). The daily limit on striped bass 20 inches total length or longer is 20 fish. No limit on other game fish Possession: 10 trout, 12 black bass, 50 catfish, and 30 crappie. The possession limit on striped bass 20 inches in total length or longer is 40 fish	Any hour of the day or night
	Colorado River below Davis Dam	Open year around	Daily: 5 trout, 6 black bass, 10 striped bass, and 25 catfish. Minimum size for black bass is 13 inches total length. No limit on other game fish Possession: 10 trout, 12 black bass, 20 striped bass, and 50 catfish	Any hour of the day or night
	Virgin River and Muddy (Moapa) River systems	Open year around	Daily: 5 trout, 6 black bass, 25 catfish, 15 crappie, and 20 striped bass. No limit on other game fish Possession: 10 trout, 12 black bass, 50 catfish, 30 crappie, and 40 striped bass	Any hour of the day or night
	Boulder City Pond, Sunset Park Pond, Floyd Lamb Park Ponds, Lorenzi Park Pond and Mesquite Urban Pond – Hafen Lane Pond	Open year around	Daily: 3 game fish Possession: 6 game fish	Hours parks are open to public use
	Cold Creek Pond and Cold Creek	Open year around	Daily: 3 game fish Possession: 6 game fish	Any hour of the day or night
	Carpenter Creek	Open year around	Daily: 2 trout Possession: 4 trout	Any hour of the day or night
DOUGLAS COUNTY				
CLOSED WATERS:	Topaz Lake within the jetties of Topaz Marina. Lake Tahoe within the boat launch area, inside the jetty at the Cave Rock boat ramp, north end. Glenbrook Creek from Lake Tahoe to Highway 50.			

COUNTY	WATERS	SEASON	LIMITS	HOURS
OPEN WATERS:	All waters. (Except as noted below)	Open year around	Daily: 5 trout, 5 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye	Any hour of the day or night
	Lake Tahoe and tributaries	Open year around	Daily: 5 game fish Possession: 10 game fish	1 hour before sunrise to 2 hours after sunset
	Spooner Lake	Open year around	Daily: 5 trout Possession: 10 trout	1 hour before sunrise to 2 hours after sunset
	Topaz Lake	Open year around	Daily: 5 trout, 5 mountain whitefish, and 25 warmwater game fish of which not more than 5 may be black bass Possession: 10 trout, 10 mountain whitefish and 50 warmwater game fish of which not more than 10 may be black bass	1 hour before sunrise to 2 hours after sunset
	Mitch Park Pond, Lampe Park Pond, Martin Slough Ponds (on Gilman Avenue), Seeman Pond, Mountain View Park Pond	Open year around	Daily: 3 game fish Possession: 6 game fish	Hours parks are open to public use.
ELKO COUNTY				
CLOSED WATERS:	In Ruby Valley fishing is prohibited in hatchery, rearing, brood and spring ponds of Gallagher Hatchery; in Cave Creek west of the county road; and on Franklin Lake Wildlife Management Area.			
OPEN WATERS:	All waters lakes and reservoirs (Except as noted below)	Open year around	Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession). Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
	All streams and rivers (Except as noted below)	Open year around	10 trout, 10 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	Wildhorse Reservoir and all inlet and outlet streams including Penrod Creek up to the bridge below the Gold Creek Ranger Station	Open year around. Exception: March 1 through June 30, catch and release fishing only for black bass	Daily: 5 trout, 1 black bass, 1 white bass hybrid (wiper) and 5 channel catfish. No limit on yellow perch (unlimited possession). Minimum size for black bass and white bass hybrids (wiper) is 15 inches total length Possession: 10 trout, 2 black bass, 2 white bass hybrid (wiper) and 10 channel catfish	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Angel Lake and inlet and outlet streams Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>5-trout Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	South Fork Reservoir and the South Fork of the Humboldt River from the Lucky Nugget Subdivision causeway downstream to its confluence with the Humboldt River	Open year around. Exception: March 1 through June 30, catch and release fishing only for black bass	<p>Daily: 5 trout, 1 black bass, 1 white bass hybrid (wiper) and 5 channel catfish. Minimum size for black bass and white bass hybrids (wiper) is 15 inches total length</p> <p>Possession: 10 trout, 2 black bass, 2 white bass hybrid (wiper) and 10 channel catfish</p>	Any hour of the day or night
	South Fork of the Humboldt River from the Lucky Nugget Subdivision causeway upstream to Lee	Open year around	<p>Daily: 1 trout</p> <p>Possession: 2 trout</p>	Any hour of the day or night
	Wilson Sink Reservoir, its outlet and inlet stream up to State Route 11 Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>5-trout, 10 mountain whitefish, and 10 black bass. Minimum size for black bass is 10 inches total length</p> <p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	Ruby Lake National Wildlife Refuge	Open year around in all areas except as posted January 1 through June 14 June 15 through December 31	<p>Daily: 5 3-trout and 5 black bass. Minimum size for black bass is 10 inches total length</p> <p>Possession: 10 trout and 10 black bass</p> <p>Daily: 5 3 trout and 10 black bass. Minimum size for black bass is 10 inches total length</p> <p>Possession: 10 trout and 20 black bass</p>	1 hour before sunrise to 1 hour after sunset
	Ruby Mountains and East Humboldt Range high lakes except Angel Lake Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>10 trout Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Dry Creek Reservoir Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>5-trout and 15-warmwater game fish of which not more than 10 may be black bass</p> <p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	Willow Creek Reservoir Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>5-trout and 15-warmwater game fish of which not more than 10 may be black bass and 5 may be channel catfish. Minimum size for black bass is 10 inches total length</p> <p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	Jarbidge River, East Fork and West Fork and tributary streams	Open year around	<p>Daily: 5 trout, 5 mountain whitefish, except possession of bull trout is prohibited. All captured bull trout must be released immediately.</p> <p>Possession: 10 trout and 10 mountain whitefish</p>	Any hour of the day or night
	Marys River and tributary streams Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>5-trout</p> <p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	Bruneau River and tributary streams Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>10-trout-and-10-mountain whitefish</p> <p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
ESMERALDA COUNTY				
CLOSED WATERS: None				

COUNTY	WATERS	SEASON	LIMITS	HOURS
OPEN WATERS:	All waters	Open year around	<p>Daily: 10 trout and 15 warmwater game fish of which not more than 10 may be black bass</p> <p>Possession: 20 trout and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
EUREKA COUNTY				
CLOSED WATERS:	Tonkin Springs Creek (Denay Creek) from origin to its confluence with Tonkin Springs Reservoir			
OPEN WATERS:	All waters lakes and reservoirs (Except as noted below)	Open year around	<p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	All streams and rivers. (Except as noted below)	Open year around	10 trout and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	Tonkin Springs Reservoir	Open year around	<p>Daily: 5 trout</p> <p>Possession: 10 trout</p>	Any hour of the day or night
HUMBOLDT COUNTY				
CLOSED WATERS:	All tributaries to Summit Lake. All waters of the Sheldon National Wildlife Refuge (within Humboldt County) except Big Springs Reservoir and Dufurrena Ponds. Crowley Creek in the Montana Mountains. Eightmile Creek in the Santa Rosa Range. Donnelly Creek in the Calico Range.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	<p>Daily: 5 trout, 5 10 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye</p> <p>Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye</p>	Any hour of the day or night
	James Kinney Pond	Open year around	<p>Daily: 3 game fish</p> <p>Possession: 6 game fish</p>	Hours park is open to public use
	Blue Lakes and Onion Valley Reservoir Remove from Special Regulations. Will fall under Western Region General Regulations	Open year around Second Saturday in June through November 15	<p>5-trout</p> <p>Daily: 5 trout, 5 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye</p> <p>Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye</p>	Any hour of the day or night
	Bilk Creek Reservoir	Open year around	<p>Daily: 5 game fish</p> <p>Possession: 10 game fish</p>	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Chimney Reservoir	Open year around	<p>Daily: 15 game fish of which not more than 5 may be black bass, 5 may be walleye, 2 may be white bass hybrid (wiper), and zero may be tiger muskie (catch and release only). The minimum length for white bass hybrids is 15 inches total length</p> <p>Possession: 30 game fish of which not more than 10 may be black bass, 10 may be walleye, 4 may be white bass hybrid (wiper)</p>	Any hour of the day or night
	Knott Creek Reservoir including inlet and outlet streams	Open year around Second Saturday in June through November 15	<p>Daily: 1 trout. Minimum size for trout is 18 inches total length</p> <p>Possession: 2 trout</p>	Any hour of the day or night
	Big Springs Reservoir Remove from Special Regulations. Will fall under Western Region General Regulations	Open year around Second Saturday in May through the last day of February	<p>5-trout</p> <p>Daily: 5 trout, 5 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye</p> <p>Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye</p>	Any hour of the day or night
LANDER COUNTY				
CLOSED WATERS:	None			
	All waters streams and rivers (Except as noted below)	Open year around	<p>40 trout and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p>	Any hour of the day or night
	All waters lakes and reservoirs (Except as noted below)	Open year around	<p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	Willow Creek Pond and Willow Creek Reservoir including inlet and outlet streams	Open year around	<p>Daily: 5 trout and 5 black bass. Minimum size for black bass is 10 inches. No limit on yellow perch (unlimited possession)</p> <p>Possession: 10 trout and 10 black bass</p>	1 hour before sunrise to 2 hours after sunset
	Groves Lake, Kingston Creek and Big Creek Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>5-trout</p> <p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Smith Creek Reservoir Remove from Special Regulations. Will fall under Eastern Region General Regulations	April 1 through November 15 Open year around	1-trout Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession) Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
LINCOLN COUNTY				
CLOSED WATERS:	Crystal Springs and outflow for one-half mile to beginning of concrete ditch. Ash Springs outflow through the River Ranch to beginning of concrete ditch.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	Daily: 10 trout and 15 warmwater game fish of which not more than 10 may be black bass Possession: 20 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
	Nesbitt Lake (Key Pittman Wildlife Management Area)	Open year around except the portion above the old fence line as posted is closed to trespass February 15 through August 15 and closed to fishing during the waterfowl season	Daily: 50 bullhead and 15 other warmwater game fish of which not more than 10 may be black bass. No limit on bullheads (unlimited possession) Possession: 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
	Eagle Valley Reservoir and Meadow Valley Wash above the reservoir	Open year around	Daily: 5 trout and 15 warmwater game fish of which not more than 10 may be black bass. Zero black bass (catch and release only) from April 1 through June 30 Possession: 10 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
	Echo Canyon Reservoir	Open year around	Daily: 5 trout and 15 warmwater game fish of which not more than 10 may be black bass Possession: 10 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
	Pahranagat National Wildlife Refuge	Open year around except North Marsh which is closed to fishing during the waterfowl season	Daily: 3 trout and 15 warmwater game fish of which not more than 5 may be black bass Possession: 6 trout and 30 warmwater game fish of which not more than 10 may be black bass	Any hour of the day or night
LYON COUNTY				
CLOSED WATERS:	All waters within the Mason Valley Wildlife Management Area except for those listed as open.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	Daily: 5 trout, 5 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	East Walker River	Open year around	<p>Daily: 5 trout, 5+10 mountain whitefish, 15 warmwater game fish of which not more than 5 may be black bass. Except in that portion of the East Walker River which is from one-quarter mile above the confluence of the East Walker River and Sweetwater Creek downstream to one-half mile below the confluence of the East Walker River and Red Wash Creek which is catch and release fishing only</p> <p>Possession: 10 trout, 10 mountain whitefish and 30 warmwater game fish of which not more than 10 may be black bass</p>	Any hour of the day or night
	Fort Churchill Cooling Pond Cooperative Management Area, fishing prohibited from the center dike and posted areas	Second Saturday in February through September 30	<p>Daily: 5 trout and 15 warmwater game fish of which not more than 2 may be black bass. Minimum size for black bass is 14 inches total length</p> <p>Possession: 10 trout and 30 warmwater game fish of which not more than 4 may be black bass</p>	1 hour before sunrise to 2 hours after sunset
	Lahontan Reservoir	Open year around	<p>Daily: 15 game fish of which not more than 5 may be black bass, 5 may be walleye, and 2 may be white bass or white bass hybrids (wiper) 15 inches total length or longer. White bass or white bass hybrids (wiper) under 15 inches may be included in the 15 game fish limit</p> <p>Possession: 30 game fish of which not more than 10 may be black bass, 10 may be walleye, and 4 may be white bass or white bass hybrids (wiper) 15 inches total length or longer</p>	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Mason Valley Wildlife Management Area: Bass, Crappie, and North ponds, Beaver Slough and that portion of the Walker River within the Mason Valley Wildlife Management Area	Second Saturday in February through September 30	Daily: 5 trout and 15 warmwater game fish of which not more than 2 may be black bass. Minimum size for black bass is 14 inches total length Possession: 10 trout and 30 warmwater game fish of which not more than 4 may be black bass	Any hour of the day or night
MINERAL COUNTY				
CLOSED WATERS:	The Rose Creek confluence from the diversion pipe downstream to Walker Lake and Walker Lake within a 100-yard radius of the inflow.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	Daily: 5 trout, 5 40 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye	Any hour of the day or night
	Rose Creek Reservoir	Open year around	Daily: 3 game fish Possession: 6 game fish	Any hour of the day or night
NYE COUNTY				
CLOSED WATERS:	Kirch Wildlife Management Area: Hot Creek to its confluence with Adams-McGill Reservoir. Sunnyside Creek above Sunnyside/Adavin County Road crossing in sec. 36, T 7 N R 61 E.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	Daily: 10 trout, 15 warmwater game fish of which not more than 10 may be black bass Possession: 20 trout and 30 warmwater game fish of which not more 20 may be black bass	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Beatty Urban Pond	Open year around	Daily: 3 game fish Possession: 6 game fish	Any hour of the day or night
	Sportsman's Park Pond	Open year around	Daily: 3 game fish Possession: 6 game fish	Hours park is open to public use
	Upper Reese River and tributaries from the Arc Dome wilderness boundary south of the Yomba Shoshone Tribe Reservation to its headwaters	Open year around	No limit on trout	Any hour of the day or night
	Stewart Creek from its confluence with the Reese River to its headwaters	Open year around	No limit on trout	Any hour of the day or night
	Kirch Wildlife Management Area: All other waters within the Kirch Wildlife Management Area	Open year around except the upper portions of Adams-McGill, Cold Springs and Haymeadow reservoirs closed to trespass February 15 through August 15 as posted. A 100-yard area as posted around the inflow from Hot Creek to Adams-McGill Reservoir is closed to fishing January 1 through April 1.	Daily: 5 trout 50-bullhead and 15 ether warmwater game fish of which not more than 10 may be black bass. No limit on bullheads (unlimited possession) Limit is 5 black bass from April 1 through June 30. Possession: 10 trout and 30 warmwater game fish of which 20 may be black bass	Any hour of the day or night
	Tule Reservoir	Open August 16 through February 14	Daily: 5 trout 50-bullhead , and 15 ether warmwater game fish of which not more than 10 may be black bass. No limit on bullheads (unlimited possession) Possession: 10 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
	Dacey Reservoir	Open year around except the upper portions of Dacey Reservoir closed to trespass February 15 through August 15 as posted. A 100-yard area as posted around the inflow from Hot Creek to Dacey Reservoir is closed to fishing January 1 through April 1.	Daily: 1 trout 50-bullhead , and 15 ether warmwater game fish of which not more than 10 may be black bass. No limit on bullheads (unlimited possession) Limit is zero black bass (catch and release only) from April 1 through June 30. Possession: 2 trout and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
PERSHING COUNTY				
CLOSED WATERS:	None			
OPEN WATERS:	All waters (Except as noted below)	Open year around	Daily: 5 trout, 5 40 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Rye Patch Reservoir and Humboldt River	Open year around	<p>Daily: 25 game fish of which not more than 5 may be trout, 5 may be walleye, 5 may be black bass, and 2 may be white bass or white bass hybrids which are over 15 inches total length. White bass or white bass hybrids under 15 inches total length may be included in the 25 game fish limit</p> <p>Possession: 50 game fish of which not more than 10 may be trout, 10 may be walleye, 10 may be black bass, and 4 may be white bass or white bass hybrids which are over 15 inches total length</p>	Any hour of the day or night
STOREY COUNTY				
CLOSED WATERS:	5 Mile Reservoir, Truckee River from Derby Dam downstream 1,000 feet.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	<p>Daily: 5 trout, 5 40 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye</p> <p>Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye</p>	Any hour of the day or night
	Truckee River	Open year around except for closed areas	<p>Daily: 3 game fish except in that section from E Mustang Road bridge (I-80 Exit 23) downstream to the Pyramid Lake Paiute Reservation boundary, limit is three game fish of which 1 may be trout.</p> <p>Possession: 6 game fish except in that section from E Mustang Road bridge (I-80 Exit 23) downstream to the Pyramid Lake Paiute Reservation boundary, limit is 6 game fish of which 2 may be trout.</p>	Any hour of the day or night
WASHOE COUNTY				
CLOSED WATERS:	Third Creek and its tributaries from Lake Tahoe to the Mt. Rose Highway No. 431. Incline Creek and its tributaries from Lake Tahoe to Ski Way and the Mt. Rose Highway No. 431. Wood Creek from Lake Tahoe to the Mt. Rose Highway No. 431. Lake Tahoe within a 200-yard radius of the mouths of Third, Incline and Wood creeks. A 500-yard radius from Sand Harbor boat ramp. Truckee River from Derby Dam downstream 1,000 feet.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	<p>Daily: 5 trout, 5 40 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye</p> <p>Possession: 10 trout, 10 mountain whitefish and 30 warmwater gamefish of which 10 may be black bass and 10 may be walleye</p>	Any hour of the day or night
	Catnip Reservoir, tributaries and outlet stream	Open year around Second Saturday in June through November 15	<p>Daily: 1 trout</p> <p>Possession: 2 trout</p>	Any hour of the day or night
	Washoe Lake	Open year around	<p>Daily: 10 game fish of which not more than 5 may be catfish</p> <p>Possession: 20 game fish of which not more than 10 may be catfish</p>	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Hobart Reservoir and tributaries and Franktown Creek downstream from Hobart Reservoir to Red House	May 1 through October 31 September 30	Daily: 5 trout of which not more than 2 may be tiger trout, only one of which is longer than 14 inches total length Possession: 10 trout of which not more than 4 may be tiger trout	1 hour before sunrise to 2 hours after sunset
	Lake Tahoe and tributaries	Open year around except for closed areas	Daily: 5 game fish Possession: 10 game fish	1 hour before sunrise to 2 hours after sunset
	Marlette Lake, tributaries and outlet stream	July 15 through September 30	Daily: 0 trout, catch and release only	1 hour before sunrise to 2 hours after sunset
	Truckee River	Open year around except for closed areas	Daily: 3 game fish except in that section from E Mustang Road bridge (I-80 Exit 23) downstream to the Pyramid Lake Paiute Reservation boundary, limit is three game fish of which 1 may be trout. Possession: 6 game fish except in that section from E Mustang Road bridge (I-80 Exit 23) downstream to the Pyramid Lake Paiute Reservation boundary, limit is 6 game fish of which 2 may be trout.	Any hour of the day or night
	Twelvemile Creek	Open year around	Daily: 2 trout Possession: 4 trout	Any hour of the day or night
	Washoe County Urban Ponds: Battle Born Pond , Davis Creek Pond, Idlewild Ponds, Marilyn's Pond, Paradise Ponds, Rancho San Rafael Pond, Sparks Marina Pond, Crystal Peak Park Verdi Pond, Virginia Lake and Wilson Common	Open year around	Daily: 3 game fish Possession: 6 game fish	Hours parks are open to public use
WHITE PINE COUNTY				
CLOSED WATERS: Cold Creek Springs (Spring Pond) and creek above Cold Creek Reservoir in the Diamond Range				
OPEN WATERS:	All waters lakes and reservoirs (Except as noted below)	Open year around	Daily: 5 trout, 5 mountain whitefish , and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession). Possession: 10 trout, 10 mountain whitefish , and 30 warmwater game fish of which not more than 20 may be black bass	Any hour of the day or night
	All streams and rivers. (Except as noted below)	Open year around	10 trout and 15 warmwater game fish of which not more than 10 may be black. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	Ruby Lake National Wildlife Refuge	Open year around in all areas except as posted. January 1 through June 14 June 15 through December 31	Daily: 5 3 -trout and 5 black bass. Minimum size for black bass is 10 inches total length. Possession: 10 trout and 10 black bass Daily: 5 3 trout and 10 black bass. Minimum size for black bass is 10 inches total length. Possession: 10 trout and 20 black bass	1 2 hours before sunrise to 1 2 hours after sunset

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Cave Lake, Steptoe Creek, and Cave Creek, Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>5-trout</p> <p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession).</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	Tailings Creek, Cleve Creek, Silver Creek and White River. Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>5-trout</p> <p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession).</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	Illipah Reservoir and Illipah Creek Remove from Special Regulations. Will fall under Eastern Region General Regulations	Open year around	<p>5-trout</p> <p>Daily: 5 trout, 5 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession).</p> <p>Possession: 10 trout, 10 mountain whitefish, and 30 warmwater game fish of which not more than 20 may be black bass</p>	Any hour of the day or night
	Cold Creek Reservoir	Open year around	<p>Daily: 5 trout and 5 black bass. Minimum size for black bass is 10 inches.</p> <p>Possession: 10 trout and 10 black bass</p>	Any hour of the day or night
	Comins Lake	Open year around	<p>Daily: 5 trout and 5 black bass. No limit on northern pike (unlimited possession).</p> <p>Possession: 10 trout and 10 black bass.</p>	Any hour of the day or night
	Snake Range Mountain High Lakes	Open year around	0 trout, catch and release only	Any hour of the day or night