CARSON CITY CONSOLIDATED MUNICIPALITY
NOTICE OF THE MEETING OF THE
ADVISORY BOARD TO MANAGE WILDLIFE

Day: Tuesday
Date: March 5, 2024
Time: Beginning at 5:30 pm
Location: Community Center, Robert 'Bob' Crowell Board Room
851 East William Street
Carson City, NV 89701

AGENDA

NOTICE TO THE PUBLIC:
Members of the public who wish to view the meeting may watch the livestream of the Advisory Board to Manage Wildlife meeting at www.carson.org/granicus and by clicking on "In progress" next to the meeting date, or by tuning in to cable channel 191. Livestream of the meeting is provided solely as a courtesy and convenience to the public. Carson City does not give any assurance or guarantee that the livestream or cable channel access will be reliable. Although all reasonable efforts will be made to provide livestream, unanticipated technical difficulties beyond the control of City staff may delay, interrupt, or render unavailable continuous livestream capability.

NOTICE TO PUBLIC:
The public may provide public comment in advance of a meeting by written submission to the following email address: **publiccomment@carson.org.** For inclusion or reference in the minutes of the meeting, your public comment must include your full name and be submitted via email by no later than 3:00 p.m. the day before the meeting. Public comment during a meeting is limited to three minutes for each speaker.

Disclosures: Any member of the advisory board with a conflict of interest on an agendized item or relative to advisory board business should inform the chair of the member's conflict of interest prior to the meeting. Conflicts of interest must also be disclosed at the time a specific agenda item is introduced.

Agenda Management Notice: Items on the agenda may be taken out of order; the public body may combine two or more agenda items for consideration; and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Join by Phone:
Phone Number: +1-408-418-9388
Meeting Number: 2483 263 9239

Call to Order, Determination of Quorum

1. Pledge of Allegiance

2. Public Comment:**

The public is invited at this time to comment on and discuss any topic that is relevant to or within the authority of the Carson City Advisory Board to Manage Wildlife (CCABMW.) No action may be taken upon a matter raised under this item of the agenda.

2.A Public Comment
Click Here for Staff Report

3. For Possible Action: Approval of Minutes - January 22, 2024.

3.A January 22, 2024 Draft Minutes
Click Here for Staff Report

4. For Information Only: Update and Activity Report on the Carson City Urban Wildlife Committee.

5.

For Information Only: Update from the Chair on the November 3 and 4, 2023 and the January 26 and January 27, 2024, Nevada Board of Wildlife Commissioners' Meeting.

6. For Discussion Only: Reports - Informational

The following items are informational and for discussion only. No action may be taken by the Board. Any item requiring Board action will be scheduled on a future Board agenda.

6.A

Department Activity Report - At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on Nevada Department of Wildlife recent activities. The CCABMW may desire to offer public comment.

Click Here for Staff Report

6.B

Litigation Report - At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on Nevada Department of Wildlife litigation. The CCABMW may desire to offer public comment.

Click Here for Staff Report

6.C **Wildlife Heritage Account Report -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the funds available (interest and principal) for expenditure from the heritage account in the upcoming year and an update on available principal balance. The CCABMW may desire to offer public comment.
Click Here for Staff Report

6.D **Wildlife Heritage Committee Report -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent Wildlife Heritage Committee meeting. The CCABMW may desire to offer public comment.
Click Here for Staff Report

6.E **Tag Allocation and Application Hunt Committee (TAAHC) Report -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent TAAHC meeting. The CCABMW may desire to offer public comment.

Click Here for Staff Report

6.F **Winecup Gamble Land Exchange -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, an update will be provided to the Commission on recent developments regarding the Winecup Gamble Land Exchange. The CCABMW may desire to offer public comment.

Click Here for Staff Report

6.G **Draft Fiscal Year 2025 Predation Management Plan -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, the draft Fiscal Year 2025 Predation Management Plan will be presented to the Commission for review. A report from the Predatory Animal and Rodent Committee (PARC) Meeting, held in February will be shared with the Commission. All comments from the Commission, PARC, County Advisory Boards to Manage Wildlife, and any other interested publics will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at the March 2025 meeting. The CCABMW may desire to offer public comment.
Click Here for Staff Report

6.H **Administrative Procedures, Regulations and Policy Committee -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent Administrative Procedures, Regulations and Policy Committee meeting. The CCABMW may desire to offer public comment.
Click Here for Staff Report

6.I **Mule Deer Enhancement Oversight Committee -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent Mule Deer Enhancement Oversight Committee meeting**.** The CCABMW may desire to offer public comment.

Click Here for Staff Report

6.J **Mule Deer Tag Quota Development, Harvest Estimation and Effects of Harvest -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, an informational presentation will be provided to the Wildlife Commission on the nuances of tag quota development for mule deer, how harvest levels are derived and the overall effects of harvest on mule deer populations. The CCABMW may desire to offer public comment.
Click Here for Staff Report

6.K **Wildlife Damage Management Committee Report -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the

recent Wildlife Damage Management Committee meeting. The CCABMW may desire to offer public comment.

Click Here for Staff Report

6.L

Heritage Account Principal Project Proposal - At the March 9, 2024, meeting of the Nevada Board of Wildlife Commissioners, the commission will hear the South Schell Land Acquisition Heritage Account Principal Project Proposal. The Department is seeking Heritage Account Principal Project funding to acquire 1,720 acres of wildlife habitat in the Schell Creek Range near Ely, NV. The Department will seek a final decision in May. The CCABMW may desire to offer public comment.

Click Here for Staff Report

For Possible Action: Consent Agenda Items.

The items listed under the consent agenda are considered routine and may be acted upon by the Advisory Board to Manage Wildlife with one action and without an extensive hearing. A member of the advisory board may request an item be pulled for separate discussion and action, but the advisory board chair retains discretion in deciding whether to pull an item from the consent agenda. (For additional information on the items to be considered within this action item, please visit the Nevada Department of Wildlife website at: https://www.ndow.org/events/march-2024-commission-meeting/ under the support material).

7.A

For Possible Action: Wild Horse and Burro Letter - At its March 8, 2024, meeting, the Nevada Board of Wildlife Commissioners will discuss the sign-on Wild Horse Burro letter addressed to Tracy Stone-Manning the Director of the Bureau of Land Management from the Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses.

Click Here for Staff Report

7.B

For Possible Action: Petition - At its March 8, 2024 meeting, the Commission may take action to deny or accept Ms. Rebecca Goff's petition to add a new section to Chapter 503 of the Nevada Administrative Code (Hunting, Fishing and Trapping; Miscellaneous Protective Measures) regarding Wildlife Killing Contests.

Click Here for Staff Report

7.C **For Possible Action: Presentation for Interim Natural Resources Committee Meeting -** At its March 8, 2024, meeting the Nevada Board of Wildlife Commissioners will hear an overview of the presentation that the department was asked to give to the Interim Natural Resources Committee about the commission and its duties at their April 5th Meeting. They have the opportunity to provide input.

Click Here for Staff Report

7.D **For Possible Action: Commission General Regulation 520 - Tag Deferral Extenuating Circumstances Revision.** At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code to amend the circumstances surrounding tag deferrals.
Click Here for Staff Report

7.E **For Possible Action: Commission General Regulation 521 - Junior Tag Transfer .** At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code to provide for the circumstances surrounding the transfer of a tag to a junior hunter.

Click Here for Staff Report

7.F **For Possible Action: Commission General Regulation 500, Subdivision Map Review.** At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold an adoption hearing to consider amending Nevada Administrative Code (NAC) 278 to provide for the Department review of tentative subdivision map(s) and inclusion of recommendations for methods to avoid or minimize impacts to wildlife, mitigation measures, best management practices or required design features, and provide for collection of associated fees to the Department for carrying out such reviews.
Click Here for Staff Report

7.G **For Possible Action: Commission General Regulation 511, Wildlife Management Area Designations.** At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold an adoption hearing to consider amending Chapter 504 of the Nevada Administrative Code. This Regulation would update Wildlife Management Area (WMA) designations and restrictions.

Click Here for Staff Report

7.H **For Possible Action: Commission Regulation 24-10, Migratory Game Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Migratory Game Birds Public Hunting Limited on Wildlife Management Areas and Designated State Lands for the 2024-2025 Seasons.** At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider recommendations for seasons, bag limits and special regulations for migratory game birds for the 2024-2025 season and adopt regulations consistent with the proposed regulations framework for the 2024-2025 hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission will also consider rules regulating public hunting on Wildlife Management Areas and designated state lands.

Click Here for Staff Report

7.I **For Possible Action: Commission Regulation 23-04 – Amendment 3, 2023-2024 and 2024-2025 Big Game Seasons.** At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider and may take action to approve an amendment to the 2024-2025 hunting seasons and dates.

Click Here for Staff Report

8. Informational Item: Future Agenda Items.

9.

For Information Only: Advisory board member commitment(s) to the March 8 and 9, 2024 meeting and the May 3 and 4, 2024 meeting.

10. Public Comment:**

The public is invited at this time to comment on and discuss any matter that is relevant to or within the authority of the Carson City Advisory Board to Manage Wildlife, including any matter that is not specifically included on the agenda as an action item. No action may be taken on a matter raised under this item of the agenda.

11. For Possible Action: To Adjourn

** PUBLIC COMMENT LIMITATIONS - The Carson City Advisory Board to Manage Wildlife will provide at least two public comment periods in compliance with the minimum requirements of the Open Meeting Law prior to adjournment. Public comment will be limited to three minutes per speaker to facilitate the efficient conduct of a meeting and to provide a reasonable opportunity for comment from all members of the public who wish to speak. Testimony from a person who is directly involved with an item, such as City staff, an applicant, or a party to an administrative hearing or appeal, is not considered public comment and is not subject to the three-minute time limitation. No action may be taken on a matter raised under public comment unless the item has been specifically included on the agenda as an item upon which action may be taken.

The agenda and supporting materials are available on the City's website at www.carson.org/agendas and on the State website: https://notice.nv.gov Posting on Carson City's website of supporting materials for its public meetings, other than such postings pertinent to the Board of Supervisors meetings, is not required. The posting of supporting materials on the City's website is a courtesy and no rights are thereby bestowed. Late materials or materials distributed during the public meeting will be incorporated into the public record and can be made available upon request.

Notices to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify Briana Munoz at (775) 283-7412 or, in writing, at 885 East Musser Street, Suite 1032, Carson City, Nevada 89701, as soon as possible.

On some occasions, three or more members of this Advisory Board will attend Nevada Board of Wildlife Commissioners meetings, which are publicly noticed. These are informational meetings, and no action will be taken by this Carson City Advisory Board to Manage Wildlife, nor will this body improperly deliberate toward any decision, on those occasions. Information obtained at the Nevada Board of Wildlife Commissioners meetings may be agendized and acted upon at the next regular meeting of this Advisory Board.

To request a copy of the supporting materials for this meeting, contact Briana Munoz at bmunoz@carson.org or (775) 283-7412. Additionally, a copy of the agenda with all supporting materials may be made available, upon request, from the Public Meetings / Records Division of the Carson City Clerk's Office, 885 East Musser Street, Suite 1032, Carson City, Nevada.

NOTICE TO PUBLIC: This agenda was posted electronically on the following Internet websites:
State website: https://notice.nv.gov
City website: www.carson.org
Please note that all agenda notices will only be posted online, at City Hall, and at the Carson City Community Center, as authorized by Assembly Bill 219 of the 82nd (2023) Session of the Nevada Legislature.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: Public Comment

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
Public Comment March 5, 2024.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____
_____
_____

_____
(Vote Recorded By)

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:54 AM
To: Briana Munoz
Subject: FW: Agenda 7A Letter in OPPOSITION to the Coalition's attempt to roundup more wild horses

Follow Up Flag: Follow up
Flag Status: Completed

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:36 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: Agenda 7A Letter in OPPOSITION to the Coalition's attempt to roundup more wild horses

From: anamaria@soqueltech.com <anamaria@soqueltech.com>
Sent: Saturday, March 2, 2024 1:30 PM
To: Public Comment <PublicComment@carson.org>
Subject: Agenda 7A Letter in OPPOSITION to the Coalition's attempt to roundup more wild horses

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Dear Sir/Madam

Please include my letter in Agenda 7A and include in the minutes.

Thank you,

The letter from the Coalition for Healthy Nevada Lands clearly sees the much-loved wild horse as purely a nuisance on public lands. The Coalition's letter is requesting more money to round up and warehouse more of these magnificent animals in mass corrals. I believe that they are totally out of touch with how the public views the wild horses, and even how the State uses them to promote Nevada.

What the letter from the Coalition also fails to understand is that Nevada's economy in large part sustains itself not from ranching, but from entertainment. Thousands of people flock to the State for events as diverse as Burning Man and Las Vegas's casinos. Tourists also come to Nevada to experience the Wild West and its wide-open desert spaces. As a State we are totally overlooking the potential of an amazing resource right out there on the range. THE MAGNIFICENT MUSTANGS!! I believe this is happening because the horses are in direct competition for grazing rights on our public lands. Horses are being rounded up and ranching is being subsidized - all with our tax money.

Any one of us who has seen a herd of wild horses out on the range, grazing or galloping with their families is usually thrilled to see them. Quite unlike our monochrome cattle who stand idly all day, these equines are wonderful colors and sizes and constantly on the move. I quote a fellow American who said "For my own tiny part in this equine saga, I admit to having grown fond of wild horses after admiring their small swift herds while I was backpacking. To me, the horses looked wild and natural, whereas the cattle looked exotic and destructive".

Wake up Nevada! Go outside and see for yourself. Often, we do not value what is right before our eyes, right on our doorsteps. There are indeed multiple organizations offering Wild Horse Tours in the State already. But if we continue to round up the wild horses at this rate, there will no longer be wild horses to see. I quote this time from the Wild Horse Adventures of Nevada. "Moving in a rhythm older than man's urge to tame them, their silhouetted images dance across the horizon. Eyes and nostrils wide open, they earn their native name of "wind drinkers." They sweep out of sight but not out of memory." The Coalition does not speak for the people of Nevada.

Anamaria Boustred

Carson City

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:55 AM
To: Briana Munoz
Subject: FW: Opposition to the Coalition - Agenda 7A

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:38 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: Opposition to the Coalition - Agenda 7A

From: anamaria boustred <outlook_EB18EB7E30F8E28A@outlook.com>
Sent: Saturday, March 2, 2024 2:30 PM
To: Public Comment <PublicComment@carson.org>
Subject: Opposition to the Coalition - Agenda 7A

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

I am writing my comment in opposition to the letter by the Coalition For Healthy Nevada Lands … urging for more money for further wild horse and burro roundups. I am a citizen of this great country, a resident of awesome Nevada and a dutiful federal taxpayer.

The Coalition would have you believe that the horses and burros are wreaking "havoc on our native wildlife and fragile, arid rangeland ecosystems". They mention squirrels and mule deer, but nowhere is there any mention of the millions of animals that do indeed **dominate** the Nevada rangelands in sheer numbers – the livestock.

43 million acres of Nevada's public land is authorized for grazing. To put that into perspective, that is about twice the size of South Carolina or Kentucky. The cost of grazing on public lands per month – the AUM is $1.35 for a cow and calf in 2023. That is, it costs approximately $17 to graze a cow and a calf on public lands for an entire year. But government contract records show that there is an even **more**

lucrative business out there on the range. Wild horse roundups have become a self-perpetuating enterprise. Millions and millions of dollars paid to these service contractors!

The Coalition would have you believe that this is a “crisis on our public lands” and that the only way to deal with such a crisis is to have the Government pay out millions **more** to these contractors. Because this is after all taxpayer's money – millions and millions of dollars going to livestock operators to roundup, remove and feed these wild horses. The price difference between grazing a cow on public land versus removing a wild horse to feed in feed lots is astounding! While this may provide very lucrative jobs for a relatively few, this is in essence subsidization by taxpayer's money.

I must therefore as a taxpayer conclude that the letter from the Coalition asking for further funding for further roundups is not based on any sound economic sense. If the Coalition is **really** concerned about the health of our rangelands, they certainly need to assess it in its entirety – with the damage being done by **all** the animals. Obviously, there are greater forces at work here.

The Coalition would have you believe that citing the 1971 Wild Horse and Burros Act in their letter, the very Act put in place to protect these wild horses and burros, somehow gives them further credibility. But what the Coalition should rather be doing is to quote the Act itself - that Wild Horses and Burros are **“living symbols of the historic and pioneer spirit of the West, and that they contribute to the DIVERSITY of life forms within the Nation ... and are an integral part of the natural system of the public lands”**. These are the words decreed by the 92ndCongress and signed into law by the President of the United States of America.

Ana Maria Damas

Carson City

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Public Comment
Sent: Monday, March 4, 2024 12:08 PM
To: Briana Munoz
Subject: FW: Comment on 7A concerning Wild Horses

From: Barbara Warner <warnerbah@gmail.com>
Sent: Monday, March 4, 2024 11:33 AM
To: Public Comment <PublicComment@carson.org>
Subject: Comment on 7A concerning Wild Horses

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

The information given by Dr. Sherman Swanson , Healthy Western Lands and Coalition for Healthy Nevada Lands is completely biased and based on misinformation about our native American wild horses. DNA testing has proven they are a native species and proof of that can easily be found .Wild horses are symbiotic to ecosystems and benefit them by spreading seeds , preventing wildfires and are being used in European countries to restore ecosystems. They do not overgraze as they roam while feeding, and they do not pollute water with E. coli as cattle do.
They are protected by the 1971 Wild Free Roaming Horse and Burro Act passed by Congress. The actions proposed by the letter for the BLM Director are against this law.
Many tourists come to Nevada just to see wild horses. They are a great asset to Nevada and are a national treasure .
Barbara H. Warner, M.T. (ASCP) Retired
1955 Tatum Lane
Lebanon, KY 40033

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Public Comment
Sent: Monday, March 4, 2024 12:08 PM
To: Briana Munoz
Subject: FW: Public Comment on Agenda Item 7A

From: Bryan Rosen <bryanscottrosen@yahoo.com>
Sent: Monday, March 4, 2024 11:53 AM
To: Public Comment <PublicComment@carson.org>
Subject: Public Comment on Agenda Item 7A

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Dear Advisory Board to Manage WIldlife,

On agenda item 7A, please do not sign on to the Coalition's letter concerning wild horses, as the letter is unfair towards wild horses.

Cattle on our public lands greatly outnumber horses by a ratio of 30-1, and other than man are the major cause of land degradation. Unlike wild horses who roam around a lot, cattle tend to stay near water and poop in it.

It's unfair to vilify wild horses and ignore damage by livestock.

It's claimed wild horses are overpopulated. Not true. It's the livestock that are overpopulated.

Under the Free Roaming Wild Horses and Burro Act (FRWHBA) 50 million acres were designated for wild horses to be the principle presence. Yet 3o million of these acres have been eliminated from horses. Plenty of cattle remain in these areas where wild horses have been eliminated. Is this fair or legal?

The FRWHBA also states wild horses are an integral part of the west. Yet they are still treated like livestock instead of wildlife. Something that has to be managed. The Act states they are supposed to be left alone with minimum interference. Unfortunately, this isn't the case.

The Coalition wants more roundups which isn't minimum interference. The helicopter roundups are very cruel--Quite a few horses end up being injured and dying. The roundups severely affect the social structure of the horses. I witnessed a roundup in Nevada when the temperature was -17 F. Not humane.

Concern is expressed that overpopulation of wild horses will be detrimental to the horses's welfare. It's said the horses will starve. The same people who express such concern for the horses'

welfare don't have a problem with the cruel roundups. Nor do they have a problem with the placement of horses in holding pens after having been free. Such inconsistency in caring!

Actually, wild horses are extremely underpopulated. If we repeat a lie long enough, does it become true?

The cattle and hunting industries don't want wild horses taking away forage from species that benefit them.

It's claimed that because of the lack of predators, wild horse populations need to be controlled. Yet bounties are offered for the removal of predators in order to increase populations of deer and elk. This is to benefit hunters. The hunting industry is so powerful! It's better to not remove the predators, and let nature take its course. Having some predators is a lot less expensive than helicopter roundups.

The real reason these so called conservation groups want to reduce the number of wild horses substantially is so there will be more forage for cattle and hunted wildlife. They don't understand the benefits of wild horses, nor do they appreciate their magnificence and beauty.

It's estimated there were 30-60 million buffalo (bison) roaming the plains at one time.

Do a few thousand wild horses do more damage than millions of buffalo?

The bison were good for the land. Did they roam around like horses or sit in the water and poop like cattle?

Ranchers don't want bison spreading outside of Yellowstone. Yet the bison are a more natural part of the land than the cattle. Cattle ranchers don't want bison populations to increase and take away forage from the cattle. In order to protect the cattle industry 1,000 bison per year are shipped from Yellowstone National Park to Native American tribes for slaughter. The bison situation is very much like the situation with the wild horses. It's not about the wild horses or bisons welfare--it's about the welfare of the cattle industry.

Wouldn't it be great if there were a few million bison? The land would benefit greatly. The cattle industry would be unhappy.

Wild horses are even gentler on the land than bison, but both are good for the land. Wild horses have tremendous benefits in terms of reseeding plants and eating brush that contributes to forest fires. They are born firefighters!

Anti-horse and pro-cattle industry presentations are one-sided. A vested interest exists when money is to be made. It's important to hear both sides to arrive at the truth. Wild horse and animal welfare advocates should be given equal time in presentations.

Thank you for consideration of my comments.

Bryan Rosen

Dear Director Stone-Manning:

The undersigned members of Nevada's wildlife and natural resource conservation communities urge BLM to expand efforts to effectively address the wild horse and burro over-population (WHB) crisis on our public lands. We request that you take all actions necessary to meet the obligations of the Wild and Free-Roaming Horses and Burros Act of 1971 (WHB Act) and that Nevada (NV) be prioritized for those actions.

Prioritizing gathering and removing horses is the only feasible way to achieve Appropriate Management Level (AML) and save our arid public lands. Inadequate gathers explode populations and future budgets. Until at or below AML, fertility control is not effective in management nor cost. Once at AML, fertility control will allow limited gathers and adoptions to sustain cost effective management, while over time retiring costly long term holding pastures. We must spend what it takes now to follow the law and reduce costs in the long term.

To address this West-wide crisis we support BLM efforts to obtain additional resources and full management authorities from Congress in the FY2024 and FY2025 appropriations toward fulfilling BLM's obligation under the WHB Act. Yet recognizing that annual appropriations are not sufficient to bring success, we support a long term step by step funding plan to achieve AML in 5 years.

Nowhere is this crisis more manifest than in our state of Nevada (NV). In March, NV had 60% of the horses and burros and 65% of the 56,000 excess. Due to insufficient gathering, WHB will likely increase another 10,000 by end of this year – erasing most progress since the 2019 Path Forward — increasing negative impacts on our native wildlife and fragile arid rangeland ecosystems. We respectfully request that you prioritize Nevada for additional gathers.

We are unwilling to lose wildlife - from squirrels to mule deer, native plants, pollinators - and resiliency of our ecosystems. Current WHB management actions are inadequate to restore health to our native wildlife, our rangelands, and the horses and burros themselves. Our public lands and wildlife need BLM to take all actions necessary to meet the obligations of the ’71 WHB Act, prioritizing NV in those actions.

Yours in Conservation,
Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses and signatories

Our mission is to ensure that Nevada's lands are managed to achieve a thriving ecological balance which will result in productive and sustainable habitat for over 700 species of wildlife, free roaming horses and burros which depend on these lands.

The Nevada Association of Conservation Districts (NvACD) Nevada Association of Counties
Elko County Board of Commissioners
White Pine County Board of County Commissioners

Board of Eureka County Commissioners Lander County Board of Commissioners

Lincoln County Wildlife Advisory Board
Meadow Valley Wildlife Unlimited
The Wildlife Society, Nevada Chapter
Coalition for Nevada's Wildlife
Southern Nevada Coalition for Wildlife
Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses Theodore Roosevelt Conservation Partnership

Backcountry Hunters and Anglers, Nevada Chapter Nevada Wildlife Federation
Fraternity of the Desert Bighorn (FDB)
Nevada Bighorns Unlimited, Reno Chapter

Nevada Bighorns Unlimited, Fallon Chapter
Nevada Bighorns Unlimited, Elko Chapter
Nevada Bighorns Unlimited, Midas Chapter
Safari Club International, Northern Nevada Chapter

Safari Club International, Las Vegas Chapter National Wild Turkey Federation
Wild Turkey Federation, Nevada State Chapter Mule Deer Foundation

Muley Fanatic Foundation Sierra Front Chapter Rocky Mountain Elk Foundation
Ducks Unlimited
Nevada Waterfowl Association

Nevada Chukar Foundation Nevada Sporting Dog Alliance Nevada Bow Hunters Association Truckee River Flyfishers

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:55 AM
To: Briana Munoz
Subject: FW: Horses

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

-----Original Message-----
From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:38 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: Horses

-----Original Message-----
From: Christina Ku <cncku7@gmail.com>
Sent: Monday, March 4, 2024 9:56 AM
To: Public Comment <PublicComment@carson.org>
Subject: Horses

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

To who knows how may concern,

The roundups, export and killing of wild horses are the most deprived cruel actions that you are doing.
You are not looking out for the preservation of lands and its wildlife who call open spaces home to their existence. This planet is theirs too.
Your greed and corrupt actions to appease money, corps and animal agriculture are what make this country violent and cruel to the most innocent living beings.

People don't respect you and what you do.
Stop your violence and greed.
Chris
Sent from my iPhone

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:55 AM
To: Briana Munoz
Subject: FW: Public comment for Agenda item 7 A for the Carson City Municipality Board to Manage Wildlife for 3-5-2024 meeting
Attachments: Carson City Advisory Board to Manage Wildlife statement by C C Downer for 3-5-2024 meeting Carson City NevadaPDF.pdf

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:36 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: Public comment for Agenda item 7 A for the Carson City Municipality Board to Manage Wildlife for 3-5-2024 meeting

From: Craig Downer <ccdowner@aol.com>
Sent: Sunday, March 3, 2024 9:24 PM
To: Public Comment <PublicComment@carson.org>
Cc: CRAIG DOWNER <ccdowner@aol.com>
Subject: Public comment for Agenda item 7 A for the Carson City Municipality Board to Manage Wildlife for 3-5-2024 meeting

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

March 3rd, 2024

Carson City Municipality Advisory Board to Manage Wildlife
Carson City, Nevada

Dear Advisory Board:

Attached please find my input urging your opposition to the Coalition for Healthy Nevada Lands, Wildlife and Free-roaming Horses that is the subject of your meeting's agenda item 7 A.

This letter urges the extreme ramp up of wild horse and burro removals throughout Nevada to bring these herds down to extremely low and genetically non-viable levels that would have their basic biology interfered with in order to cater the traditional monopolizers of the public lands against whom the Wild Free-Roaming Horses and Burros Act is meant to defend them. These plans would obliterate the herds and leave crippled societies and individuals in addition to causing terrible suffering and death. This would be a real holocaust against the Nevada's greatly appreciated and beneficial wild horses and burros, as you will see explained in my 5-page input here attached for the perusal of all the board members (please supply each one with a copy). I would also appreciate your giving careful thought to my Reserve Design proposal that is the right way forward, not the highly hypocritical and smug policy being pushed by the Coalition!

I plan on attending and look forward to an elucidating discussion. Please let me now if you have any questions or concerns. Please RSVP regarding your reception of my input here.

Sincere and best wishes,

Craig C. Downer, Wildlife Ecologist
Wild Horse and Burro Fund / Andean Tapir Fund
P.O. Box 456
Minden, NV 89423
Cell: 775-901-2094

STATEMENT OF CRAIG C. DOWNER, WILDLIFE ECOLOGIST FOR CARSON CITY MUNICIPALITY ADVISORY BOARD TO MANAGE WILDLIFE (ALSO SUBMITTED TO NEVADA STATE SAGEBRUSH ECOSYSTEM COUNCIL--SEC), FOR ITS MEETING ON MARCH 5, 2024, AT THE COMMUNITY CENTER (ROBERT 'BOB' CROWELL BOARD ROOM), 851 E. WILLIAMS ST., CARSON CITY, NV 89701. PREPARED AND SUBMITTED MARCH 3, 2024, FOR DELIVERY ON MARCH 4TH & PRESENTATION ON MARCH 5TH AT MEETING.

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

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

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

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

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

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

(1) The failure to bring livestock ranching impacts into the equation and to recognize the relative proportions of livestock operations, including both cattle and sheep, upon the public lands in question. These include the effects of large-scale fencing partitioning of the public lands and its inhibition of the free-roaming lifestyles of the wild horses and burros as well as the manipulation of water and forage resources that cater primarily to the ranchers, or other public lands exploiters, and that deprives wildlife, including the wild equids, of their fair share of forage, water, shelter, and other habitat necessities required for their short- and long-term survival as well as harmonious habitat adaptation. Basically, these

interests use the wild horses and burros as “scapegoats,” or blame-takers, while seeking to divert the public’s attention from the greater truth about what is happening upon the public lands. The Public Employees for Environmental Responsibility (PEER) along with other entities, and including the U.S. Government Accountability Office (GAO see earlier reports) and the Congressional Research Service (CRS) have issued factual reports that contradict the lopsided report of Dr. Swanson and the assertions of the Coalition for Healthy Nevada Lands. These should be given all due consideration by the Sagebrush Ecosystem Council (see References).

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

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

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

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

In this regard, the SEC would do well to read an exhaustive study report indicating that horses can very justifiably be regarded as one of the very most suitable species for restoring degraded ecosystems throughout the world including in North America, their evolutionary cradle and place of long-standing evolution (see Ref. link for A Geographic Assessment…). And it is also widely recognized that the return of the equids refills a missing seed-dispersal ecological role because many of the mid- to large-sized

herbivores that performed this in the past have been hunted out or their habitats destroyed in the modern world (see Ripple et al. in Ref.). This proves their enhancement to biodiversity and ecosystem resilience – both critical factors in keeping life on Earth on an even keel in these precarious times!

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

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

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

I am a descendant of early Nevada pioneers from the mid-1800s and my ancestry traces back to 1635 to the Puritans of New England. The latter allowed me to become the proud recipient of the Daughters of American Revolution Award for Excellence in American History when I graduated from Douglas County High School here in Nevada. On Presidents' Day I have composed this input because I believe in the State of Nevada, and in the United States of America and in a greater realization of what life can be here, not just for us humans but for all the Great Rest of Life. Surely, with God's help above all else, we can learn to share the land and freedom with such wonderful species as the horses and burros, species that have done so much for us humans … so, now, isn't it high time we do something truly good for them?!

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

Sincerely,

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

References:

https://www.researchgate.net/publications/281822984_A_Geographic_Assessment_of_the_Global_Scope_for_Rewilding_with_Wild-Living_Horses_Equus_ferus

Ripple, W.I. et al. Science May 2015. Collapse of the world's largest herbivores. http://advances.sciencemag.org/content/1/4/e1400103.full

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

https://lrgaf.org/Endangeredmustangs.htm. See my illustrated report.

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

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

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

https://www.researchgate.net/publication/274006946-The-Horse-and-Burro-as-Positively-Contributing-Returned-Natives-in-North-America

https://www.researchgate.net/publication/353317205_REPORT_ON_CARBON_SEQUESTRATION_BY_HORSES_BURROS_AND_THEIR_ORDER

https://www.researchgate.net/publication/353317432_REPORT_ON_WILD_HORSE_HERDS_AND_HABITATS_IN_WESTERN_UTAH_and_EASTERN_and_CENTRAL_NEVADA_WITH_FOCUS_ON_UTAHS_SULPHUR_and_CONGER_HERD_MANAGEMENT_AREA/

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

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

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

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

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

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

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

Odadi, W. & D.I. Rubenstein. 2011 (Aug). Facilitation between Bovids and Equids on an African Savanna. *Evolutionary Ecology Research.* https://www.researchgate.net/publicaton/239848265_Facilitation...

Vincent, Carol. 2009. Wild Horses and Burros report for the Congressional Research Service 7-57. At https://www.crs.gov

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Rachael Evanson
Sent: Monday, March 4, 2024 11:06 AM
To: Briana Munoz
Subject: FW: Wildlife Advisory Committee meeting March 5th

From: Heather ODonnell <heatherodonnell@yahoo.com>
Sent: Sunday, March 3, 2024 8:01 AM
To: Stacey Giomi <sgiomi@carson.org>
Subject: Wildlife Advisory Committee meeting March 5th

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Hello! I am a resident of Carson City, Ward 1 and out of town trying to voice my support of the wild horses in Washoe Valley, Carson City and the Mound House areas. There is an advisory meeting on Tuesday March 5th but not one member lists an email so please forward this to the Wildlife Advisory Board for their meeting. Thank you!

I work with the Virginia Range Wildlife Protection Association and this organization of dedicated individuals do time-consuming work to keep the horses safe and implement the birth control program. Having horses in holding pens is not the solution. Please work with wild horse advocacy groups to continue the birth control program and expand it to other areas.

Thank you,
Heather O'Donnell

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:55 AM
To: Briana Munoz
Subject: FW: Public comment
Attachments: Carson City Advisory Board to Manage Wildlife statement by C C Downer for 3-5-2024 meeting Carson City NevadaPDF.pdf

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

-----Original Message-----
From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:38 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: Public comment

-----Original Message-----
From: James Kleinert <jameskleinert@icloud.com>
Sent: Monday, March 4, 2024 5:42 AM
To: Public Comment <PublicComment@carson.org>
Cc: Craig Downer <craigcd@outlook.com>
Subject: Public comment

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

I support the attached letter from Craig Downer to Carson City Advisory Board.

Thank you,

James Kleinert

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Public Comment
Sent: Monday, March 4, 2024 12:08 PM
To: Briana Munoz
Subject: FW: Wild Horse & Burros

From: The Wrights <wrgtbook@yahoo.com>
Sent: Monday, March 4, 2024 11:41 AM
To: Public Comment <PublicComment@carson.org>
Subject: Wild Horse & Burros

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Hi Craig, Here is my letter which I will send ASAP. Hope it does some good. You can add my name to the petition. Cheerio, Karen Wright aka Juniper Rose

March 2, 2024
Carson City Municipality Advisory Board to Manage Wildlife
Re: Comment on item 7A: For Possible Action: Wild Horses and Burros
Dear Sir/Madam:

Every time I receive another notice that BLM, et al. are considering mass reduction of the feral/wild horse and burro population, I get very annoyed. I had three very small herds that visited my land in Virginia City all the time and I loved them. People move here from the big cities to "get away from it all" then plant lawns, and waste water and complain when the wild horses come to nibble.

These animals have been roaming free in the United States and have been an important component of American life and culture since before the founding of the nation; since before the Conquistadores brought them from Spain in the late 1400s – way before cattle ranchers and sport killers/hunter arrived. About 1550, horses escaped from Mexico to migrate north and south to become part of the wildlife of the US. They have been here since long before any of we white landgrabbers arrived in the world. I could go on for a long time about the history of how the horses and burros were instrumental in the lives of the Native Americans whose lands we stole, and the settling of the west and how our present Equidae have given so much to this country.

Obviously, they need to be controlled to some extent but wiping 60% of them out is not an answer. And cooping them up in cramped corrals is not either. I don't have all the answers, but I think instead of rounding them up and killing them or selling them so that French people can eat horse meat is not IT!!! Perhaps the ranchers and hunters should take this into account when they whine about how the horses are getting in the way of their profits. There is plenty of room in the vast west for wildlife, (and these animals ARE wildlife) if we would stop paving over and building houses in the middle of the desert and mountains.

Thank you,

Junper Rose, Carson City, NV

- ***"Dogs do speak, but only to those who know how to listen."***

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:55 AM
To: Briana Munoz
Subject: FW: item 7 A: For Possible Action: Wild Horse and Burro Letter.

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:37 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: item 7 A: For Possible Action: Wild Horse and Burro Letter.

From: Kathryn Bricker <brickerkathryn@hotmail.com>
Sent: Sunday, March 3, 2024 10:03 PM
To: Public Comment <PublicComment@carson.org>
Subject: item 7 A: For Possible Action: Wild Horse and Burro Letter.

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Advisory Board Members,

Please oppose the actions suggested in the Wild Horse and Burro letter from the Coalition for Healthy NV Lands.

It is an offense to any right-thinking person that these actions would be taken against such iconic species revered by so many Nevadans.

Kathryn Bricker

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:54 AM
To: Briana Munoz
Subject: FW: PUBLIC COMMENT to Advisory to Manage Wildlife March 5 5:30 meeting

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:36 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: PUBLIC COMMENT to Advisory to Manage Wildlife March 5 5:30 meeting

From: laura@lauradanaedesigns.com <laura@lauradanaedesigns.com>
Sent: Saturday, March 2, 2024 4:55 PM
To: Public Comment <PublicComment@carson.org>
Cc: Laura@LauraDanaeDesigns.com
Subject: PUBLIC COMMENT to Advisory to Manage Wildlife March 5 5:30 meeting

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Greetings,
Please accept my public comment re issue 7a: to sign on to letter addressed to BLM Director Tracy Stone Manning.
Please acknowledge receipt of this letter/email.
Please also include this in your meeting minutes.
Thank you,
Laura Fuson

March 4, 2024

TO: Carson County Advisory Board to Manage Wildlife

RE: Tuesday March 5 2024 5:30 PM meeting
Item 7a. Discussion on signing the Wild Horse Burro letter for more federal funds.

Dear Advisory Board:
Daniel Thompson, Corbett Fleming, Stephan Stewart, Robert Boehmer, Tim Wilson

I am writing today to express my opposition to signing the letter to BLM National Director Tracy Stone Manning requesting more financial assistance to round up MORE wild horses and burro off Nevada Herd Management Areas. Currently there are 10,000 horses slated to be round up in 2024. This letter is asking for ***more*** funds and more round ups.

There is a BETTER way! Reestablish HMA's with accurate updated research!
The Herd Management areas are not utilized to their full potential and are mismanaged.
Some of these HMA's are over populated, some are absent of any horses, while more are at their achieved populations.
A separate agency needs to be formed --separate from BLM--- appointed by the government to manage Nevada's biggest wildlife issue. Taking more horse/ burros off the land and penning them for years is not cost effective and a major hit to government spending.

There is a BETTER Way! A solution……
Through private and public herd management programs (sanctuaries) these penned wild quines can be maintained and actually useful in our conservations of land. They can graze on grasses that support wildfires and managed for population control. Holding pens can be removed and the land reused for horse related education, open space recreation and destination vacations. Horse adoptions can not fulfill the 10,000 plus currently penned. Our native horses are recognized and followed by people all over the world! All eyes are on BLM management and the cruel helicopter roundups.

There is a BETTER way! HMA's must be reassessed and horses rewild to specific areas!
PLEASE stop kicking the can down the road and continue this management for extinction. Approving this letter is not solving any detail of wildlife management.
Do not allow mining, cattleman and big game hunters to sway you. Recognize this letter from the "Coalition for Healthy Nevada Lands" as the misrepresented, outdated nonfactual entity it is.
The public is very aware of the collusion going on with these groups.
If you support this letter signing –you are just as complicit.

Sincerely,

Laura Fuson
Carson City, NV
Laura@LauraDanaeDesigns.com

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Public Comment
Sent: Monday, March 4, 2024 12:07 PM
To: Briana Munoz
Subject: FW: Public comment@ Carson.org.

-----Original Message-----
From: Michael Bell <brooklynboymike@gmail.com>
Sent: Monday, March 4, 2024 12:00 PM
To: Public Comment <PublicComment@carson.org>
Subject: Public comment@ Carson.org.

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

In regard to a request by ranchers, hunters, et al to round up wild horses and burros in Nevada to be killed by the BLM, that is not what I want my federal tax money to be used for. I am sending my outrage to the present administration, including President Biden, and will make every effort to establish a coalition of American Citizens to cease paying taxes for any entity that gains a monetary advantage through the annihilation of wildlife and or the destruction of the environment.
Respectfully,
Michael Bell
Michaelbellvoices.com
Sent from my iPhone

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Dear Carson City Advisory Board to Manage Wildlife,

My name is Nicole Hayes, and I am the American Wild Horse Campaign's (AWHC) Conservation Scientist. AWHC is the nation's leading wild horse conservation organization and operates humane wild horse management and habitat conservation programs in Nevada.

These comments are submitted on Agenda item 7.A, in opposition to the sign on of the Coalition for Healthy Nevada Lands (CHNL) letter to Tracy Stone-Manning requesting the removal of 43,000 horses over the next 5 years. CHNL's request is inhumane, wasteful and creates an undue financial burden on the American taxpayer.

The Bureau of Land Management (BLM), among others, often reference that the wild horse population was near the national Appropriate Management Level (AML) in 2007 but has increased since then. Why? The increase began during the great recession of 2008, during which the BLM halted almost all range management, and this lack of management allowed populations to be where they are today. This is not just a concern of the past; models released this month by Business Insider show an 85% chance of a recession in 2024.

(https://www.businessinsider.com/recession-outlook-financial-crisis-economy-federal-reserve-yield-curve-rosenberg-2024-2).

Supporting mass gathers where tens of thousands of animals would need to be placed in long term holding could create a financial disaster for the agency in the event of a recession. Additionally, utilizing roundups as the only form of 'management' could be halted due to lack of funding, further perpetuating the continuous cycle of ineffective management. Instead, requesting that the BLM implement robust fertility control NOW not only prevents population growth, but ensures infrastructure to manage these herds in the long term. Fertility control treatment is 96.8% less expensive than removing that same animal from its habitat and caring for it in long-term holding. Taxpayers would potentially be spared hundreds of millions of dollars over the next five years if the agency focused on fertility control over removals of wild horses.

Concern has been raised over environmental degradation due to high horse density. Of the 69.3 million acres that were originally designated for wild horses in the early 1970s, which was intended by law for these horses, more than 61% of that land has been taken away from them. Of that original 69 million, 42 million acres are managed as Herd Areas (HAs), which are '*managed for zero horses*', leaving only 26 million acres 'available' for horses today. All the while, cattle grazing is currently being allowed on 155 million acres of public lands.

In terms of land health, only 108 million acres of this land available to livestock has ever been assessed for current Land Health Standards. Of the acres that have been assessed, 50% have failed to meet Land Health Standards, with 72% of failures attributed to livestock grazing. If this was truly about taking the biggest steps towards healthy rangelands, why are we singling out wild horses with such fervor, when there is clearly a larger systematic problem affecting millions more acres?

Finally, if the density of wild horses in a given area is a concern, then why are wild horses not being put back on HAs while robust fertility programs could be implemented to prevent unsustainable population growth? This would allow a lower density use of sensitive riparian areas, while saving the taxpayer millions of dollars. Remember, the BLM itself has estimated that a single animal in long-term holding, over the course of their lives, will cost just under $50,000 - and that was before inflation.

Although we all want healthy wild horses on healthy lands, solutions should be aimed at addressing the root cause of environmental degradation – specifically livestock grazing on our public lands. Until we stop ignoring the BLM's own disclosures about failing Land Health Standards, millions of taxpayer dollars will continue to be wasted on programs aimed at scapegoating wild horses.

Sincerely,

Nicole Hayes

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:55 AM
To: Briana Munoz
Subject: FW: 7a

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:37 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: 7a

From: Pauline St Denis <psd@paulinestdenis.com>
Sent: Monday, March 4, 2024 5:07 AM
To: Public Comment <PublicComment@carson.org>
Subject: 7a

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

comment on item 7 A: For Possible Action: Wild Horse and Burro Letter.

Pauline St Denis Photographer l, also visitor of NV for the sole purpose of photographing our iconic wild mustangs on their land. What is happening in NV is a horror show of terror put into motion by private ranching entities pressure on the state of NV to drastically reduce and eradicate wild horses for their private interests, ranching and mining.

The presentation to SEC by Dr. Sherman Swanson entitled "Sustaining Land and Wild and Free-roaming

Horses, and Burro Health" for consideration at the SEC meeting of 2-22-2024 along with the handout in

the meeting agenda from Healthy Western Lands about the wild horses as well as Coalition for Healthy

Nevada Lands' letter which is now before the Carson City Municipality Advisory Board to Manage

Wildlife for its endorsement are very aggressive pronouncements that portray Nevada's wild horses and

burros as destructive misfits that must be controlled and limited to the maximum, similarly to domestic

livestock. These documents are very misleading and incomplete in their treatment of the subject. If this

accelerated wild horse and burro removal plan is adopted it will have a devastating effect on the already overly reduced and unnaturally altered wild horse and burro herds and their legal natural homes, or habitats. I Have photographed horses in their natural habitat .This point of view neglects the BLMS own data. Their points, pictures, and graphs are very tendentious in that they promote an agenda that portrays the naturally living horses and burros as destructive, invasive non-natives and proceed to fix the blame upon them .These claims have lost sight of the fact Livestock grazing is the single most ecologically destructive activity happening in the Western United States today.

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

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

(1) The failure to bring livestock ranching impacts into the equation and to recognize the relative proportions of livestock operations, including both cattle and sheep, upon the public lands in question. These include the effects of large-scale fencing partitioning of the public lands and its inhibition of the free-roaming lifestyles of the wild horses and burros as well as the manipulation of water and forage resources that cater primarily to the ranchers, or other public lands exploiters, and that deprives wildlife, including the wild equids, of their fair share of forage, water, shelter, and other habitat necessities required for their short- and long-term survival as well as harmonious habitat adaptation. Basically, these

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interests use the wild horses and burros as "scapegoats," or blame-takers, while seeking to divert the public's attention from the greater truth about what is happening upon the public lands. The Public Employees for Environmental Responsibility (PEER) along with other entities, and including the U.S.

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

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

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

Another oversight is overlooking the history of overgrazing of areas by the latter, particularly domesticated cattle and sheep when ascribing blame for overgrazing upon the wild horses and burros.

And it is precisely these areas where government agencies, succumbing to pressures, tend to relegate the wild equids – contrary to their duty under the WFHBA! This is the case with some of the photos that are in the presentation of Dr. Swanson.

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

In this regard, the SEC would do well to read an exhaustive study report indicating that horses can very justifiably be regarded as one of the very most suitable species for restoring degraded ecosystems throughout the world including in North America, their evolutionary cradle and place of long-standing evolution (see Ref. link for A Geographic Assessment…). And it is also widely recognized that the return of the equids refills a missing seed-dispersal ecological role because many of the mid- to large-sized

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herbivores that performed this in the past have been hunted out or their habitats destroyed in the modern world (see Ripple et al. in Ref.). This proves their enhancement to biodiversity and ecosystem resilience – both critical factors in keeping life on Earth on an even keel in these precarious times!

(3) Based on past history, I believe that the presentation by Dr. Swanson, the handout, and the letter from the Coalition for Healthy Nevada Lands are not really about preserving truly healthy and genetically viable herds of wild horses and burros in Nevada. Rather, they are about absolutely minimizing these herds – and eliminating them altogether wherever possible – so as to accommodate prevailing monopolies on the public and associated lands. These include livestock, big game hunting, OHV, mining, energy, residential and agricultural land development, and other nature exploiters. The claim that further slashing, i.e., largely eliminating, Nevada's wild horse and burro populations by 75% is necessary and for the good of the public land ecosystems and the wild horses and burros themselves while

ignoring the real major factors – is outrageous! I'm exhausted at the blatant efforts of Private interests over public wants It is an attempt to whitewash what is, in fact, a plan to

greatly cripple the wild horses and burros – to get them "out of the way" and to eradicate them altogether . They serve to be

truly thriving, well-integrated, naturally and freely living and roaming presences in Nevada and

the West. This thinly disguised plan seeks to subvert the WFHBA's true spirit and intent that is for the

wild equids themselves and the public who appreciate them!.I am a person who travels to NV to photograph and enjoy wild horses.

(4) For the above and numerous related reasons, I urge the Carson City Municipality Advisory Board to

Manage Wildlife to not endorse the Coalition for Healthy Nevada Lands' pretentious letter to the

National BLM Director Tracy Stone-Manning. In urging an acceleration of wild horse and burro removals

from their legal public land habitats, where they have already and in recent years been drastically

reduced, this policy would terribly cripple the natural lifestyles, social cohesion, and ecosystem

adaptation that have been generations in the making by these adaptable equids! By law in their legal

habitats on BLM and US Forest Service lands, the mustangs and burros are supposed to be the principal

presences and resource recipients, not shamelessly marginalized! This would be similar to what

happened to America's Native Americans who suffered the dire consequences of the egregious "broken

treaties". The major herd reductions clearly disrupt mature social structures of the equids as well as their

natural, niche-filling processes that do in fact enhance the ecosystems they occupy, including the

Sagebrush Steppe and habitats of the Greater Sage Grouse (see my reports in Ref.). And the wild horses

and burros also combat Global Heating and often prevent catastrophic wildfires (see my study article in

Ref.), as well as embellish Nevada and the West while and uplifting our spirits and the whole "vibe" of

this amazing place!

(5) Self-stabilization by means of allowing mature social bands to form and ecological niches to be filled

along with the ecosystem enhancement including biodiversity these entail when left to realize

themselves would stabilize Nevada's mustang and burro populations. These should be allowed to

proceed and be coupled with an overarching and positive, wild-equid-valuing Reserve Design strategy. Proposed by Craig Downer as a professional wildlife ecologist who knew and worked with Wild Horse Annie.

These involve Reserve Design about which you can learn more at this link:

https://www.gofundme.com/mstngreservedesign as well as in some of the books and articles listed

below. Along with many other compassionate people of nature-oriented progress, I believe that the very

progressive vision of the WFHBA for humans' learning to share the land and freedom with truly long-

term-viable and ecosystem-well-integrated horses and burros can be realized in America. So much that is

truly good and life-saving, as opposed to life-destroying, depends on our doing just this! And this would

truly "make America great again"!

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I also support the Official Wild Horse fire brigade.

After seeing photographs of fellow advocate of the Carson City round up - I felt it is necessary to comment FOR our wild horses. I am an American tax payer and stake holder in our public lands, I support the Wild horse and burro protection act and to also quote a true American conservationist who lived during a time of great exploitation and greed very similar to the present time "Defenders of the short-sighted men who in their greed and selfishness will, if permitted, rob our country of half its charm by their reckless extermination of all useful and beautiful wild things sometimes seek to champion them by saying the 'the game belongs to the people.' So it does; and not merely to the people now alive, but to the unborn people. The 'greatest good for the greatest number' applies to the number within the womb of time, compared to which those now alive form but an insignificant fraction. Our duty to the whole, including the unborn generations, bids us restrain an unprincipled present-day minority from wasting the heritage of these unborn generations. The movement for the conservation of wild life and the larger movement for the conservation of all our natural resources are essentially democratic in spirit, purpose, and method." Theodore Roosevelt. Nevada public lands and horses belong to all Americans. The law deserves to be upheld and the horses should remain. They are the west.

Pauline St Denis
9175414245
150 east 18 th street 8p
NYC, NY

Sent from Gmail Mobile "If future generations are to remember us with gratitude rather than contempt, we must leave them something more than the miracles of technology. We must leave a glimpse of the world as it was in the beginning, not just after we go through with it." President Lyndon B. Johnson, on the Wilderness Act of 1964...

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:55 AM
To: Briana Munoz
Subject: FW: comments for 7a) wild horse action

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:37 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: comments for 7a) wild horse action

From: Pauline St Denis <psd@paulinestdenis.com>
Sent: Monday, March 4, 2024 5:28 AM
To: Public Comment <PublicComment@carson.org>
Subject: comments for 7a) wild horse action

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comment : Pauline St Denis photographer
We are encountering a formidable crisis with the Wild Horses and Burros in Nevada. This attack, if successful, would cause a drastic reduction in wild horse numbers, many deaths and thousands of incarcerated horses. A group calling themselves the Coalition For Healthy Nevada Lands, Wildlife and Free-Roaming Horses is appealing to any entity or organization to sign on to a letter to the BLM Director, The Honorable Tracy Stone-Manning, requesting substantially more funds so they can be used for widespread wild horse and burro roundups. The many entities already signed on include big ranchers, hunters and any group in direct competition to grazing rights on public lands.
I vehemently oppose their statements claiming horses are non native and destructive. Science has proven this wrong. The Coalition for healthy Nevada lands neglects to mention Livestock grazing is the single most ecologically destructive activity happening in the Western United States today.

Wild horses have a historical right to territories designated and protected by acts of Congress. I as an American Tax Paying Stakeholder in NV public lands and our public lands oppose the Coalition's statements. Wild horses have a LEGAL right on our public lands they in fact improve public lands and They creat tourism and many positive points.

Now is the time to stand up for Nevada's legacy and history. Theclaim that

further slashing, i.e., largely eliminating, Nevada's wild horse and burro populations by 75% is necessary

and for the good of the public land ecosystems and the wild horses and burros themselves while

ignoring the real major factors – is outrageous! I'm exhausted at the blatant efforts of Private interests over public wants It is an attempt to whitewash what is, in fact, a plan to

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the West. This thinly disguised plan seeks to subvert the WFHBA's true spirit and intent that is for the

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adaptation that have been generations in the making by these adaptable equids! By law in their legal

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presences and resource recipients, not shamelessly marginalized! This would be similar to what

happened to America's Native Americans who suffered the dire consequences of the egregious "broken treaties" I think the great Theodore Roosevelt hit the nail on the head here "

Defenders of the short-sighted men who in their greed and selfishness will, if permitted, rob our country of half its charm by their reckless extermination of all useful and beautiful wild things sometimes seek to champion them by saying the 'the game belongs to the people.' So it does; and not merely to the people now alive, but to the unborn people. The 'greatest good for the greatest number' applies to the number within the womb of time, compared to which those now alive form but an insignificant fraction. Our duty to the whole, including the unborn generations, bids us restrain an unprincipled present-day minority from wasting the heritage of these unborn generations. The movement for the conservation of wild life and the larger movement for the conservation of all our natural resources are essentially democratic in spirit, purpose, and method."

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LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Kaeli Biggin
Sent: Monday, March 4, 2024 10:55 AM
To: Briana Munoz
Subject: FW: Advisory Board to Manage Wildlife, Tuesday March 5, Agenda Item #7A

Kaeli Biggin-Office Specialist
Carson City Clerk's Office
885 E. Musser Street, Suite 1032
Carson City, NV 89701

From: Public Comment <PublicComment@carson.org>
Sent: Monday, March 4, 2024 10:38 AM
To: Kaeli Biggin <kbiggin@carson.org>
Cc: Hope Mills <HMills@carson.org>
Subject: FW: Advisory Board to Manage Wildlife, Tuesday March 5, Agenda Item #7A

From: Robyn Orloff <robyn.orloff@icloud.com>
Sent: Monday, March 4, 2024 10:09 AM
To: Public Comment <PublicComment@carson.org>
Subject: Advisory Board to Manage Wildlife, Tuesday March 5, Agenda Item #7A

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Please include my Public Comment in Agenda #7A. For Possible Action: Wild Horse and Burro Letter

And please include it, in its entirety, in the meeting minutes.

Thank you.

I urge you to vote to "NOT SUPPORT", not 'sign on' this letter.

With this public comment, I am protesting the Coalition's (for Healthy Nevada Lands, Wildlife and Free-Roaming Horses) letter - and its request for more appropriations for more Wild Horse round ups — without acknowledgment of any other impacts by animals or human use, to our BLM land. And, IMO, implied is that these increased appropriations would go to more Helicopter and wrangler round ups — which have proven to be (and continue to be) brutal and inhumane. **I object to my tax money being thus appropriated — past present or future.**

I ask instead, that my tax money be used for in-depth (and unbiased) evaluation of ALL impacts of ALL uses and users -- and their RELATIVE impacts — on our Sagebrush Ecosystem and its riparian areas. Include ALL Recreational uses — camping, hiking/exploring, OHVing (Rock Crawlers, Wheelers, dirt bikers, SxSs); Hunting; Mining; Cattle and other Livestock Grazing; Solar/Windmill Farms; Military.

I ask WHY the Coalition blames the horses for most (if not ALL) the impacts to the riparian and sagebrush ecosystem — without consideration of ALL these above listed other users/uses on our BLM lands? Pretty simplistic analysis they did? What about the Cattle (and other livestock) — that graze in greater numbers than the Wild Horses and Burros? So, the OHVers — motorized vehicles — cattle — livestock — hunters —even hikers — **don't** trample pollinators and native plants and riparian areas? and **don't** chase/scare up mule deer and little critters? ONLY the Wild Horses? What planet is the Coalition on?

And who is/are the Coalition? The letter has no signature, no contact information, no literature cited or included. Where are their facts coming from? Who are their researchers? From where are they getting their information? Seems like all their 'sign-on-ers' talk the same talk: without thinking critically or independently?

I urge those who are charged with managing our public land for our use and enjoyment — to say YES to honor and appreciate ALL the land's inhabitants and uses: allow us to farm it — graze it — extract from it what we need and use for our many needs and wants — recreate in and on it — enjoy its beauty and natural resources, and its history and heritage (Wild Horses, Cattle grazing/ranching, ghost towns/cemeteries and old mining sites). **BUT carefully and efficiently manage it — to come up with practical and fair solutions — so it thrives. BUT**, it MUST BE **appropriately managed.** Yes to Cattle grazing, and yes to Wild Horses and Burros, and yes to OHVs and all kinds of recreation, and yes to mining and solar and wind, and yes to Hunting, and yes to Military. And yes to protection of our private property from impacts of any/all of these. And yes to public safety — keep the horses and cattle off our public roads and highways. **BUT NO to all those millions spent on the brutal inhumane helicopter roundups. YES to better management practices and humane workable fair solutions to impacts.**

What about identifying and securing the HMAs — keeping the cattle and other livestock out of them? And identifying and securing appropriate Cattle and other Livestock Management Areas — separate from the HMAs. Then hire unbiased (including Independent Contractors/Ecologists) to compare the impacts in horse vs cattle areas, and other use areas. Let's get some reproducible, unbiased, and accurate facts re where/what the damage is coming from. And what the real numbers are. And how the land can realistically support what numbers of wild horses / cattle. AND THEN use our tax money to restore/rehabilitate impacted areas, rotate areas as needed for 'rest'. Use Reserve Design and Rewilding principles, as appropriate. **Responsibly manage all the uses on our BLM land with the emphasis on humane management and natural resource integration and repair, not mass elimination.** We have so many positive tools, and knowledgeable professionals in our ranks. Let's use them.

Isn't Nevada big enough to fairly include all our Nevadans' special interests (managed effectively). 48 million acres. Certainly that is enough to manage our Wild Horse and Burro populations? — with plenty of room left over to be shared with all the above users/uses? With thoughtful intelligent humane management? Our BLM land is for all of us taxpayers. How can we co-exist and co-habit, all benefitting - while protecting, preserving, conserving our land? I look to you all (including the public out there) to come up with viable solutions to protect our sagebrush ecosystem — and our recreational and commercial/industrial use/enjoyment of it

. And let's be creative: **YES** to promoting the Wild Horses in ecotourism, well known and much loved - around the World — to make money for Nevada, rather than spend it on inhumane round-ups and a life of captivity in corrals. Those millions of dollars used to Helicopter-terrorize our Wild Horses, could be better spent on better evaluation and management — of ALL the impacts on our BLM land.

Be fair. Be humane. Be honest. Be transparent. Have integrity (of thought and heart). Think outside of the box. Do not support, sign-on this Coalition letter.

BOTTOM LINE — APPROPRIATING FUNDS FOR THE HELICOPTER ROUNDUPS MUST STOP. THEY ARE NOT THE SOLUTION. THE BELOW IS MY STRONG AND PASSIONATE OBJECTION:

I came out West years ago, like so many people before me, and in 1982 I discovered and fell in love with the high desert of Nevada. Endless land fringed with rugged mountains presented me with unlimited opportunity to explore. Now, I call this majestic place home.

We Nevadans pride ourselves on our Western themes: painted, sculpted and displayed all over town and in gift shops - the Pony Express, the Wells Fargo Stagecoaches, the colorful cowboys and cowgirls, the rodeos, the miners. All these

historic and pioneering symbols we love have but one thing in common – the horse (and the burro of course). And let us remember, the horses (and burros) brought settlers out west, worked our fields, were our companions, worked our mines, fought our wars, and lost their lives – with and for us.

Last July, however, the wild horse roundups began in earnest. I read and watched as herds of horses, some with foals desperately trying to keep up, were being chased by helicopters in 100-degree weather. Some poor horses dropped down dead from excessive heat and exhaustion, dehydration. Other horses broke their backs and legs, hips and shoulders, as they tried to escape or were mis-handled. Foals who could not keep up with their mothers because they were too young were left behind. We are not talking about a few horses either, each day dozens more horses died! And so it was that I read of these stories about my home in utter disbelief!

I thought surely it could not be so, we are after all a nation with animal cruelty prevention laws. Surely it could not be happening in a State that in many respects owes its very existence to the horse. And, as I read on, I came across countless domestic and international publications about the cruelty that was being perpetrated against these wild horses in Nevada. From the western most state of Hawaii (Honolulu Star) to our east coast (NBC News), ALL the major news outlets were carrying this story. And portrayed in NYC's Times Square, for all - visiting from all over the world - to see.

No longer were Nevadans being seen, around our own nation and the world, as proud upstanding citizens honoring our wild horses – but as people who are in fact brutalizing them. I keep holding on to the belief that this somehow is an aberration, but I am repeatedly shocked yet again. Instead of correcting this awful practice it is continuing unabated, and escalating.

I come as a Nevadan, an ashamed Nevadan, urging that this horse brutality be stopped, NOW.

How on earth can the Coalition be asking for more money to perpetuate this abuse? How can the Coalition insist that the Wild Horses and Burros are the main and only impacts. Why are individuals and organizations who should be objective and base their opinions on empiricism and facts, go along with/regurgitate this as fact? I hope you will not sign on to this letter, acquiescent to the definitive inhumanity it promotes and IMHO the questionable science.

Thank you for listening.

Robyn Orloff, NV resident and taxpayer

Robyn.orloff@icloud.com; 775-240-5142

Carson City, NV

Submitted March 4, 2024

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

"The Greatness of a Nation Can Be Judged By The Way It's Animals Are Treated"
Mahatma Gandi

March 3, 2024

Advisory Board to Manage Wildlife

Re: Advisory Board to Manage Wildlife Meeting March 5, 2024
851 East William St, Robert Crowell Board Room, Carson City, NV 89701
AGENDA ITEM #7.A – Coalition for Healthy Nevada Lands Letter to Tracy Stone-Manning, Director BLM

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

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

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

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

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

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

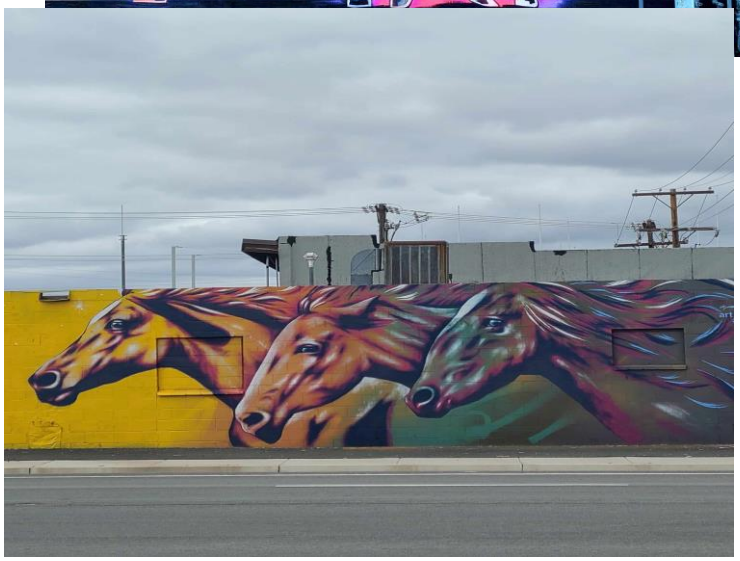
For all these reasons I **Strongly Oppose** support of the Coalition For Healthy Lands Letter to Tracy Stone-Manning, any further roundups and anyone else who supports the roundups. The wild horses are a BENEFIT to our state in the way of Tourism, Business, Art, Enjoyment, Mental Health, Quality of Life,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

Keep Nevada Wild and Free!!!

Taunee Jensen
5th Generation Nevadan – Taxpaying Citizen

cc: Tracy Stone-Manning, Director, BLM








wildHORSE
Adventures of Nevada

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

American Wild Horse Conservation

March 1, 2024

Greetings Board,

My name is Tracy Wilson and I am the Nevada State Director for American Wild Horse Conservation.

I, and American Wild Horse Conservation, urge the Board to decline to sign onto this letter, which just endorses the continuation of federal mismanagement and misuse of taxpayer funds. Instead, the BLM should be asked to immediately reallocate funds to increase meaningful fertility control application on the range, and seek the funding to continue to do so.

It has been stated that wild horse and burro populations need to be reduced to AML before fertility control will work. However, continuing to round-up wild horses en masse, while waiting to get to AML is not only proven to be counterproductive to the BLM's goals, but it's costing taxpayers millions.

It's been 10 years since the National Academy of Sciences was paid by the BLM to evaluate and they recommended robust fertility control as a strong management tool. I'd like to remind everyone of a couple of their findings.
1) "Removals are likely to keep the population at a size that maximizes population growth rate, which in turn maximizes the number of animals that must be removed and processed through holding facilities."
And 2) "In the short term, more intensive management of free-ranging horses and burros would be expensive. However, addressing the problem immediately with a long-term view is probably a more affordable option than continuing to remove horses to long-term holding facilities."

Yet… over ten years later this failing removal cycle continues, costing the taxpayers millions of dollars per year.

The BLM needs to use **scientifically proven** fertility control in a meaningful way. Used even when a population is over AML, every birth prevented with fertility control is one less horse removed, requiring taxpayer funding to be held in long-term holding for its lifetime.

We've already seen that fertility control works on a larger scale in the world's largest wild horse fertility control program here on the Virginia Range. As published in the journal *Vaccines* this year, within four years, population coverage surpassed 70% and was associated with a 58% reduction in foaling, with only a 10% conception rate. As of the close of 2023, foal births have now been reduced by 66%. While some may say a program like this can only be implemented in a herd that is acclimated to humans, many of the VR horses live high on the range where they are quite afraid of people. And yet

our volunteer team continues to trek into those wild areas to treat mares. If they can do it, imagine what can be done on a larger scale, with more resources.

BLM's own listed fertility control treatment target for FY2023 was 1,346, which was not met.

In 2023 alone, we administered fertility control to 1,178 mares on the Virginia Range. Through a local partnership, we've reignited and supported delivery of fertility control to mares on the Pine Nut Mountains HMA. And we have just started administering fertility control to mares in the Cedar Mountain HMA in Utah.

The BLM **NEEDS to** take measured steps to reallocate resources and scale fertility control up. If we are to finally have a truly humane, sustainable, tax-efficient, and **supported** program, there has to be a significant change in priority towards on-range management.

Following the plan in this letter simply kicks the issue 5-10 years down the road and costs the taxpayers millions without positive result. Without meaningful fertility control, it is doing the same thing that's been done for 50 years and expecting a different result.

It is worth noting that the Douglas County Board to Manage Wildlife voted to take no action on this letter due to the lack of transparency of the Coalition for Healthy Nevada Lands as a group or organization and how they spend donations (they are not registered with the Nevada Secretary of State and no information is available on their website).

Please vote no.

Thank you for your consideration,

Tracy Wilson
Nevada State Director
American Wild Horse Conservation
twilson@americanwildhorse.org

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

To the Attention of The Advisory Board to Manage Wildlife:

My name is Lisa O'Sullivan, and I am a resident of Reno, Nevada (Washoe County). I want to state as strongly as possible that I am 100% against the removal of any of our wild horses from the Virginia Range or any Bureau of Land Management horses in our Nevada Regions. These beautiful creatures are a treasure and a very historical part of our region. I am providing a list of some of the major objections I have with regards to the BLM Roundup proposal:

- The people of Nevada take great pride in our wild horses. Recent polls have shown that 80% of our residents want them protected.
- With over 60,000 wild horses already in holding facilities the BLM is already burdensomely overloaded. The plan to add nearly 20,000 wild horses to this system in 2024 is fiscally irresponsible and unmanageable. This is insane, ludicrous and irresponsible. Most taxpayers do not want to be funding this. These horses live miserable lives in these holding facilities and are not even provided shelter from the elements!!
- There is no viable adoption market in place that would lead to humane outcomes for wild horses and burros. This means that thousands of wild horses and burros will be held in incredibly expensive holding facilities. This detrimental outcome provides yet another outlandish government bill for taxpayers to swallow.
- Roundups are the source of the problem and in no way a solution. They are cruel and deadly! The BLM and other anti-horse organizations actions only exacerbate the population issue they claim to solve. In areas where roundups occur, the wild horse and burros populations actually increase at a faster rate due to compensatory reproduction.
- It's been over 10 years since the National Academy of Sciences recommended robust fertility control as a strong management tool. Humane alternatives do exist. I would like to see the BLM initiate a program that uses scientifically proven fertility control in a meaningful way. I believe it would prove to be a more cost-effective solution and a better alternative to round-ups. It is way less expensive to use fertility control.
- Removing thousands more wild horses and burros and funneling them into holding facilities is fiscally irresponsible and it goes against the spirit of the Free-Roaming Horses and Burros Act.
- Without meaningful fertility control, the roundups recommended in this letter are only a 5-10 year band aid and an abuse of taxpayer funding.
- The Coalition for Healthy Nevada Lands is not a registered entity in the State of Nevada, there is no list of their membership available, and they accept donations with no transparency as to where that money goes. No agency should be taking action on a letter from such an organization.

In summation, I strongly object to the BLM Roundup proposal. I find this action detestable and despicable. The wild horses and burros of Nevada are a deep part of our history and culture. They are a part of what makes our state so unique and great. It is my hope that stronger efforts can be made to protect and preserve all of our beautiful wildlife; for they are truly they are some of Nevada's greatest treasures.

Thank you for allowing me to present my thoughts on this critical topic.

Respectfully,

Lisa O'Sullivan

Lisa O'Sullivan

LATE MATERIAL
PUBLIC COMMENT
3/05/2024

Briana Munoz

From: Public Comment
Sent: Monday, March 4, 2024 2:34 PM
To: Briana Munoz
Subject: FW: Agenda Item 7.A For Possible Action: Wild Horse and Burro Letter

Rachael Evanson | Office Manager
Executive Office | Carson City, A Consolidated Municipality
201 N. Carson Street, Suite 2, Carson City, NV 89701
Direct: 775-283-7125 | Office: 775-887-2100 | Fax: 775-887-2286

http://www.carson.org

From: Rae Hanna <rae.hnn@gmail.com>
Sent: Monday, March 4, 2024 2:18 PM
To: Public Comment <PublicComment@carson.org>
Subject: Agenda Item 7.A For Possible Action: Wild Horse and Burro Letter

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

March 4, 2024

Carson City Consolidated Municipality Advisory Board to Manage Wildlife

Honorable Board Members:

In the spring of 2013 the National Academy of Sciences issued a report, ***Using Science to Improve the BLM Wild Horse and Burro Program : A Way Forward***. Since that time the recommendations of that publication have been largely ignored. A notable exception is the cooperation between the Carson City District Office of the Bureau of Land Management and the Wild Horse Preservation League based out of Dayton, Nevada. The horse population of the Pine Nut Horse Management Area has now been scientifically documented and is tracked. Birth control efforts using PZP are now meeting designated goals. The establishment of such a program has not been easy, but has cost the government very little. Several wild horse advocacy groups do assist with volunteers, some funding and expertise.

Roundups and holding facilities on the other hand are extremely expensive and are an increasing burden unattractive to the taxpayer. Imagine if that funding could be diverted to longer-lasting humane management practices.

Present day free roaming horses may not represent an exact genetic model of those last uniquely created in North America - those that lived with native plants and animals that survive here to this day. They are closely related in form, behavior, and dietary habits - so close that it is likely that if those animals still existed and were bred with the present horses they would create viable offspring. Nevada today has a delicate desert environment, and yet we don't question its carrying capacity for humans who by far represent the greatest challenge to healthy Nevada lands . . . or introduced domestic cattle and sheep, who vastly outnumber horses.

Today's horses are also a measure of our history, and are highly valued by the public. Healthy Nevada lands must logically include a viable population of free-roaming horses.

Sincerely,

Rae Hanna, President
Wild Horse Preservation League (est 2001)
P.O. Box 1958
Dayton, Nevada 89403

rae.hnn@gmail.com
509 366-7253

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: January 22, 2024 Draft Minutes

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
1-22-24 WAB Draft Minutes.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____
_____
_____

_____
(Vote Recorded By)

DRAFT MINUTES
Regular Meeting
Carson City Advisory Board to Manage Wildlife (WAB)
Monday, January 22, 2024 ● 5:30 PM
Community Center Robert "Bob" Crowell Room
851 East William Street, Carson City, Nevada 89701

Board Members

Chair – Corbett Fleming **Vice Chair – Tim Wilson**
Member – Robert Boehmer **Member – Kirk Stewart**
Member – Daniel Thompson

Staff

Briana Munoz, Public Meetings Clerk

NOTE: A recording of these proceedings, the board's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record. These materials are on file in the Clerk-Recorder's Office, and available for review during regular business hours.

Audio recordings and approved minutes of the Board's meetings are available on www.carson.org/minutes.

1. CALL TO ORDER AND DETERMINATION OF QUORUM

(5:45:06) – Chairperson Fleming called the meeting to order at 5:45 p.m.

Attendee Name	Status	Arrived
Corbett Fleming, Chair	Present	
Tim Wilson, Vice Chair	Absent	
Robert Boehmer	Present	
Kirk Stewart	Present	
Daniel Thompson	Present	

2. PLEDGE OF ALLEGIANCE

(5:45:22) – Led by Member Thompson.

3. PUBLIC COMMENT

(5:45:49) – Chairperson Fleming entertained public comments; however, none were forthcoming.

4. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – AUGUST 8, 2023 AND SEPTEMBER 19, 2023

(5:46:00) – Chairperson Fleming introduced the item and entertained questions, comments, and/or a motion to approve the minutes of the August 8, 2023 and September 19, 2023 meetings.

(5:46:30) – MOTION: Member Boehmer moved to approve the minutes of the August 8, 2023 and the September 19, 2023 meetings as presented. The motion was seconded by Member Thompson and carried 4-0-0.

5. FOR INFORMATION ONLY: UPDATE AND ACTIVITY REPORT ON THE CARSON CITY URBAN WILDLIFE COMMITTEE.

(5:47:06) – Chairperson Fleming introduced the item. Member Boehmer did not have any updates or information to report on the Carson City Urban Wildlife Committee. He noted that deer were beginning to shed their antlers and stated that bears were not currently hibernating.

6. FOR INFORMATION ONLY: UPDATE FROM THE CHAIR ON THE NOVEMBER 3 AND 4, 2023 NEVADA BOARD OF WILDLIFE COMMISSIONERS' MEETING.

(5:49:10) – Chairperson Fleming introduced the item and reported that he did not attend the Nevada Board of Wildlife Commissioners' meetings. Member Boehmer requested to table the informational item until the next WAB meeting.

(5:51:55) – MOTION: Chairperson Fleming tabled the item for March 5, 2024.

7. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO ELECT A CHAIR AND VICE CHAIR FOR THE CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE FOR THE 2024 CALENDAR YEAR.

(5:51:59) – Chairperson Fleming introduced the item and entertained nominations for the positions of Chair and Vice Chair for the Carson City Advisory Board to Manage Wildlife.

(5:53:30) – **MOTION: Member Boehmer nominated Corbett Fleming as Chair. Member Thompson seconded the motion. Member Boehmer nominated Daniel Thompson as Vice Chair. Chair Fleming seconded the motion. The motion carried 4-0-0.**

8. **FOR DISCUSSION ONLY: REPORTS – INFORMATIONAL**

(5:54:37) – Chairperson Fleming introduced the item and entertained Member input on each of the reports. Chairperson Fleming requested to pull items 8-E and 8-C.

8-A. DEPARTMENT ACTIVITY REPORT – *At the January 26, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on Nevada Department of Wildlife recent activities. The CCABMW may desire to offer public comment.*

8-B. LITIGATION REPORT – *At the January 26, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on Nevada Department of Wildlife litigation. The CCABMW may desire to offer public comment.*

8-C. STATUS OF MOOSE IN NEVADA – *At the January 26, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on an overview of moose populations in Nevada, including important demographic parameters, movements, and results of a recent habitat analysis conducted by a research faculty at Texas A & M University. The CCABMW may desire to offer public comment.*

(5:55:24) – Chairperson Fleming introduced the item. Member Boehmer emphasized the importance of data and statistics in the Commissioners' decision to warrant tags. He stated that he was in support of the proposal if a management plan was created to support the data. Member Boehmer added that he felt sportsmen would be in favor of the item. Chairperson Fleming said he found it interesting that the study was conducted by Texas A&M University and not local universities.

8-D. TAG ALLOCATION AND APPLICATION HUNT COMMITTEE (TAAHC) REPORT – *At the January 26, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent TAAHC meeting. The CCABMW may desire to offer public comment.*

8-E. PETITION- MR. JOSHUA JENNI – *At the January 26, 2024, meeting of the Nevada Board of Wildlife Commissioners, the commission may take action to deny or accept and initiate rulemaking to Mr. Jenni's petition to add a separate resident-only archery hunt for Rocky Mountain Goats. The CCABMW may desire to offer public comment.*

(5:59:31) – Chairperson Fleming introduced the item. Member Boehmer said he supported separate archery tags with responsible usage to maximize hunting opportunities. Chairperson Fleming said he found it interesting that the state was considering separate archery tags compared to other states. Member Stewart voiced concerns on feasibility given the limited number of tags already allocated.

PUBLIC COMMENT

(6:03:08) – Kevin Law expressed concerns regarding the potential impact on draw odds for general tags if a separate archery tag was implemented.

9. CONSENT AGENDA:

The items listed under the consent agenda are considered routine and may be acted upon by the Advisory Board to Manage Wildlife with one action and without extensive hearing. A member of the advisory board may request an item be pulled for separate discussion and action, but the advisory board chair retains discretion in deciding whether to pull an item from the consent agenda. (For additional information on the items to be considered within this action item, please visit the Nevada Department of Wildlife website at: http://www.ndow.org/Public_Meetings/Com/Agenda/ under agenda and corresponding support material).

(6:07:45) – Chairperson Fleming introduced the item. Member Boehmer wished to pull items 9-D, 9-G, 9-H, 9-J, 9-K, and 9-P. Member Thompson requested to pull item 9-A.

(6:13:28) – MOTION: Member Boehmer moved to accept Consent Agenda items 9-B, 9-C, 9-E, 9-F, 9-I, 9-L, 9-M, 9-N, and 9-O. Member Stewart seconded the motion. The motion carried 4-0-0.

9-A. FOR POSSIBLE ACTION: COMMISSION POLICY 24, HUNTING OPPORTUNITIES AMONG VARIOUS WEAPON AND HUNTER GROUPS- THIRD READING. *The department made changes requested by the commission. At its January 26, 2024, meeting, the Nevada Board of Wildlife Commissioners will review Commission Policy 24 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.*

(6:13:52) – Chairperson Fleming introduced the item. Member Thompson raised concerns regarding the potential impact on the general hunting population. Member Boehmer expressed concerns regarding opportunities for hunters and areas becoming overpopulated during hunts. Member Thompson responded to clarifying questions regarding the allocation percentages for different weapon groups.

PUBLIC COMMENT

(6:21:57) – Mr. Law said he was puzzled as to why more archery tags weren't provided despite a low success rate. Member Thompson explained that because success rates were low, the model was set to reduce the number of tags to increase the success rate. Member Boehmer went over the process for determining the archery tag quota, noting that he didn't necessarily agree with it. Chair Fleming noted that creating more tags was a better solution.

(6:24:13) – Member Thompson said he cautioned against pulling tags from the any legal weapon group. He added that the percentage of tags should factor into the overall percentage.

(6:26:34) – Mr. Law noted that individuals had complained about the lengthy process for receiving a tag for any legal weapon. He inquired as to why there were more archery tags and muzzle loader tags when most of the tags were for any legal weapon and proposed adding more primitive weapon tags without removing any tags from the any legal weapons group. Mr. Law added that archery was increasing in popularity across the country.

(6:27:51) – Member Thompson referenced the support material, which is incorporated into the record, and noted that the fixed allocation numbers "weren't bad." Member Boehmer pointed out that the big horn sheep, mountain goat, and moose tags would not use fixed allocation numbers. He added that he would like to see more data on the proposed policy. Member Boehmer said he believed that the item would provide more opportunity for tags to the primitive hunters while removing tags from the any legal weapon group.

(6:29:51) – Member Thompson expressed support for the proposed percentage of tags, stating that it was appropriate as reflective to the overall population.

(6:31:06) – Member Boehmer indicated that he was neutral on the item, noting that the percentage of tags should be rationalized. Additionally, Member Stewart and Chairperson Fleming stated that they were

neutral on the proposed policy. Member Boehmer added that the proposal did not take biological influence into account.

(6:44:17) – **MOTION: Member Boehmer moved to remain neutral on item 9-A with the intent of not supporting it based on a lack of information and data provided and encouraged the Commission to "go back to the drawing board" to consider past success ratios.**

9-B. FOR POSSIBLE ACTION: DRAFT FISCAL YEAR 2025 PREDATION MANAGEMENT PLAN. *At its January 26, 2024 meeting, the draft fiscal year 2025 Predation Management Plan will be presented to the Commission for initial review. Following this review, the draft plan will be updated and shared with the State Predatory Animal and Rodent Committee (PARC). All comments from the PARC, County Advisory Boards to Manage Wildlife (CABMW), and any other interested entity will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at their March 2024 meeting. The Commission will receive an update at the March 2024 meeting from the Wildlife Damage Management Committee and may provide additional direction at that time.*

9-C. FOR POSSIBLE ACTION: BIENNIAL BIG GAME RELEASE PLAN FOR FISCAL YEARS 2024 AND 2025. *At its January 26, 2024, meeting the Nevada Board of Wildlife Commissioners will review and may take action to approve the Department's proposed biennial bighorn sheep and mountain goat release plan for fiscal years 2024 and 2025.*

9-D. FOR POSSIBLE ACTION: COMMISSION REGULATION 514 - MOOSE. *At its January 26, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold a workshop to consider amending Chapters 502 and 503 of the Nevada Administrative Code (NAC) to provide for definitions, fees, and regulations concerning moose. This proposed regulation change is necessary to establish definitions for antlered and antlerless moose, eligibility requirements for a moose tag and fees for both resident and non-resident antlered and antlerless moose hunts and to establish requirements for maintaining physical characteristics of the harvested moose.*

(6:44:59) – Chairperson Fleming introduced the item and proposed voting on items 9-D and 9-G in conjunction, since they included the same item, and Members agreed.

(6:45:32) – Member Boehmer expressed support for the item. Chairperson Fleming echoed Member Boehmer's comments, stating that if the data supported the proposal, then he was in favor of it. Members Stewart and Thompson also expressed support for the proposal.

PUBLIC COMMENTS

(6:48:16) – Mr. Law echoed Member comments, stating that he was in favor of the item.

(6:48:46) – MOTION: Member Thompson moved to support items 9-D and 9-G. The motion was seconded by Member Boehmer and carried 4-0-0.

9-E. FOR POSSIBLE ACTION: COMMISSION GENERAL REGULATIONS 512, FISHING REGULATIONS. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold an adoption hearing 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.*

9-F. FOR POSSIBLE ACTION: COMMISSION GENERAL REGULATION 513, EXECUTIVE ORDER REGULATIONS. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold an adoption hearing to amend Chapters 488, 501, 502, 503 and 504 of the Nevada Administrative Code pursuant to Executive Order 2023-003.*

9-G. FOR POSSIBLE ACTION: COMMISSION GENERAL REGULATION 514, MOOSE. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold a workshop to consider amending Chapters 502 and 503 of the Nevada Administrative Code (NAC) to provide for definitions, fees, and regulations concerning moose. This proposed regulation change is necessary to establish definitions for antlered and antlerless moose, eligibility requirements for a moose tag and fees for both resident and non-resident antlered and antlerless moose hunts and to establish requirements for maintaining physical characteristics of the harvested moose.*

9-H. FOR POSSIBLE ACTION: COMMISSION REGULATION 23-04, (AMENDMENT 2) 2023-2024 AND 2024-2025 BIG GAME SEASONS. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider and may take action to approve an amendment to the 2023-2024 and 2024 -2025 hunting seasons and dates for mule deer, pronghorn antelope, elk, bighorn sheep, mountain goat and moose, including limits, hunting hours, special hunt eligibility, animal sex, physical characteristics, and hunt boundary restrictions.*

(6:49:14) – Chairperson Fleming introduced the item. Member Boehmer referenced the support material, which is incorporated into the record, and went over the proposed changes to the 2024-2025 Big Game Seasons. He noted that the item was created to potentially raise numbers, stating that it was responsible management.

(6:64:01) – Member Thompson expressed support for the closure of the different units, stating that it showed great stewardship. Member Boehmer added that he trusted Game Division Administrator Shawn Espinosa's leadership with the item. Chairperson Fleming entertained public comments, however; none were forthcoming.

(6:56:06) – MOTION: Member Boehmer moved to support Item 9-H. Member Thompson seconded the motion. The motion carried 4-0-0.

9-I. FOR POSSIBLE ACTION: COMMISSION REGULATION 23-10 (AMENDMENT 2) 2024 HERITAGE TAG SEASONS AND QUOTA. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider amending the regulation for the 2024 Heritage Tag*

species, seasons, and quota regulation to add a mandatory call- in number for all Specialty Bighorn Sheep tag holders to verify which units are closed to hunting.

9-J. FOR POSSIBLE ACTION: COMMISSION REGULATION 24-01, 2024 BIG GAME APPLICATION DEADLINES. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider adopting a regulation to set the 2024 big game tag application deadlines and related information.*

(6:56:44) – Chairperson Fleming introduced the item. Member Thompson responded to clarifying questions.

(6:58:31) – MOTION: Member Boehmer moved to support Item 9-J as presented. Member Stewart seconded the motion. The motion carried 4-0-0.

9-K. FOR POSSIBLE ACTION: COMMISSION REGULATION 24-02, 2024 BIG GAME TAG APPLICATION ELIGIBILITY AND TAG LIMITS. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider adopting a regulation to set the 2024 big game tag application eligibility and tag limits and related information.*

(6:58:50) – Chairperson Fleming introduced the item. Member Boehmer explained that he requested to pull the item to clarify that there weren't any changes to the Big Game Tag Application Eligibility and Tag Limits.

(6:59:56) – Chairperson Fleming entertained public comments, however; none were forthcoming.

(7:00:03) – MOTION: Member Boehmer moved to support Item 9-K. Member Thompson seconded the motion. The motion carried 4-0-0.

9-L. FOR POSSIBLE ACTION: COMMISSION REGULATION 24-03, 2024 DREAM TAG. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider adopting a regulation to set the 2024 Dream Tag species, seasons, and quota.*

9-M. FOR POSSIBLE ACTION: COMMISSION REGULATION 24-04, 2024 PARTNERSHIP IN WILDLIFE (P I W) TAGS. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider adopting a regulation to set the 2024 Partnership in Wildlife (PIW) tags hunt species.*

9-N. FOR POSSIBLE ACTION: COMMISSION REGULATION 24-05, 2025 HERITAGE TAG SEASONS AND QUOTA. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider adopting a regulation to set the 2025 Heritage Tag species, seasons, and quota.*

9-O. FOR POSSIBLE ACTION: COMMISSION REGULATION 24-06, 2024 SILVER STATE TAGS. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider adopting a regulation to set the 2024 Silver State tag species, season, and quota.*

9-P. FOR POSSIBLE ACTION: COMMISSION REGULATION 24-07, 2024 BLACK BEAR SEASONS. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider and may take action to approve the 2024 hunting season dates, open management units, hunting hours, special regulations, animal sex, legal weapon requirements, hunt boundary restrictions, and dates and times for indoctrination courses for black bear.*

(7:00:18) – Chairperson Fleming introduced the item. Member Boehmer noted that there weren't any changes to the 2024 Black Bear Seasons but wanted to discuss the item incase Members had any questions or concerns.

(7:00:44) – Chairperson Fleming asked if discussion had ensued at previous Commission meetings regarding changes to the harvest limits of female black bears. Member Boehmer stated that he was perplexed by the item, noting that unit female harvest was no longer shown.

(7:02:29) – Member Stewart mentioned that he hadn't realized that the Commission had removed the portion on the harvest of female black bears.

PUBLIC COMMENT

(7:02:59) – Mr. Green noted that the current bear season was not in "cubbing season" and added that he did not recall the Commission removing the limit on harvest of female black bears.

(7:03:59) – MOTION: Member Boehmer moved to support Item 9-P as written. Member Stewart seconded the motion. The motion carried 4-0-0.

9-Q. FOR POSSIBLE ACTION: COMMISSION REGULATION 24-08, 2024 MOUNTAIN LION SEASON AND HARVEST LIMITS. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider and may take action to approve the 2024-2025 hunting season open units, harvest limits by unit group, hunting hours and special regulations.*

9-R. FOR POSSIBLE ACTION: COMMISSION REGULATION 24-09, 2024-2025 RESTRICTED NONRESIDENT GUIDED MULE DEER SEASONS AND QUOTAS. *At its January 27, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider and may take action to approve the 2024-2025 hunting season and quotas for restricted non-resident guided mule deer including hunt boundary restrictions.*

******* END OF CONSENT AGENDA *******

10. FOR INFORMATION ONLY: ADVISORY BOARD MEMBER COMMITMENT(S) TO THE JANUARY 26 AND 27, 2024 MEETING AND THE MARCH 8 AND 9, 2024 MEETING.

(7:04:22) – Chairperson Fleming introduced the item. He indicated that he could attend the March 8 and March 9, 2024 Nevada Board of Wildlife Commissioners meetings. Member Boehmer noted that he would attend the meetings if Chairperson Fleming was unable to.

(7:06:27) – Member Boehmer said he would attend the January 26, 2024 meeting and Member Thompson said he would attend the January 27, 2024 meeting.

(7:07:40) – Member Boehmer expressed concerns regarding a letter from the Nevada Department of Wildlife Commission concerning a lack of attendance and participation from CAB Members during meetings. He mentioned that he intended to provide public comment on the matter.

PUBLIC COMMENT

(7:12:39) – Mr. Green noted that not all county advisory board representatives who attend Commission meetings provide input and he believed that was the reason why their attendance wasn't being recorded as participation. He added that it was difficult for some counties to attend some of the meetings due to their location. Discussion ensued between Member Boehmer and Mr. Green regarding the CAB member attendance and participation at Commission meetings.

11. FOR INFORMATION ONLY: FUTURE AGENDA ITEMS

(7:19:43) – Chairperson Fleming entertained suggestions for future agenda items; however, none were forthcoming.

12. PUBLIC COMMENT

(7:19:45) – Chairperson Fleming entertained public comments; however, none were forthcoming.

13. FOR POSSIBLE ACTION: ADJOURNMENT

(7:19:51) – Chairperson Fleming adjourned the meeting at 7:19 p.m.

The minutes of the January 22, 2024 meeting of the Carson City Advisory Board to Manage Wildlife are approved on this 5th day of March, 2024.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

Department Activity Report - At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on Nevada Department of Wildlife recent activities. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
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_____

_____
(Vote Recorded By)

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

Litigation Report - At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on Nevada Department of Wildlife litigation. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7B-Litigation-Report.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____

_____
_____

_____
(Vote Recorded By)

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: February 23, 2023

Subject: March Board Meeting Litigation Update

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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. On February 13, 2024, the Court signed an Order issuing a 90 day stay of the proceedings to give the parties time to obtain approval from all the appropriate authorities to resolve the outstanding water rights claims.

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 sough 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 involved 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.On December 20, 2022, the Court entered a Discovery Plan and Scheduling Order Outlining dates and deadlines for the litigation.
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.

=]
Walker Basin Conservancy's Permit Approvals: On July 28, 2023, NDOW filed Application 92910-T with the Nevada State Engineer seeking a temporarily change in the manger of use and place of water rights for the benefits of Walker Lake. This is a matter of course for any change in the Decreed water rights. NDOW is currently awaiting the Nevada State Engineer's decision on the Application, which is expected to be received any day. Assuming the State Engineer grants the Application, NDOW is expected tofile a Joint Motion with the Walker Basin Conservancy for an Order that temporarily modifies the Walker River Decree to reflect the changes in manner of use and place of the water rights.

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.

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.

The parties have settled this case after a series of negotiations that initiated in early December. The settlement is complicated. As a part of the settlement, The Plaintiffs/Appellees have agreed to dismiss their appeal of the jury verdict rendered in favor of the NDOW Defendants. In addition, NDOW will receive a payment of $70,000 in the settlement. Thus, NDOW will have collected approximately $81,000 of the $91,000 fee award issued by the Court following

the trial. We are awaiting dismissal of a companion bankruptcy matter to bring this case to formal conclusion.

*****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.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: **Wildlife Heritage Account Report -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the funds available (interest and principal) for expenditure from the heritage account in the upcoming year and an update on available principal balance. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
6C-Wildlife-Heritage-Account-Report.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
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_____

_____
(Vote Recorded By)

HERITAGE ACCOUNT
INTEREST & FUNDING - SUMMARY BY YEAR

Fiscal Year	Beginning Cash	Annual Growth	Interest	Annual Interest Rate
1997	n/a	n/a	$ 34,702.05	n/a
1998	n/a	n/a	$ 51,107.18	n/a
1999	$ 1,123,101.00	n/a	$ 84,124.02	7.49%
2000	$ 1,411,932.00	25.72%	$ 84,359.23	5.97%
2001	$ 1,918,391.00	35.87%	$ 119,021.62	6.20%
2002	$ 2,405,315.00	25.38%	$ 95,233.36	3.96%
2003	$ 2,845,589.00	18.30%	$ 69,035.26	2.43%
2004	$ 3,318,548.00	16.62%	$ 62,519.81	1.88%
2005	$ 3,860,920.00	16.34%	$ 89,140.03	2.31%
2006	$ 4,493,973.00	16.40%	$ 177,707.00	3.95%
2007	$ 5,102,677.00	13.54%	$ 240,851.44	4.72%
2008	$ 5,564,528.00	9.05%	$ 256,959.07	4.62%
2009	$ 5,682,505.00	2.12%	$ 128,680.81	2.26%
2010	$ 5,745,710.00	1.11%	$ 53,471.94	0.93%
2011	$ 5,931,027.00	3.23%	$ 19,232.23	0.32%
2012	$ 6,171,344.00	4.05%	$ 15,775.01	0.26%
2013	$ 6,512,878.00	5.53%	$ 23,690.83	0.36%
2014	$ 6,700,619.00	2.88%	$ 24,483.97	0.37%
2015	$ 7,248,710.00	8.18%	$ 28,362.34	0.39%
2016	$ 7,670,013.00	5.81%	$ 37,146.72	0.48%
2017	$ 7,978,040.00	4.02%	$ 64,323.85	0.81%
2018	$ 8,468,627.00	6.15%	$ 120,172.35	1.42%
2019	$ 9,271,515.00	9.48%	$ 198,283.84	2.14%
2020	$ 9,842,620.00	6.16%	$ 183,989.85	1.87%
2021	$ 10,787,794.00	9.60%	$ 63,938.08	0.59%
2022	$ 12,092,675.00	12.10%	$ 80,279.00	0.66%
2023	$ 12,528,902.00	3.61%	$ 285,922.24	2.28%
		Total:	**$ 2,692,513.13**	

Completed Fiscal Year	Revenue	75% of Revenue	Add Interest Earned	Heritage Funding Available	Heritage Fiscal Year
2006	$ 623,053.00	$ 467,289.75	$ 211,029.00	$ 678,319.00	2008
2007	$ 518,816.96	$ 389,112.72	$ 269,527.50	$ 658,640.00	2009
2008	$ 582,879.12	$ 437,159.34	$ 194,219.84	$ 631,379.00	2010
2009	$ 480,960.78	$ 360,720.59	$ 86,546.69	$ 447,318.00	2011
2010	$ 505,126.56	$ 378,844.92	$ 24,232.59	$ 403,078.00	2012
2011	$ 676,625.78	$ 507,469.34	$ 18,326.36	$ 525,796.00	2013
2012	$ 615,955.02	$ 461,966.27	$ 15,775.01	$ 477,741.28	2014
2013	$ 713,249.94	$ 534,937.46	$ 23,690.83	$ 558,628.29	2015
2014	$ 911,394.19	$ 683,545.64	$ 24,483.97	$ 708,029.61	2016
2015	$ 879,825.56	$ 659,869.17	$ 28,362.34	$ 688,231.51	2017
2016	$ 998,356.27	$ 748,767.20	$ 37,146.72	$ 785,913.92	2018
2017	$ 1,097,533.54	$ 823,150.16	$ 64,323.85	$ 887,474.01	2019
2018	$ 1,146,040.40	$ 859,530.30	$ 120,172.35	$ 979,702.65	2020
2019	$ 1,426,657.02	$ 1,069,992.77	$ 198,283.84	$ 1,268,276.61	2021
2020	$ 1,562,212.52	$ 1,171,659.39	$ 183,989.85	$ 1,355,649.24	2022
2021	$ 1,932,586.14	$ 1,449,439.61	$ 63,938.08	$ 1,513,377.69	2023
2022	$ 1,946,475.44	$ 1,459,856.58	$ 80,279.00	$ 1,540,135.58	2024
2023	$ 2,072,278.02	$ 1,554,208.52	$ 285,922.24	$ 1,840,130.76	2025

As required by NRS 501.3575, the funding available for Heritage Program projects in a given year is equal to seventy five percent of the money deposited in the account during the most recent and completed State Fiscal Year, plus interest earned on the principal in the account.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: **Wildlife Heritage Committee Report -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent Wildlife Heritage Committee meeting. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
6D-Wildlife-Heritage-Committee-Report.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
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_____

(Vote Recorded By)

Committee Members: Chairman Barnes (Chair), Commissioners McNinch, Walther, and Caviglia, Mineral CABMW Member Glenn Bunch and Pershing CABMW Member Joe Crim

Staff to the Committee: Mark Freese,775-688-1560 markfreese@ndow.org

AGENDA

Nevada Board of Wildlife Commissioners
Wildlife Heritage Committee Meeting
Friday, March 8, 2024 – 7:30 am

Clark County Government Center
500 S Grand Central Pkwy
Las Vegas, NV 89155

Friday, March 8, 2024 – 7:30 a.m.

1. **Call to Order, Pledge of Allegiance, Roll Call – Chairman Barnes**

2. **Public Comment Period**
   Persons wishing to speak are requested to sign in. Public comment will be limited to three minutes. No action can be taken by the Committee at this time; however, the Committee may consider items brough up to be scheduled on a future Committee agenda.

3. **Approval of Agenda – Chairman Barnes – For Possible Action**

4.* **Approval of Minutes – Chairman Barnes – For Possible Action**
   Minutes from the June 23, 2023 Heritage Committee meeting may be approved.

5. **Member Items/ Announcements and Correspondence – Commissioner and Committee - Informational**
   Committee members may present emerging items. Any item requiring Committee action will be scheduled on a future Committee agenda.

6.* **Review Heritage Account Funds Available for FY 2025 Projects and Current Principal Balance – NDOW Habitat Division Administrator Mark Freese – Informational**
   An estimate of the principal balance and available funds for FY 2025 projects will be provided along with a summary of the method used to estimate the amount available.

7.* **South Schell Land Acquisition Heritage Principal Project Proposal – NDOW Habitat Division Administrator Mark Freese – For Possible Action**
   The Committee will review this principal project proposal and provide recommendations to the Board of Wildlife Commissioners at the March 8-9 Commission meeting. The Commission may approve or deny this proposal.

8. **Future Committee Meeting – Chairman Barnes – For Possible Action**
   The Committee may set a date, location, and time for the next Committee meeting.

9. **Public Comment Period**
   Persons wishing to speak are requested to sign in. Public comment will be limited to three minutes. No action can be taken by the Committee at this time; however, the Committee may consider items brough up to be scheduled on a future Committee agenda.

* Denotes an agenda item with support materials. Support materials, and updates to the support materials, are posted on the following NDOW website: https://www.ndow.org/events/wildlife-heritage-committee-march-8th-2024/

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

Tag Allocation and Application Hunt Committee (TAAHC) Report - At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent TAAHC meeting. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
6E-TAAHC-Mar-2024-Agenda.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____
_____

_____

_____
(Vote Recorded By)

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

STAFF TO THE COMMITTEE:
KIM MUNOZ, 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

MONDAY, MARCH 4, 2024 @ 4:00 PM

Please click this URL to join.
https://us02web.zoom.us/j/85871120939?pwd=bVRtaTR6ZWMwcEQyRGJJRnFIcmhvdz09
Passcode: 480493

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 January 25, 2024, meeting.

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

The Committee will review the proposed language that would establish a junior tag transfer program. The Committee will make any necessary changes which will be presented and heard at a future Commission meeting.

6.* Waiting Periods for Bighorn Sheep and Mountain Goat – Management Analyst Megan Manfredi **FOR POSSIBLE ACTION**

The Committee will review the proposed language changes that would amend NAC 502.345 and 502.364, adjusting the waiting periods for Nelson (Desert) bighorn sheep, Rocky Mountain bighorn sheep, California bighorn sheep, and mountain goat to once in a customer's lifetime. The Committee will make any necessary changes which will be presented and heard at a future Commission meeting.

7. 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.

8. 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.

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STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

Winecup Gamble Land Exchange - At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, an update will be provided to the Commission on recent developments regarding the Winecup Gamble Land Exchange. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____
_____
_____

_____
(Vote Recorded By)

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: **Draft Fiscal Year 2025 Predation Management Plan -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, the draft Fiscal Year 2025 Predation Management Plan will be presented to the Commission for review. A report from the Predatory Animal and Rodent Committee (PARC) Meeting, held in February will be shared with the Commission. All comments from the Commission, PARC, County Advisory Boards to Manage Wildlife, and any other interested publics will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at the March 2025 meeting. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7G-Draft-Fiscal-Year-2025-Predation-Management-Plan.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____

_____
_____
_____
_____

_____
(Vote Recorded By)

Nevada Department of Wildlife
Predator Management Plan
Fiscal Year 2025

1 July 2024 to 30 June 2025

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STATE OF NEVADA

Joe Lombardo, Governor

Nevada Department of Wildlife

Alan Jenne, Director

Mike Scott, Deputy Director
Jordan Goshert, Deputy Director
Caleb McAdoo, Deputy Director
Shawn Espinosa, Game Division Administrator

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This publication will be made available in an alternative format upon request.

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Introduction

NDOW maintains a philosophy that predator management is a tool to be applied deliberately and strategically. Predator management may include lethal removal of predators or corvids, nonlethal management of predator or corvid populations, habitat management to promote more robust prey populations which are better able to sustain predation, monitoring and modeling select predator populations, managing for healthy predator populations, and public education, although not all of these aspects are currently eligible for funding through predator fee dollars. NDOW intends to use predator management on a case-by-case basis, with clear goals, and based on an objective scientific analysis of available data. To be effective, predator management should be applied with proper intensity and at a focused scale. Equally important, when possible projects should be monitored to determine whether desired results are achieved. This approach is supported by the scientific literature on predation management. NDOW is committed to using all available tools and the most up-to-date science, including strategic use of predator management, to preserve our wildlife heritage for the long term. NDOW works with area biologists and monitors harvest data to ensure localized removal of predators does not result in negative biological consequences on a region or statewide level.

NDOW is a state agency that must balance the biological needs of wildlife, statutory mandates, and social desires of the public. In the 2023 legislative session, Assembly Bill 70 was adopted which in part amended NRS 502.253 to read: a fee of $3 must be charged for processing each application for a game tag, the revenue from which must be accounted for separately, deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund and used by the Department, at the direction of the applicant, for costs related to: (a) Developing and implementing an annual program for the lethal removal of predatory wildlife; or (b) Developing and implementing an annual program for the improvement of wildlife habitat and research or management activities beneficial to nonpredatory game species. An application season has not passed since Assembly Bill took effect; therefore this plan does not reflect applicant direction.

Budget Summary

Fiscal year 2023 predator fee revenues totaled $944,410. Proposed predator projects for fiscal year 2025 include $784,000 for lethal work, these funds include fiscal year 2023 revenues and previous fiscal years surpluses.

Map Note

Maps for each project may be found in the last page of this document.

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TYPES OF PROJECTS

Below are the three categories of projects in the predator management plan. Some projects have aspects of multiple types within a single activity or action. The project types are listed throughout this document.

1. **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.
2. **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.
3. **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.

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Project 21: Greater Sage-Grouse Protection (Common Raven Removal)

Justification	This project proposes to lethally remove common ravens from known Greater Sage-grouse habitat, common raven predation on Greater Sage-grouse nests and broods can limit population growth. Common ravens will be removed around known Greater Sage-grouse leks because most nest sites are located within 4 km of a lek. Common ravens will be removed in areas of known greater abundance to benefit sensitive populations of Greater Sage-grouse.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Common raven, Greater Sage-grouse
Span More Than One Fiscal Year	Yes
Project Area	Elko, Eureka, Humboldt, Lander, Lincoln, Lyon, Washoe, and White Pine counties.
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for Greater Sage-grouse, their populations can be suppressed by abiotic factors such as dry climate and loss of quality habitat. Increases in predator numbers can also cause decreases in Greater Sage-grouse populations; common raven abundance has increased throughout their native ranges, with increases as much as 1,500% in some areas (Boarman 1993, Coates et al. 2007, 2014, Sauer et al. 2011, O'Neil et al. 2018). Under these circumstances, common raven predation can have a negative influence of Greater Sage-grouse nesting success, recruitment, and population trend (Coates and Delehanty 2010).
Response Variable	Common raven point counts may be conducted before, during, and after removal to detect changes in common raven densities.
Project Goals	1. Reduce common raven populations in high abundance areas that overlap sensitive Greater Sage-grouse populations identified by NDOW and USDA Wildlife Services wildlife biologists. 2. Increase populations of Greater Sage-grouse in specific areas where deemed feasible.

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Habitat Conditions	Areas of common raven removal will be within or in close proximity to Greater Sage-grouse leks, nesting habitat, and brood-rearing habitat. Persistent drought throughout Nevada has reduced herbaceous cover, along with nesting and brood rearing habitat; these effects are exacerbated by wildfire and the invasion of cheatgrass. Transmission lines, substations, and nearby agriculture production often attract common ravens which may threaten nearby Greater Sage-grouse populations.
Comments from FY 2023 Predator Report	Raven management, including lethal removal, is imperative to maintain and improve Greater sage-grouse and the ecosystems they depend on. NDOW recommends continuing Project 21 while common ravens are believed to be a limiting factor for Greater sage-grouse.
Methods	*Lethal Removal* Chicken eggs treated with corvicide (DRC-1339) will be deployed to remove common ravens (Coates et al. 2007). To reduce non-target species exposure, no eggs will be left in the environment for over 168 hours. No leftover eggs will be used on subsequent treatments. All remaining eggs and any dead common ravens found will be collected and disposed of properly as per DRC-1339 protocol. DRC-1339 is effective only on corvids and most mammals and other birds are not susceptible to the specific effects from this agent. *Monitoring* Point counts for common ravens will be conducted from March through July of each year, which corresponds with Greater Sage-grouse nesting and brood-rearing season. Surveys will be similar to Ralph et al. (1995): lasting 10 minutes; conducted between sunrise and 1400 hrs; conducted under favorable weather conditions; and stratified randomly across study areas (Luginbuhl et al. 2001, Coates et al. 2014).
Anticipated Result	The removal of common ravens is intended to result in long-term protection for Greater Sage-grouse populations through increases in nest success, brood survival, and recruitment. This project will continue until evidence demonstrating Greater sage-grouse nest success and recruitment are not limiting population growth due to common raven predation or common raven populations are in decline from non-lethal measures. The Department anticipates an increase in the USFWS raven depredation permit for this season.
Staff Comment	Project 21 will become progressively more precise with deliverables from Project 41. It is the Department's desire to ultimately use Project 21 to create temporary voids of ravens for Greater sage-grouse during sensitive times and to reverse the common raven population growth curve.
Project	Fund Project 21.

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Direction	

Proposed Budget

$3 Predator Fee	**Pittman-Robertson**	**Total**
$175,000	N/A	$175,000

Previous Budgets and Expenditures

	2008	2009	2010	2011	2012	2013	2014	2015	2016
Proposed	$12,000	$17,475	$15,000	$16,261	$16,261	$60,000	$60,000	$60,000	$128,000
Spent	$12,000	$17,475	$14,298	$0	$9,842	$0	$0	$63,297	$72,710

	2017	2018	2019	2020	2021	2022	2023	**Total**
Proposed	$103,000	$125,000	$125,000	$200,000	$175,000	$175,000	$175,000	**$1,462,997**
Spent	$69,674	$55,846	$113,938	$25,518	$57,094	$36,517	$150,465	**$698,674**

Expenditures were combined with Project 21 and previously funded 21-02. Heritage expenditures were not included.

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Project 22-01: Mountain Lion Removal to Protect California Bighorn Sheep (Recommended for Discontinuation)

Justification	California bighorn sheep populations have been reintroduced in northwestern Nevada; mountain lion predation can be a significant source of mortality that may threaten this population's viability. Area 01 is in close proximity to the Sheldon National Wildlife Refuge, California, and Oregon; all three may act as a source for mountain lions. Mountain lions will be removed proactively by USDA Wildlife Services and private contractors until the local bighorn sheep populations reach population objectives.
Project Manager	Jon Ewanyk, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	California bighorn sheep, mountain lion, mule deer
Span More Than One Fiscal Year	No
Project Area	Units 011 and 013
Limiting Factor Statement	Mountain lions are known predators of bighorn sheep (Rominger et al. 2004). Though predation is a naturally occurring phenomenon for bighorn sheep and other big game, their populations can be lowed or suppressed by abiotic factors such as dry climate and loss of quality habitat. Mitigating abiotic factors by removing predators is imperative for some bighorn sheep populations to stabilize (Rominger 2007).
Response Variable	The response variable will be the number of radio-marked bighorn sheep killed by mountain lions.
Project Goal	Remove mountain lions to proactively protect reintroduced California bighorn sheep.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may also be suppressing bighorn populations below population potential or preventing them from reaching self-sustaining levels. Currently, several collaborations between the Bureau of Land Management and NDOW to remove pinyon-juniper are scheduled. These removals are intended to improve bighorn sheep habitat, improve access to water sources, and to remove habitat that is ideal for mountain lions to focus on bighorn sheep.

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Current Department Direction	**End Project 22-01, combine with project 37**
Methods	NDOW biologists, USDA Wildlife Services, and private contractors will collaborate to identify current and future California bighorn sheep locations and determine the best methods to reduce California bighorn sheep mortality. Traps, snares, baits, call boxes, and hounds will be used to proactively capture mountain lions as they immigrate into the defined sensitive areas.
Population Estimate	The population estimates for California Bighorn sheep in 011 are 20 and 013 is 60.
Anticipated Result	California bighorn herds may not be established in 011 or 013
Staff Comment	Duration of project combined with struggling populations suggest mountain lion predation is not limiting these populations
Project Direction	**End Project 22-01, combine with project 37**

Table 1. Population numbers to be used to redirect focus of project.

Action	Bighorn Sheep Population
Monitor bighorn population, conduct removal on case-by-case basis	> 80
Remove mountain lions that consume bighorn sheep*	60 - 80
Remove all mountain lions in area	< 60

*Indicates need for monitoring local mountain lion population.

Budget

$3 Predator Fee	Pittman-Robertson	Total
$0	N/A	$0

Previous Budgets and Expenditures

	2015	2016	2017	2018	2019	2020	2021	2022	2023	**Total**
Proposed	$25,000	$50,000	$90,000	$90,000	$90,000	$90,000	$90,000	$90,000	$100,000	**$715,000**
Spent	$91,183	$54,094	$84,927	$123,141	$75,650	$86,814	$99,197	$100,011	$35,836	**$750,853**

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Project 22-074: Monitor Rocky Mountain Bighorn Sheep for Mountain Lion Predation

Justification	Rocky Mountain bighorn sheep populations have been established in portions of Nevada, but mountain lion predation can be a significant source for mortality that may threaten the population's viability. One collared bighorn sheep has been killed by mountain lions in the past year. The area biologists believe that mountain lion predation is not currently limiting the small bighorn sheep population, but even a small amount of predation has the potential to affect its viability.
Project Manager	Kari Huebner, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Rocky Mountain bighorn sheep, mountain lion
Span More Than One Fiscal Year	Yes
Project Area	Unit 074
Limiting Factor Statement	Mountain lions are known predators of bighorn sheep (Rominger et al. 2004). Though predation is a naturally occurring phenomenon for bighorn sheep and other big game, their populations can be lowed or suppressed by abiotic factors such as dry climate and loss of quality habitat. Mitigating abiotic factors by removing predators is imperative for some bighorn sheep populations to stabilize (Rominger 2007).
Response Variable	The response variable will be the number of radio-marked bighorn sheep killed by mountain lions.
Project Goal	Bighorn sheep populations will be monitored on a continual basis and predator control will be implemented as deemed necessary at the discretion of the Area Biologist.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may also be suppressing bighorn populations below population potential or preventing them from reaching self-sustaining levels.
Comments from FY 2023 Predator Report	NDOW supports continuing Project 22-074 until the local bighorn sheep reaches population viability as defined in the annual Predator Plan.
Methods	NDOW biologists will identify current and future Rocky Mountain bighorn

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	sheep locations and determine the best methods to monitor this population. Additional GPS collars will be purchased and deployed to monitor the bighorn sheep population. If mountain lion predation is identified as an issue, then traps, snares, baits, call boxes, and hounds will be used to lethally remove mountain lions from the area.
Population Estimate	The population estimate for Rocky Mountain Bighorn sheep is approximately 25 individuals in area 074.
Anticipated Results	1. Monitor the population of Rocky Mountain bighorn sheep. 2. If mountain lion predation is identified as an issue, conduct lethal removal.
Staff Comment	Proactive mountain lion removal to assist struggling bighorn sheep populations is well documented within the scientific literature. This project has evolved from a proactive lethal removal project to a monitoring project.
Project Direction	Fund project 22-074. Monitor population. Begin mountain lion removal efforts if mountain lion predation is detected (table 2). Evaluate efficacy of project 22-074 annually. The Department will allocate project 22-074 funds to project 37 if they are not spent by 1 March 2025.

Table 2. Population numbers to be used to redirect focus of project.

Action	Bighorn Sheep Population
Monitor bighorn population, conduct removal on case-by-case basis	> 15
Remove mountain lions that consume bighorn sheep*	10 - 15
Remove all mountain lions in area	< 10

*Indicates need for monitoring local mountain lion population.

Budget

$3 Predator Fee	Pittman-Robertson	Total
$20,000	N/A	$20,000

Previous Budgets and Expenditures

	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
Proposed	$15,000	$45,000	$90,000	$90,000	$25,000	$25,000	$20,000	$20,000	$20,000	**350,000**
Spent	$12,714	$29,240	$0	$0	$0	$0	$0	$21,274	$11,579	**74,807**

Project 37: Big Game Protection-Mountain Lions

Justification	Predation issues frequently arise in a very short timeframe. These issues often occur within a fiscal year. By the time a project can be drafted, approved, and implemented, it may be too late to prevent or mitigate the predation issue. Removing mountain lions that prey on sensitive game populations quickly is a required tool to manage big game populations statewide.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Mountain lion, mule deer, bighorn sheep, antelope
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Mountain lions are known predators of bighorn sheep and other big game species (Rominger et al. 2004). Though predation is a naturally occurring phenomenon for bighorn sheep and other big game, their populations can be lowered or suppressed by abiotic factors such as dry climate and loss of quality habitat. Mitigating abiotic factors by removing predators is imperative for some bighorn sheep populations to stabilize (Rominger 2007).
Response Variable	Response variables may include reduction of prey taken by mountain lions, removal of a mountain lion that was documented consuming the concerned big game species, or a reduction in mountain lion sign. Because of the quick nature of the project, there may be times when no response variable will be measured.
Project Goal	Remove specific, problematic mountain lions to benefit game species.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may have reduced mule deer and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).
Comments from FY 2023 Predator Report	NDOW supports continuing Project 37 until local bighorn sheep populations become viable as defined in the annual Predator Report. NDOW supports the ability to remove mountain lions quickly.
Methods	NDOW will specify locations of mountain lions that may be influencing local declines of sensitive game populations. Locations will be determined with GPS collar points, trail cameras, and discovered mountain lion kill sites. Removal efforts will be implemented when indices levels are reached, these include low

	annual adult survival rates, poor fall young:female ratios, spring young:female ratios, and low adult female annual survival rates (table 3). Depending on the indices identified, standard to intermediate levels of monitoring will be implemented to determine the need for or effect of predator removal. These additional monitoring efforts may be conducted by NDOW employees, USDA Wildlife Services, or private contractors. Staff and biologists will identify species of interest, species to be removed, measures and metrics, and metric thresholds. This information will be recorded on the Local Predator Removal Progress Form and included in the annual predator report.
Anticipated Results	1. Lethal removal of individual, problematic mountain lions will provide a precise tool, protecting reintroduced and sensitive big game populations. 2. Implementation will occur in association with game populations that are sensitive (e.g., small in size, limited in distribution, in decline) and may benefit from rapid intervention from specific predation scenarios.
Staff Comment	Proactive mountain lion removal to assist struggling bighorn sheep populations is well documented within the scientific literature.
Project Direction	Fund Project 37.

Table 3. Indices used to initiate predator removal.

Species	Annual Adult Survival Rates	Fall Young: Female Ratios	Spring Young: Female Ratios	Adult Female Annual Survival Rates
California Bighorn Sheep	< 90%	< 40:100	--	--
Rocky Mountain Bighorn Sheep	< 90%	< 40:100	--	--
Desert Bighorn Sheep	< 90%	< 30:100	--	--
Mule Deer	--	--	< 35:100	< 80%
Pronghorn	< 90%	< 40:100	--	--

Budget

$3 Predator Fee	Pittman-Robertson	Total
$100,000	N/A	$100,000

Previous Budgets and Expenditures

	2016	2017	2018	2019	2020	2021	2022	2023	Total
Proposed	$90,000	$125,000	$175,000	$50,000	$75,000	$75,000	$100,000	$100,000	**$790,000**
Spent	$26,670	$192,427	$175,217	$67,233	$71,465	$60,357	$52,764	$160,735	**$806,868**

Project 38: Big Game Protection-Coyotes

Justification	Predation issues frequently arise in a very short timeframe. These occurrences often occur within a fiscal year, therefore by the time a project can be drafted, approved, and implemented, to prevent or mitigate the predation issue, it may be too late. Removing problematic coyotes quickly is a required tool to manage big game populations statewide.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Coyote, mule deer, antelope, Greater Sage-grouse
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for mule deer and other big game, their populations can be lowered or suppressed by abiotic factors such as dry climate and loss of quality habitat. Predation from coyotes may further suppress these populations (Ballard et al. 2001).
Response Variable	Response variables may include reduction of prey taken by coyotes, removal of a coyote that was documented consuming the concerned big game species, or a reduction in coyote sign. Because of the quick nature of the project, there may be times when no response variable will be measured.
Project Goal	Conduct focused coyote removal to protect game species.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may have reduced mule deer and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).
Comments from FY 2023 Predator Report	NDOW supports continuing Project 38 pending available funding.
Methods	USDA Wildlife Services and private contractors, working under direction of NDOW, will use foothold traps, snares, fixed-wing aircraft and helicopters for aerial gunning, calling and gunning from the ground to remove coyotes in sensitive areas during certain times of the year. Work will be implemented when

	indices levels are reached, these include low annual adult survival rates, poor fall young:female ratios, poor spring young:female ratios, and low adult female annual survival rates (table 3). Depending on the indices identified, standard to intermediate levels of monitoring will be implemented to determine the need for or effect of predator removal. These additional monitoring efforts may be conducted by NDOW employees, USDA Wildlife Services, or private contractors.
Anticipated Results	1. Removal of coyotes in winter range and fawning and lambing areas in certain situations will provide a valuable tool for managers. 2. Implementation will occur during times and locations where sensitive game species are adversely affected (e.g., local decline, reduced recruitment) based on the best available biological information.
Staff Comment	Proactive coyote removal to assist struggling pronghorn populations is well documented within the scientific literature.
Project Direction	Fund Project 38.

Table 3. Indices used to initiate predator removal.

Species	Annual Adult Survival Rates	Fall Young: Female Ratios	Spring Young: Female Ratios	Adult Female Annual Survival Rates
California Bighorn Sheep	< 90%	< 40:100	--	--
Rocky Mountain Bighorn Sheep	< 90%	< 40:100	--	--
Desert Bighorn Sheep	< 90%	< 30:100	--	--
Mule Deer	--	--	< 35:100	< 80%
Pronghorn	< 90%	< 40:100	--	--

Budget

$3 Predator Fee	Pittman-Robertson	Total
$100,000	N/A	$100,000

Previous Budgets and Expenditures

	2016	2017	2018	2019	2020	2021	2022	2023	Total
Proposed	$90,000	$125,000	$175,000	$50,000	$75,000	$75,000	$100,000	$100,000	**$790,000**
Spent	$97,794	$135,507	$133,720	$50,569	$73,480	$60,905	$1,270	$150,757	**$704,002**

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Project 40: Coyote and Mountain Lion Removal to Complement Multi-faceted Management in Eureka County

Justification	Continuing predator removal will complement previous coyote removal, feral horse removal, and habitat restoration to benefit mule deer populations.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Coyote, Greater Sage-grouse, mule deer, mountain lion
Span More Than One Fiscal Year	Yes
Project Area	MA 14
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for mule deer and other big game, their populations can be reduced or suppressed by abiotic factors such as dry climate and loss of quality habitat, these populations can be suppressed by predation from coyotes (Ballard et al. 2001).
Response Variable	The response variable will be the fawn to doe ratios in the Diamond Mountains. This ratio will be observed throughout the life of the project. The project will be altered or discontinued after three consecutive years of observed spring fawn:adult ratios averaging 50:100 or higher.
Project Goal	To increase mule deer and Greater Sage-grouse populations by removing coyotes and mountain lions.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, fawning, and browsing habitat. These effects may have reduced mule deer below population potential. These effects may also be suppressing mule deer below population potential (Ballard et al. 2001).
Comments from FY 2023 Predator Report	NDOW supports continuing Project 40 until mule deer populations reach levels defined in the annual Predator Plan.
Methods	USDA Wildlife Services and private contractors working under direction of NDOW and Eureka County, will use foothold traps, snares, fixed-wing aircraft and helicopters for aerial gunning, and calling and gunning from the ground to remove coyotes in sensitive areas during certain times of the year.
Anticipated Result	Coyote removal will complement feral horse removal already conducted by the BLM, habitat improvement conducted by Eureka County, private coyote removal funded by Eureka County, and Wildlife Service coyote removal funded

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	through Wildlife Heritage funds in 2011 and 2012.
Staff Comment	The Department supports multi-faceted management projects such as Project 40.
Project Direction	Fund Project 40. Evaluate efficacy of Project 40 annually.

Budget

$3 Predator Fee	**Pittman-Robertson**	**Total**
$100,000	N/A	$100,000

Previous Budgets and Expenditures

	2016	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**Total**
Proposed	$60,000	$100,000	$100,000	$100,000	$100,000	$100,000	$100,000	$150,000	**$810,000**
Spent	$36,402	$109,432	$110,960	$107,461	$83,213	$100,445	$97,251	$134,269	**$779,433**

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Project 41: Increasing Understanding of Common Raven Densities and Space Use in Nevada

Justification	Common ravens are the primary predator of Greater Sage-grouse nests and chicks (Coates and Delehanty 2010). Their populations have increased dramatically in Nevada, primarily due to human subsidies (Boarman 1993, Sauer et al. 2011). Understanding common raven density, distribution, and subsidy use will allow for intelligent management decisions to be made to reduce or alter common raven densities in Nevada. These efforts are intended to benefit Greater Sage-grouse, though desert tortoise may also benefit from this project.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimentation
Potentially Affected Species	Greater Sage-grouse, common raven, desert tortoise
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for Greater Sage-grouse, their populations can be suppressed by abiotic factors such as dry climate and loss of quality habitat. Increases in predator numbers can also cause decreases in Greater Sage-grouse populations; common raven abundance has increased throughout their native ranges, with increases as much as 1,500% in some areas (Boarman 1993, Coates et al. 2007, Sauer et al. 2011). Under these circumstances, common raven predation can have a negative influence of Greater Sage-grouse nesting success, recruitment, and population trend (Coates and Delehanty 2010). Common raven predation has also been documented to negatively impact desert tortoise populations (Boarman 1993, Kristan and Boarman 2003)
Response Variable	No response variable will be collected, this is an experimentation project.
Project Goals	1. Increase understanding of common raven density, distribution, and subsidy use to maximize common raven management effectiveness. 2. Develop a protocol to estimate common raven populations in Greater Sage-grouse habitat and monitor these populations. 3. Increase the understanding of how human subsidies affect common raven movements and space use, particularly near Greater Sage-grouse leks and nesting areas. 4. Develop a resource selection function model to identify landscape features that influence common raven abundance and that may be used in conjunction with Greater Sage-grouse priority habitat maps to locate sites where lethal

	treatments of common ravens may be applied with the greatest efficacy and efficiency.
Habitat Conditions	Persistent drought throughout Nevada has reduced herbaceous cover, along with nesting and brood rearing habitat; these impacts are exacerbated through wildfire and the invasion of cheatgrass. Transmission lines, substations, and nearby agriculture production also threaten Greater Sage-grouse habitat.
Comments from FY 2023 Predator Report	Common raven predation may be the greatest limiting factor in Greater sage-grouse nest success, NDOW supports continuing Project 41.
Methods	*Population monitoring and space use* Point counts for common ravens will be conducted from March through July of each year, which corresponds with Greater Sage-grouse nesting and brood-rearing season. Surveys will be similar to Ralph et al. (1995): lasting 10 minutes; conducted between sunrise and 1400; conducted under favorable weather conditions; and stratified randomly across study areas (Luginbuhl et al. 2001, Coates et al. 2014). ARGOS backpack transmitters will be deployed to monitor common raven space use and space use. *Development of Resource Selection Function (RSF)* An RSF will be developed using data on landscape features collected in habitats with varying observed abundance indices for common ravens. The abundance indices collected will include common raven point count and Greater Sage-grouse point counts. The landscape features that will be entered into the model will include 1 meter resolution digital elevation models and fire regime. The RSF for common ravens will be overlaid on polygons that feature Greater Sage-grouse priority habitats. Identifying habitats likely to support high numbers of common ravens where Greater Sage-grouse conservation is of highest priority will provide future locations where common raven removal may be warranted, land use activities may be modified, or more intensive Greater Sage-grouse monitoring may be focused. *Utility line surveys* Various utility lines will be identified in and near Greater Sage-grouse habitat from February until June of each year, which corresponds with common raven nesting and brood rearing. Surveys will be conducted from OHV vehicles, variables including utility pole type, cross arm type, utility pole height, insulator position, perch deterrent effectiveness, and proximity to Greater Sage-grouse habitat will be recorded.

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Anticipated Results	1. Develop a protocol to estimate common raven populations in Greater Sage-grouse habitat and monitor these populations. 2. Increase the understanding of common raven density and distribution in the state of Nevada, and how human subsidies increase common raven density and distribution. 3. Determine what common raven removal location will provide the greatest benefit to Greater Sage-grouse. Determine what time of the year is the optimal time to conduct common raven removal to optimize benefit to Greater Sage-grouse.
Staff Comment	Project 41 has resulted in on of the largest GPS location datasets for common ravens in history. It has also resulted in several peer-reviewed publications. The most recent list of these accomplishments may be found in the Appendix of the FY 2023 Predator Report. This project will develop a statewide population estimate for ravens, common raven growth rate, a common raven density map, detailed analysis of common raven movement and space use, and information necessary to increase the USFWS depredation permit.
Project Direction	Fund Project 41.

Budget

$3 Predator Fee	**Pittman-Robertson**	**Total**
$60,000	$180,000	$240,000

Previous Budgets and Expenditures

	2017	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**Total**
Proposed $3	$100,000	$100,000	$100,000	$87,500	$87,500	$87,500	$300,000	**$862,500**
Proposed PR	$300,000	$300,000	$300,000	$262,500	$262,500	$262,500	$0	**$1,687,500**
Spent	$255,611	$351,417	$323,443	$504,656	$267,451	$258,387	$256,644	**$2,217,609**

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Project 42: Assessing Mountain Lion Harvest in Nevada (Recommended for Discontinuation)

Justification	Nevada Department of Wildlife has a yearlong mountain lion hunting season limited by harvest quotas, although mountain lions are also lethally removed for livestock depredation and to limit predation on specific wildlife populations. Statewide annual adult female harvest is ≤35%, which indicates that statewide harvests are unlikely to be reducing statewide mountain lion population abundance (Anderson and Lindzey 2005). Nevertheless, regional area harvests may be greater and can be more difficult to assess the effects due to small sample sizes. Conversely, current NDOW mountain lion removal projects may not be sufficiently intensive to reduce local mountain lion populations to attain reduced predation on prey populations. Improved understanding of mountain lion population dynamics in Nevada would allow for better informed management.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimentation
Potentially Affected Species	Mountain lion, mule deer, bighorn sheep, elk
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Habitat and prey availability likely limit mountain lion populations in the state of Nevada.
Response Variable	No response variable will be collected, this is an experimentation project.
Project Goals	1. Develop a population model that incorporates NDOW mountain lion harvest data to predict the number of mountain lions that must be removed to reach desired goals in mountain lion removal projects. 2. Identify limitations and gaps in the existing demographic data for mountain lions that precludes a more complete understanding of mountain lion population dynamics and limits NDOW's management ability with the greatest efficacy and efficiency. 3. Create a user-friendly model interface for Department employees to model local populations and improve understanding. 4. Draft and ideally publish work in a peer-reviewed manuscript.

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Habitat Conditions	This work would not be conducted in the field but would rely on statewide harvest data collected over time to include periods of normal and less-than-normal precipitation. Due to the span of the state data collection, habitat during the period of inference would also span a wide variety of conditions and vegetative communities.
Current Department Direction	**End Project 42**
Methods	A private contractor will use existing mountain lion harvest data collected by NDOW biologists to develop a harvest model. The modeling approach will involve Integrated Population Modeling (IPM) which brings together different sources of data to model wildlife population dynamics (Abadi et al. 2010, Fieberg et al. 2010). With IPM, generally a joint analysis is conducted in which population abundance is estimated from survey or other count data, and demographic parameters are estimated from data from marked individuals (Chandler and Clark 2014). Age-at-harvest data can be used in combination with other data, such as telemetry, mark-recapture, food availability, and home range size to allow for improved modeling of abundance and population dynamics relative to using harvest data alone (Fieberg et al. 2010). Depending on available data, the contractor will build a count-based or structured demographic model (Morris and Doak 2002) for mountain lions in Nevada. The model (s) will provide estimates of population growth, age and sex structure, and population abundance relative to different levels of harvest.
Anticipated Results	1. Estimate statewide population dynamics, age structure, and sex structure of mountain lions in the state of Nevada with existing NDOW data. 2. Recommend additional data that could be collected to improve the model and reduce uncertainty in model results in the future.
Staff Comment	Limitations in federal funding combined with a final manuscript for this project allow for it to end
Project Direction	**End Project 42**

$3 Predator Fee	**Pittman-Robertson**	**Total**
$0	$0	$0

Previous Budgets and Expenditures

	2017	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**Total**
Proposed $3	$2,500	$2,500	$2,500	$2,500	$2,500	$5,000	$5,000	**$22,500**
Proposed PR	$7,500	$7,500	$7,500	$7,500	$7,500	$15,000	$15,000	**$67,500**
Spent	$0	$0	$0	$0	$14,850	$14,850	$14,850	**$44,550**

Project 43: Mesopredator removal to protect waterfowl, turkeys, and pheasants on Wildlife Management Areas

Justification	Mesopredators including coyotes, striped skunks, and raccoons often consume waterfowl, pheasant, and turkey eggs. Consuming these eggs may limit fowl species population growth and could be causing a decline on Overton and Mason Valley Wildlife Management Areas.
Project Manager	Isaac Metcalf and Bennie Vann, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Assorted waterfowl, turkey, pheasant, coyote, striped skunk, raccoon
Span More Than One Fiscal Year	Yes
Project Area	Overton and Mason Valley Wildlife Management Areas
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for waterfowl, turkeys, and pheasants, their populations can be lowed or suppressed by abiotic factors such as dry climate and loss of quality habitat.
Response Variable	The response variable for waterfowl, turkeys, and pheasants will be the number of females with clutches, and the number of young per clutch.
Project Goals	To increase clutch size and survival of waterfowl, turkeys, and pheasants on Overton and Mason Valley WMAs.
Habitat Conditions	Persistent drought throughout Nevada has reduced herbaceous cover, nesting, and browsing habitat.
Comments from FY 2023 Predator Report	NDOW recommends continuing project 43 pending funding availability.
Methods	USDA Wildlife Services and private contractors working under direction of NDOW, will use foothold traps, snares, calling and gunning from the ground to remove coyotes, striped skunks, and raccoons during waterfowl, turkey, and pheasant nesting seasons.
Anticipated Results	1. Increase the number of female turkeys, waterfowl, and pheasants that successful raise clutches. 2. Increase the number female turkeys, waterfowl, and pheasants that have clutches.

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	This project will be cancelled or altered once there are two consecutive three-year averages where: The average hen turkey successfully raises 3 poults. Area biologists believe pheasants no longer need predator removal.
Staff Comment	Area managers have noticed a substantial increase in waterfowl nest success and an increase in clutch size since the inception of project 43.
Project Direction	Fund Project 43.

Budget

$3 Predator Fee	**Pittman-Robertson**	**Total**
$50,000	N/A	$50,000

Previous Budgets and Expenditures

	2017	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**Total**
Proposed	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000	**$350,000**
Spent	$42,246	$28,447	$38,038	$20,849	$17,350	$20,933	$22,282	**$190,145**

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Project 44: Lethal Removal and Monitoring of Mountain Lions in Area 24

Justification	The local desert bighorn sheep population has been underperforming in the Delamar Mountains since the initial reintroduction in 1996 (M. Cox, *personal communication*). Mountain lions may be a contributing factor to this underperformance.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimental Management
Potentially Affected Species	Mountain lion, bighorn sheep
Span More Than One Fiscal Year	Yes
Project Area	Areas 23 and 24
Limiting Factor Statement	Mountain lions are known predators of bighorn sheep and other big game species (Rominger et al. 2004). Though predation is a naturally occurring phenomenon for bighorn sheep and other big game, their populations can be lowered or suppressed by abiotic factors such as dry climate and loss of quality habitat. Mitigating abiotic factors by removing predators is imperative for some bighorn sheep populations to stabilize (Rominger 2007).
Response Variable	Response variables may include reduction of prey taken by mountain lions, removal of a mountain lion that was documented consuming the concerned big game species, or a reduction in mountain lion sign. Because of the quick nature of the project, there may be times when no response variable will be measured.
Project Goals	1. Remove specific, problematic mountain lions to benefit desert bighorn sheep 2. Deploy and maintain up to 20 GPS collars on mountain lions in proximity area to increase understanding of mountain lion diet, space use, and movement.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may have reduced bighorn sheep and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).
Comments from FY 2023 Predator Report	NDOW supports continuing Project 44 until the local bighorn sheep populations reach viability as defined in the annual Predator Plan. NDOW also supports reactive removal of offending mountain lions while learning more about local mountain lion diet. NDOW appreciates its ongoing collaboration with the US Geological Survey and Utah State University.
Methods	Mountain lions consuming bighorn sheep will be reactively removed; one bighorn sheep killed and that lion will be removed.

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	Mountain lions will be captured with the use of hounds and/or foot snares. Captured mountain lions will be chemically immobilized and marked with a GPS collar.
Anticipated Results	1. Remove any offending mountain lion known to be consuming bighorn sheep. 2. Increase understanding of mountain lion movements, space use, and diet within the proximity area. 3. Increase local bighorn sheep adult annual survival rates and fall young:female ratios. 4. Increase understanding of mountain lion, feral horse, and mule deer interactions.
Staff Comment	Determining mountain lion prey selection prior to lethal removal allows the Department to make more informed decisions on which mountain lion to remove. The Delamar based lions are consuming a substantial number of feral horses. The Department will increase our understanding of the effect mountain lions can have on feral horse populations.
Project Direction	NDOW supports continuing Project 44 until the local bighorn sheep populations reach viability as defined in the annual Predator Plan. NDOW also supports reactive removal of offending mountain lions while learning more about local mountain lion diet. NDOW supports seeking outside collaboration and funding sources.

$3 Predator Fee	**Pittman-Robertson**	**Total**
$ 125,000	N/A	$ 125,000

Previous Budgets and Expenditures

	2019	**2020**	**2021**	**2022**	**2023**	**Total**
Proposed	$50,000	$75,000	$100,000	$100,000	$100,000	**$425,000**
Spent	$61,770	$145,825	$68,686	$136,576	$91,135	**$503,992**

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Project 45: Passive Survey Estimate of Black Bears in Nevada

Justification	Black bears are expanding numerically and geographically, and in so doing they are recolonizing historic ranges in Nevada. It is imperative the Department be able to estimate Nevada's black bear population and monitor growth and change. Being able to do so passively will ensure the Department can reach these objectives safely and cost efficiently.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimentation
Potentially Affected Species	Black bear
Span More Than One Fiscal Year	Yes
Project Area	Units 014, 015, 021, 192, 194, 195, 196, 201, 202, 203, 204, 291
Limiting Factor Statement	Black bears have recently expanded their distribution in western Nevada to include historical bear habitat in desert mountain ranges east of the Sierra Nevada and Carson Front (Beckmann and Berger 2003, Lackey et al. 2013). Nevada black bears are an extension of a California based metapopulation (Malaney et al. 2017), monitoring this rewilding is important for proper management.
Response Variable	No response variable will be collected, this is an experimentation project.
Project Goals	1. Passively estimate the abundance of black bears in Nevada. 2. Predict the density and occupancy of black bears in Nevada. 3. Continue as a portion of project 46.
Habitat Conditions	The study area consists of mountain ranges and associated basins that are characterized by steep topography with high granite peaks and deep canyons. Mountain ranges are separated by desert basins that range from 15–64 km across (Grayson 1993). These basins are often large expanses of unsuitable habitat (e.g., large areas of sagebrush) that bears and mountain lions do not use as primary habitat.
Comments from FY 2023 Predator Report	NDOW also recommends continuing Project 45 as a monitoring project.
Methods	In a collaboration with Oxford and University of Montana, trail cameras will be

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	maintained on a grid to determine black bear density. Existing black bear GPS data will be incorporated into models. These data will ultimately result in a population estimate.
Anticipated Results	1. A statewide black bear population estimate. 2. An estimate of black bear occupancy, density, and abundance based on hair snares and trail cameras. 3. Guidance to the Department on which methods will be best suited for sustained population estimation.
Staff Comment	Project 45 will allow the Department to make more informed decisions on statewide black bear management, including the black bear hunt seasons and harvest limits.
Project Direction	Fund Project 45.

Budget

$3 Predator Fee	**Pittman-Robertson**	**Total**
$5,000	$15,000	$20,000

Previous Budgets and Expenditures

	2019	**2020**	**2021**	**2022**	**2023**	**Total**
Proposed $3	$40,000	$40,000	$25,000	$5,000	$5,000	**$115,000**
Proposed PR	$120,000	$120,000	$75,000	$15,000	$15,000	**$345,000**
Spent	$343,955	$205,383	$99,858	$0	$20,000	**$669,196**

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Project 46: Investigating Potential Limiting Factors Impacting Mule Deer in Northwest Nevada

Justification	Recent decades have seen Northwest Nevada's mule deer herds decline, resulting in fewer tags issued and low-quality hunt experiences. Several factors may be contributing, including predation, drought, wildland fire, invasive plant species, and competition from feral horses. A combination of these factors are likely at play, it is the Department's desire to better understand the situation.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimental Management
Potentially Affected Species	Mule deer, bighorn sheep, pronghorn, coyote, mountain lion, feral horse
Span More Than One Fiscal Year	Yes
Project Area	Units 021, 011, 012, 013, 014, 015, 032, 033, 034
Limiting Factor Statement	Predation, drought, fire, degraded habitat, and competition from feral horses may all be limiting factors.
Response Variable	For the first phase of this project, no treatment is expected, therefore no response variable will be collected.
Project Goals	1. Accurately estimate mountain lion, feral horse, mule deer and/or pronghorn densities in specified areas. 2. Increase understanding of how mountain lion, feral horse, mule deer and/or pronghorn densities changes throughout the course of a year. 3. Deploy GPS transmitters on mountain lions within the study site, including the Sheldon NWR.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, fawning or lambing, and browsing habitat. These effects may have reduced mule deer and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).

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Comments from FY 2023 Predator Report	Project 46 has the potential to greatly increase the understanding of flora and fauna communities in northwest Nevada.
Methods	In a collaboration with outside researchers, trail camera grids will be placed in strategic locations to determine densities of both predators and prey species. The locations of these camera grids will be determined by using area biologist and input, existing mule deer GPS data, BLM feral horse estimates, and other forms of institutional knowledge.
Anticipated Results	1. A better understanding of predator and prey densities across Northwest Nevada. 2. Specific management recommendations.
Staff Comment	Project 46 should be considered the analysis of a "check engine" light in Northwest Nevada. Upon completion the Department will have a better understanding of predator and prey densities in Northwest Nevada.
Project Direction	Fund Project 46 through FY 2027. Seek outside funding opportunities such as Heritage Grant funds.

Budget

$3 Predator Fee	**Pittman-Robertson**	**Total**
$40,000	$120,000	$160,000

Previous Budgets and Expenditures

	2021	**2022**	**2023**	**Total**
Proposed $3	$15,000	$40,000	$40,000	**$95,000**
Proposed PR	$45,000	$120,000	$160,000	**$325,000**
Spent	$86,308	$172,736	$159,999	**$419,043**

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Project 47: Mule Deer Enhancement Program Mule Deer Protection and Assessment

Justification	Many of the projects proposed by MDEP subcommittees are for areas of low densities of mule deer or where populations have trended downward and/or have remained suppressed for extended periods of time.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Implementation or Experimental Management
Potentially Affected Species	Mule deer, coyote, mountain lion
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Drought, fire, degraded habitat, and competition from feral horses may all be limiting factors. Predation and its interactions with these factors are the primary focus.
Response Variable	To Be Determined
Project Goals	1. Address MDEP committee and sportsmen concerns. 2. Increase mule deer population numbers or minimize loss to mule deer populations. 3. Increase understanding of predator removal on mule deer populations.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, fawning or lambing, and browsing habitat. These effects may have reduced mule deer and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).
Comments from FY 2023 Predator Report	NA

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Methods	Underperforming mule deer populations will be identified by local mule deer enhancement program committees. Working with the mule deer oversight committee, NDOW staff, and outside collaborators, predation as a limiting factor will be assessed. If predation is determined to be a likely limiting factor, one of two steps may be taken: 1. Address predation through projects 37 or 38. 2. Working with an outside collaborator, conduct experimental management to address predation and create a model to inform the department when predator removal will and will not benefit mule deer populations.
Anticipated Results	1. Healthier mule deer populations 2. A model to aid the Department in deciding when to and not to conduct predator control for the benefit of mule deer. 3. Contribute to mule deer biology knowledge through written documents, oral presentations, and public outreach
Staff Comment	NA
Project Direction	Fund Project 47

Budget

$3 Predator Fee	**Pittman-Robertson**	**Total**
$100,000	$ TBD	$100,000

Previous Budgets and Expenditures

N/A

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Overall FY 2025 Budget

Project	Predator Fee	PR Funds	Total
Department of Agriculture Administrative Support Transfer[a]	$14,000	N/A	$14,000
Project 21: Greater Sage-Grouse Protection (Common Raven Removal)	$175,000	N/A	$175,000
Project 22-01: Mountain Lion Removal to Protect California Bighorn Sheep	$0	N/A	$0
Project 22-074: Monitor Rocky Mountain Bighorn Sheep for Mountain Lion Predation	$20,000	N/A	$20,000
Project 37: Big Game Protection-Mountain Lions	$100,000	N/A	$100,000
Project 38: Big Game Protection-Coyotes	$100,000	N/A	$100,000
Project 40: Coyote and Mountain Lion Removal to Complement Multi-faceted Management in Eureka County	$100,000	N/A	$100,000
Project 41: Increasing Understanding of Common Raven Densities and Space Use in Nevada	$60,000	$180,000	$240,000
Project 42: Assessing Mountain Lion Harvest in Nevada	$0	$0	$0
Project 43: Mesopredator Removal to Protect Waterfowl, Turkeys, and Pheasants on Wildlife Management Areas	$50,000	N/A	$50,000
Project 44: Lethal Removal and Monitoring of Mountain Lions in Area 24	$125,000	N/A	$125,000
Project 45: Passive Survey Estimate of Black Bears in Nevada	$0	$0	$0
Project 46: Investigating Potential Limiting Factors Impacting Mule Deer in Northwest Nevada	$40,000	$120,000	$160,000
Project 47: Mule Deer Enhancement Program Mule Deer Protection and Assessment	$100,000	NA	$100,000
Total[b]	**$889,000**	**$315,000**	**$1,204,000**

[a] This transfer of $3 predator fees for administrative support to the Department of Agriculture partially funds state personnel that conduct work for the benefit of wildlife at the direction of USDA Wildlife Services (e.g., mountain lion removal to benefit wildlife).

[b] The projects that contain lethal removal as a primary aspect, making them ineligible for Federal Aid funding.

Expected Revenues and Beginning Balance of $3 Predator Fee

	FY 2022 Actual	FY 2023 Actual	FY 2024 Projected	FY 2025 Estimated
Beginning balance	$622,969	$930,654	$641,884	$641,884
Revenues	$911,013	$944,410	$944,410	$944,410
Plan Budget	$886,500	$1,159,000	$1,059,000	$889,000
Expenditures	$603,328	$1,106,142	$1,106,142	$889,000
Ending balance	$930,654	$641,884	$641,884	$730,294

Literature Cited

Abadi, F., O. Gimenez, R. Arlettaz, and M. Schaub. 2010. An assessment of integrated population models: bias, accuracy, and violation of the assumption of independence. Ecology 91:7–14.

Anderson, C. R., and F. G. Lindzey. 2005. Experimental evaluation of population trend and harvest composition in a Wyoming cougar population. Wildlife Society Bulletin 33:179–188.

Ballard, W. B., D. Lutz, T. W. Keegan, L. H. Carpenter, and J. C. deVos Jr. 2001. Deer-predator elationships: of recent North American studies with emphasis on mule and black-tailed deer. Wildlife Society Bulletin 29:99–115.

Beckmann, J. P., and J. Berger. 2003. Using black bears to test ideal-free distribution models experimentally. Journal of Mammalogy 84:594–606.

Boarman, W. I. 1993. When a native predator becomes a pest: a case study. Pages 191–206 *in* S. K. Majumdar, E. W. Miller, K. Brown, J. R. Pratt, and R. F. Schmalz, editors. Conservation and Resource Management. Academy of Natural Sciences, Philadelphia, Pennsylvania, USA.

Chandler, R. B., and J. D. Clark. 2014. Spatially explicit integrated population models. Methods in Ecology and Evolution 5:1351–1360.

Coates, P. S., and D. J. Delehanty. 2010. Nest predation of Greater Sage-Grouse in relation to microhabitat factors and predators. Journal of Wildlife Management 74:240–248.

Coates, P. S., K. B. Howe, M. L. Casazza, and D. J. Delehanty. 2014. Common raven occurrence in relation to energy transmission line corridors transiting human-altered sagebrush steppe. Journal of Arid Environments 111:68–78.

Coates, P. S., J. O. Spencer Jr, and D. J. Delehanty. 2007. Efficacy of CPTH-treated egg baits for removing ravens. Human-Wildlife Conflicts 1:224–234.

Fieberg, J. R., K. W. Shertzer, P. B. Conn, K. V. Noyce, and D. L. Garshelis. 2010. Integrated opulation modeling of black bears in Minnesota: implications for monitoring and management. W. M. Getz, editor. PLoS ONE 5:e12114.

Grayson, D. K. 1993. The desert's past: a natural prehistory of the Great Basin. Thesis. Smithsonian Institution Press, Washington D.C.,USA.

Kristan, W. B., and W. I. Boarman. 2003. Spatial pattern of risk of common raven predation on desert tortoises. Ecology 84:2432–2443.

Lackey, C. W., J. P. Beckmann, and J. Sedinger. 2013. Bear historical ranges revisited: Documenting the increase of a once-extirpated population in Nevada. Journal of Wildlife Management 77:812–820.

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Luginbuhl, J. M., J. M. Marzluff, J. E. Bradley, M. G. Raphael, and D. E. Varland. 2001. Corvid survey techniques and the relationship between corvid relative abundance and nest predation. Journal of Field Ornithology 72:556–572.

Malaney, J. L., C. W. Lackey, J. P. Beckmann, and M. D. Matocq. 2017. Natural rewilding of the Great Basin: Genetic consequences of recolonization by black bears (*Ursus americanus*). Diversity and Distributions.

Morris, W. F., and D. F. Doak. 2002. Quantitative Conservation Biology. Sinaur Associates Inc.

O'Neil, S. T., P. S. Coates, B. E. Brussee, P. J. Jackson, K. B. Howe, A. M. Moser, L. J. Foster, and D. J. Delehanty. 2018. Broad-scale occurrence of a subsidized avian predator: reducing impacts of ravens on sage-grouse and other sensitive prey. Journal of Applied Ecology. <http://doi.wiley.com/10.1111/1365-2664.13249>. Accessed 13 Aug 2018.

Ralph, C. J., S. Droege, and J. R. Sauer. 1995. Managing and monitoring birds using point counts: standards and applications. USDA Forest Service, Pacific Southwest Research Station 161–168.

Rominger, E. M. 2007. Culling mountain lions to protect ungulate populations—some lives are more sacred than others. Page 186 *in*. Transactions of the North American Wildlife and Natural Resources Conference. Volume 72. Wildlife Management Institute.

Rominger, E. M., H. A. Whitlaw, D. L. Weybright, W. C. Dunn, and W. B. Ballard. 2004. The influence of mountain lion predation on bighorn sheep translocations. Journal of Wildlife Management 68:993–999.

Sauer, J. R., J. E. Hines, J. Fallon, K. L. Pardieck, D. J. Ziolkowski Jr, and W. A. Link. 2011. The North American breeding bird survey, results and analysis 1966-2009. Version 3.23.2011 USGS Patuxent Wildlife Research Center, Laurel, Maryland, USA.

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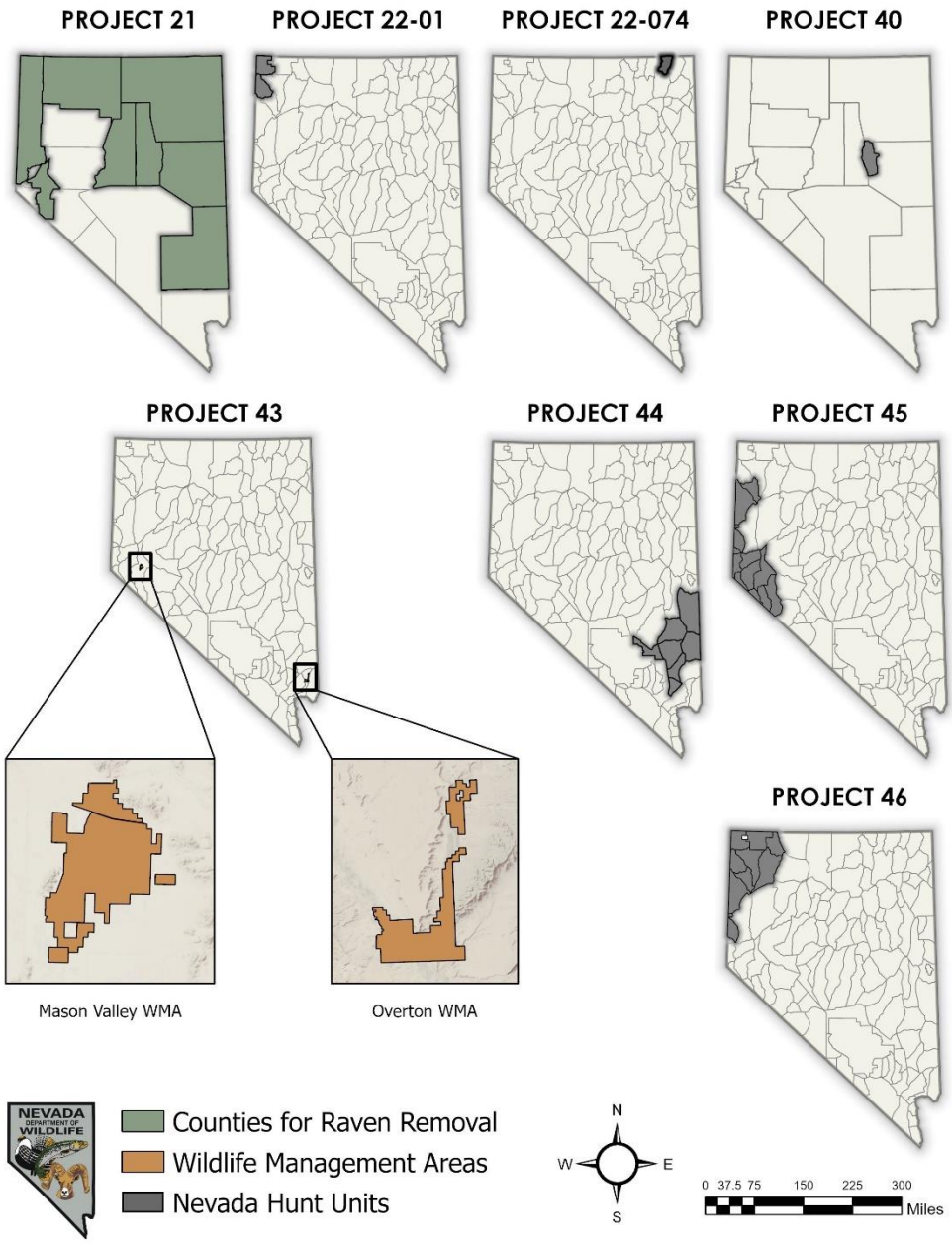
PROJECT 21
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PROJECT 22-074
PROJECT 40
PROJECT 43
PROJECT 44
PROJECT 45
PROJECT 46
Mason Valley WMA
Overton WMA
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DEPARTMENT OF
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STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: **Administrative Procedures, Regulations and Policy Committee -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent Administrative Procedures, Regulations and Policy Committee meeting. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
6H-APRP-Committee-March-2024-DRAFT-AGENDA.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
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_____

(Vote Recorded By)

#COMMITTEE MEMBERS: CHAIRMAN AND COMMISSIONER DAVID MCNINCH, COMMISSIONER EDDIE BOOTH, COMMISSIONER TOMMY CAVIGLIA, COMMISSIONER ALANA WISE

STAFF TO THE COMMITTEE: KAILEY MUSSO, MANAGEMENT ANALYST III, knmusso@ndow.org, 775-688-1510

DRAFT AGENDA

NEVADA BOARD OF WILDLIFE COMMISSIONERS

ADMINISTRATIVE PROCEDURES, REGULATIONS, AND POLICY COMMITTEE

TUESDAY, MARCH 5, 2024, 4:00PM, VIA ZOOM

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

https://us02web.zoom.us/j/88473277423?pwd=SDhYUkczZldkQmdFYmd1OGc3NG12dz09

Passcode: 432975

Public Comment will be taken on every action item after discussion but before action on each item, and are limited to three minutes per person. 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 meeting which will become part of the official record. All persons present are asked to complete the sign-in sheet for attendance, whether speaking or not. To ensure the public has notice of all matters the Committee will consider, Committee members may choose not to respond to public comments in order to avoid deliberation on topics not listed for action on the agenda.

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

1. **Call to Order, Pledge of Allegiance, Roll Call of Committee Members – Committee Chairman David McNinch**

2. **Public Comment Period**
   Persons wishing to speak are requested to sign in. Public comment will be limited to three minutes. No action can be taken by the Committee at this time; however, the Committee may consider items brought up to be scheduled on a future Committee agenda.

2 **Approval of Agenda – Committee Chairman David McNinch – 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 at any time.

3. ***Approval of Minutes** – **Committee Chairman David McNinch – For Possible Action**
   The Committee will review and may approve the DRAFT Minutes from the meeting from October 26, 2022.

4. ***New Commission Policy – Predator Fee for Nonpredatory Wildlife – Committee Chairman David McNinch – For Possible Action**

The Committee will review a new Commission Policy and may take action to recommend revising, suspending or repealing the policy.

5. **Future Committee Meetings and Agenda Items – Committee Chairman David McNinch - For Possible Action**
   The Committee will take action to determine future committee agenda items, or meeting dates, times, and locations.

6. **Public Comment Period**
   Persons wishing to speak are requested to sign in. Public comment will be limited to three minutes. No action can be taken by the Committee at this time; however, the Committee may consider items brought up to be scheduled on a future Committee agenda.

7. **Adjourn**

*Support material provided and posted to the NDOW website (www.ndow.org) including updates. Support material may be requested from Committee Staff Kailey Musso (775-688-1510; knmusso@ndow.org). Supporting material for this meeting is available for the public at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, NV, 89511. In accordance with NRS 241.020 this agenda closes three days prior to the meeting date and has been posted online at www.ndow.org and at the following Department of Wildlife offices: 1100 Valley Road, Reno, NV, 89512; 380 W. "B" Street, Fallon, NV, 89406; 815 E. Fourth Street, Winnemucca, NV 89445; 60 Youth Center, Elko, NV, 89801; 1218 N. Alpha Street, Ely, NV 89301; and 3373 Pepper Lane, Las Vegas, NV, 89108.

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, 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) 688-1510.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

Mule Deer Enhancement Oversight Committee - At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent Mule Deer Enhancement Oversight Committee meeting**.** The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
6I-Mule-Deer-Enhancement-Oversight-Committee.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____
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_____
_____
_____

_____ _____

(Vote Recorded By)

Committee Members: Commissioner Kiel (Chair), Commissioner Barnes, Commissioner Rogers, Commissioner Wise, Commissioner Young, Jim Rackley, Jeremy Drew, Charlie Clements, Josh Vittori, Cory Lytle, Alan Shepherd, Kris Boatner

Staff to the Committee: Shawn Espinosa, Mark Freese, Cody Schroeder

Nevada Board of Wildlife Commissioners
Mule Deer Enhancement Program Oversight Committee
Nevada Department of Wildlife

Wednesday, March 6, 2024 / 5:00 p.m.

Meeting via www.Zoom.us

Link to join the webinar:
https://us02web.zoom.us/j/87389553784?pwd=a3VUbDB0T3FYNFA1eWw2OFNkRGxPZz09

Agenda

NOTE: The Chairman, in his discretion or upon request, may take items out of order; combine items for consideration by the Subcommittee; and may remove items from the agenda at any time.

TIME LIMITS: Public Comment will be taken on every action item after discussion but before action on each item and are limited to three minutes per person. Public comment will also be taken on certain "Informational" items when indicated and at the end of the meeting for items not on the agenda. Persons may not allocate unused time to other speakers. Persons wishing to comment are invited to raise their hands 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. To submit public comment during the meeting, please email ndowgame@ndow.org. All emails will become part of the official record.

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1. **Call to Order and Roll Call of Committee Members – Chairman Kiel**

2. **Public Comment Period**
   Persons wishing to comment are invited to raise their virtual hands in the virtual meeting forum during this time; each person offering public comment are asked to state their name and are limited to 3 minutes. The Chair may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. No action can be taken by the Committee at this time; any item requiring Committee action may be scheduled on a future Committee agenda. Persons are invited to submit written comments on items by emailing ndowgame@ndow.org. All emails will become part of the official record.

3. ***Approval of Agenda – 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 (November 1, 2023) – Chairman Kiel – For Possible Action**

5. **Member Announcements and Correspondence – Chairman Kiel – Informational**
   Committee members may present emergent items. No action may be taken by the Committee. Any item requiring Committee action may be scheduled on a future Committee agenda. The Committee will review and may discuss correspondence sent or received by the Committee and may provide copies for the exhibit file Committee members may provide hard copies of their correspondence for the written record. Correspondence sent or received by the Department will also be discussed.

6. ***New or Extended Mule Deer Enhancement Program Project Proposals and Rankings – Game Administrator Shawn Espinosa, Habitat Administrator Mark Freese – For Possible Action**
   The Committee will be presented project proposals submitted by MDEP Subcommittees. The Committee may discuss and take into consideration new project submissions.

7. **Public Comment Period**
   Persons wishing to comment are invited to raise their virtual hands in the virtual meeting forum during this time; each person offering public comment are asked to state their name and are limited to 3 minutes. The Chair may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. No action can be taken by the Committee at this time; any item requiring Committee action may be scheduled on a future Committee agenda. Persons are invited to submit written comments on items by emailing ndowgame@ndow.org. All emails will become part of the official record.

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STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: **Mule Deer Tag Quota Development, Harvest Estimation and Effects of Harvest -** At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, an informational presentation will be provided to the Wildlife Commission on the nuances of tag quota development for mule deer, how harvest levels are derived and the overall effects of harvest on mule deer populations. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
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(Vote Recorded By)

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

Wildlife Damage Management Committee Report - At the March 8, 2024, meeting of the Nevada Board of Wildlife Commissioners, a report will be provided on the recent Wildlife Damage Management Committee meeting. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7K-Wildlife-Damage-Management-Committee-Report.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
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_____ _____

(Vote Recorded By)

Committee Members: Commissioner Wise (Chair), Commissioner Barnes, Commissioner Caviglia, Commissioner Booth, Tom Cassinelli, Fauna Tomlinson

Staff to the Committee: Pat Jackson

Nevada Board of Wildlife Commissioners
Wildlife Damage Management Committee
Nevada Department of Wildlife
3373 Pepper Lane
Las Vegas, Nevada 89120

Thursday, March 7, 2024 / 4:00 PM

Meeting also via www.Zoom.us
Link to join the webinar:
https://us02web.zoom.us/j/84067064358?pwd=NXQvUGNVd1hxQmtycHIrM1d4d2lNdz09

Agenda

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1. **Call to Order – Chairman Wise**

2. **Public Comment**
   Persons wishing to comment are invited to raise their hands in the meeting forum during this time; each person offering public comment are asked to state their name and are limited to 3 minutes. The Chair may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. No action can be taken by the Committee at this time; any item requiring Committee action may be scheduled on a future Committee agenda. Persons are invited to submit written comments on items by emailing ndowgame@ndow.org. All emails will become part of the official record.

3. ***Approval of Agenda – 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, combine items for consideration or take items out of order.

4. ***Approval of Minutes (March 9, 2023) – Chairman Wise– For Possible Action**

5. ***Report on DRAFT FY 2025 Predator Management Plan – Predator Management Staff Specialist Pat Jackson – For Possible Action**
   The Committee will discuss the development of the Draft FY 2025 Predator Management Plan. The Committee may take action to provide direction to staff or establish findings or recommendations to present to the Nevada Board of Wildlife Commissioners. The Department will present and discuss techniques associated with monitoring effects of treatments and drawing inference of efficacy of actions associated with the DRAFT Plan.

6. *Mule Deer Enhancement Program Predator Project Proposals – Predator Management Staff Specialist Pat Jackson – For Possible Action

The Committee will discuss the Mule Deer Enhancement Program and the project proposals pertinent to the Committee. The Committee may take action to provide direction to staff or establish findings or recommendations to present to the Nevada Board of Wildlife Commissioners.

7. Public Comment

Persons wishing to comment are invited to raise their hands in the meeting forum during this time; each person offering public comment are asked to state their name and are limited to 3 minutes. The Chair may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. No action can be taken by the Committee at this time; any item requiring Committee action may be scheduled on a future Committee agenda. Persons are invited to submit written comments on items by emailing ndowgame@ndow.org. All emails will become part of the official record.

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STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

Heritage Account Principal Project Proposal - At the March 9, 2024, meeting of the Nevada Board of Wildlife Commissioners, the commission will hear the South Schell Land Acquisition Heritage Account Principal Project Proposal. The Department is seeking Heritage Account Principal Project funding to acquire 1,720 acres of wildlife habitat in the Schell Creek Range near Ely, NV. The Department will seek a final decision in May. The CCABMW may desire to offer public comment.

Agenda Action: Other / Presentation **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
6L-Heritage-Account-Principal-Project-Proposal.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____

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(Vote Recorded By)

NEVADA DEPARTMENT OF WILDLIFE

Project Proposal Report

Project Name: South Schell Land Acquisition **Project ID:** 921

Lead Agency: Nevada Department of Wildlife

Project Manager: Madi Stout Nevada Department of Wildlife

Phone Number: (775) 777-2392

Email: mstout@ndow.org

Project Partners

Name	Agency	Role
Southern Nevada Water Authority	Southern Nevada Water Authority	Private Landowner
RMEF	RMEF- Aaron Swift	Non-Agency Cooperator
Bob McCready	NWF - National Wildlife Federation	Non-Agency Cooperator
Patrick Smorra	NDSL - Nevada Division of State Lands	Agency Cooperator

Project Schedule

Project Start Date: 01/03/2022 (FY 2022)

Projected Completion Date: 12/31/2024 (FY 2025)

Multi-year Project: no

Project Schedule:

Yellow book appraisal completed September 2023.

Final review appraisal completed October 2023.

Projected Closing June of 2024.

Project Location and Land Status

Location Narrative:

The Project is located approximately 23 miles southeast of Ely, Nevada, in the southern portion of the Schell Creek Mountain Range. The Project Area is located on private lands surrounded by USFS and BLM lands in the Ely Ranger District.

NDOW Region: Eastern

NDOW Management Units: 111

Nevada Sage Grouse Population Management Unit: Steptoe/Cave, Spring/Snake Valley

County: White Pine

Land Status

Land Status	Acres	Percent of Project
Forest Service	267.6	15.6
Private	1449.2	84.4

Bureau of Land Management Office: Ely District - Bristlecone Field Office

US Forest Service Ranger District: Humboldt-Toiyabe National Forest - Ely Ranger District

Special Land Designations: N/A

Project Summary and Justification

Project Activity and Sub-activity: INFRASTRUCTURE and LAND: Land or water right acquisition

Project Objectives:

- To measurably increase access for wildlife-dependent recreation.
- To measurably increase wildlife populations, wildlife use, or habitat for the benefit of public use and hunter success.
- To prevent conversion to agriculture and other anthropogenic development and fulfill conservation goals

NDOW Initiative Addressed:

- Mule Deer Enhancement Program (NDOW)
- Wildlife Connectivity Plan (NDOW)

Strategic Habitats and Threats Addressed:

- Aspen woodland: Anthropogenic development
- High-elevation sagebrush dominated shrubland: Anthropogenic development
- Linear riparian: perennial and ephemeral rivers and streams: Anthropogenic development
- Low-elevation sagebrush dominated shrubland: Anthropogenic development
- Pinyon-juniper woodland (not encroachment): Anthropogenic development
- Upper montane coniferous forest and woodland: Anthropogenic development

Priority Resource Impacted: Big Game, Upland Game

Priority Species Impacted: Greater sage-grouse, Mule deer

Does this project benefit Greater Sage-grouse or Greater Sage-grouse habitat: yes

Project Clearance or Authorization Status: Not Applicable

Project Rationale:

The primary purpose of the South Schell Land Acquisition is to purchase approximately 1,720 acres of land from Southern Nevada Water Authority (SNWA). The properties are located in the Schell Creek Mountains, in White Pine County, Nevada. The property consists of inholdings with the U.S. Forest Service (USFS) and Bureau of Land Management lands (BLM). The property is within Hunt Unit 111. The property consists mainly of high elevation mountain shrub habitat, several large mahogany stands, and numerous seeps and springs. The property serves as crucial summer and transition habitat for mule deer and elk, brood rearing habitat for sage-grouse, priority year-round habitat for blue grouse, and nesting habitat for a variety of migratory birds and raptors.

The Schell Creek Mountain Range is the core of the Area 11 mule deer population in White Pine County. NDOW consistently surveys over 1,000 mule deer on this portion of annual surveys. Overall, the mule deer in the Schell Creeks do not have a long migration route, but rather the mule deer transition up and down in elevation depending on time of year and weather. Elevations range from approximately 6,400 feet to over 11,800 feet. Over the past years, portions of private property throughout this range have been subdivided into small ranchette type properties, breaking up continuity of intact habitat and fragmenting an otherwise continuous block of premier habitat. Despite the lack of long migration routes, further development in this area could block transition range and routes, decreasing the overall population and productivity of this herd. The acquisition will secure these vital properties from development into the future.

Project Treatments and Actions

Treatment Name: South Schell

Acres: 1,716.8

Action: Land acquisition
Approach Narrative:

Target acquisition date is June 30, 2024 but could take as long as 12/31/2024.

Planned Start: 07/2024

Project Monitoring

Monitoring Plan:

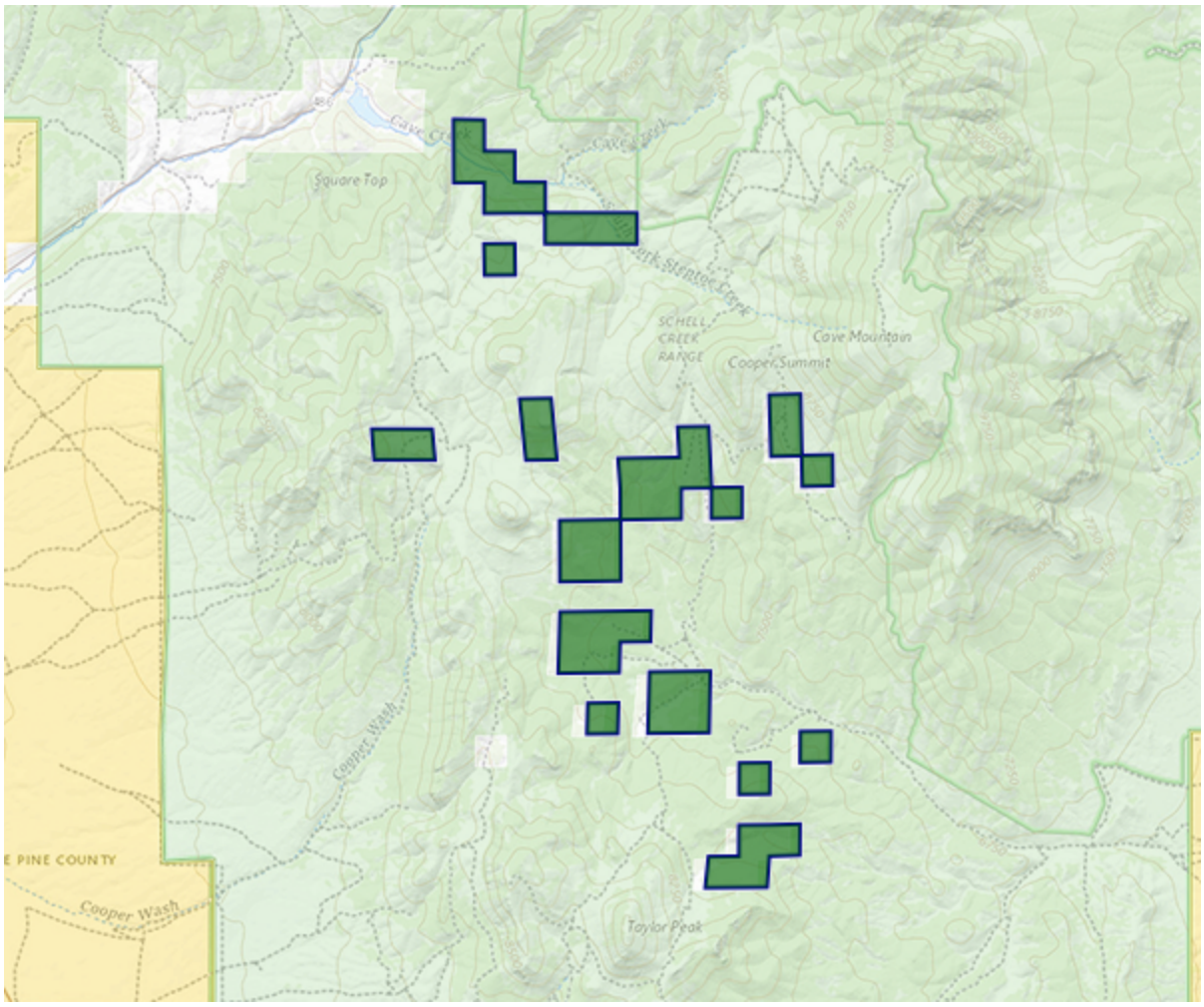
A monitoring plan is not applicable to this project.

Project Funding and Budget

Budget Item	NDOW Heritage Trust Account 2023	Rocky Mountain Elk Foundation 2023	Nevada Bighorns Unlimited Reno 2024	Nevada Department of Conservation and Natural Resources 2024	Nevada Dream Tag 2024	US Fish and Wildlife Service 2024	Subtotal
Land Acquisitions/Easements							
	$750,000	$50,000	$70,000	$250,000	$100,000	$500,000	$1,720,000
Total Costs:	**$750,000**	**$50,000**	**$70,000**	**$250,000**	**$100,000**	**$500,000**	**$1,720,000**

Budget Narrative:

RMEF committed $50,000, with all other funding sources pending approval. If all funds are received we estimate that less Heritage dollars maybe needed than the requested amount. All funds will be used for the purchase of the South Schell Land Acquisition.



Boundaries

County Boundary · USFS Office Boundaries · BLM Office Boundaries · NDOW Region Boundary

Land Status

Bureau of Indian Affairs · Bureau of Land Management · Bureau of Reclamation

Department of Defense · Department of Energy · Fish and Wildlife Service · US Forest Service

National Park Service · Nevada State Lands · Nevada Park Service · Private · Other

Project Geometry

Project Boundary · Treatment Area: South Schell

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

For Possible Action: Wild Horse and Burro Letter - At its March 8, 2024, meeting, the Nevada Board of Wildlife Commissioners will discuss the sign-on Wild Horse Burro letter addressed to Tracy Stone-Manning the Director of the Bureau of Land Management from the Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses.

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7A-Wild-Horse-and-Burro-Letter.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____

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_____
(Vote Recorded By)

December 8, 2023

The Honorable Tracy Stone-Manning
Director
Bureau of Land Management
1849 C Street, N.W.
Washington, DC 20240

Re: Additional BLM Funding and Actions for Nevada Wild Horse and Burro Gathers in 2024

Dear Director Stone-Manning:

The undersigned members of Nevada's wildlife and natural resource conservation communities urge BLM to expand efforts to effectively address the wild horse and burro over-population (WHB) crisis on our public lands. **We request that you take all actions necessary to meet the obligations of the Wild and Free-Roaming Horses and Burros Act of 1971 (WHB Act) and that Nevada (NV) be prioritized for those actions.**

Prioritizing gathering and removing horses is the only feasible way to achieve Appropriate Management Level (AML) and save our arid public lands. Inadequate gathers explode populations and future budgets. Until at or below AML, fertility control is not effective in management nor cost. **Once at AML, fertility control will allow limited gathers and adoptions to sustain cost effective management, while over time retiring costly long term holding pastures. We must spend what it takes now to follow the law and reduce costs in the long term.**

To address this West-wide crisis **we support BLM efforts to obtain additional resources and full management authorities** f**rom Congress** in the FY2024 and FY2025 appropriations toward fulfilling BLM's obligation under the WHB Act. Yet recognizing that annual appropriations are not sufficient to bring success, **we support a long term step by step funding plan to achieve AML in 5 years.**

Nowhere is this crisis more manifest than in our state of Nevada (NV). In March, NV had 60% of the horses and burros and 65% of the 56,000 excess. Due to insufficient gathering, WHB will likely increase another 10,000 by end of this year – erasing most progress since the 2019 Path Forward — increasing negative impacts on our native wildlife and fragile arid rangeland ecosystems. **We respectfully request that you prioritize Nevada for additional gathers.**

We are unwilling to lose wildlife - from squirrels to mule deer, native plants, pollinators - and resiliency of our ecosystems. Current WHB management actions are inadequate to restore health to our native wildlife, our rangelands, and the horses and burros themselves. Our public lands and wildlife need BLM to **take all actions necessary to meet the obligations of the '71 WHB Act, prioritizing NV in those actions.**

Yours in Conservation,

Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses and signatories

The Nevada Association of Conservation Districts (NvACD)

Nevada Association of Counties

Elko County Board of Commissioners

White Pine County Board of County Commissioners

Board of Eureka County Commissioners

Lander County Board of Commissioners

Lincoln County Wildlife Advisory Board

Meadow Valley Wildlife Unlimited

The Wildlife Society, Nevada Chapter

Coalition for Nevada's Wildlife

Southern Nevada Coalition for Wildlife

Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses

Theodore Roosevelt Conservation Partnership

Backcountry Hunters and Anglers, Nevada Chapter

Nevada Wildlife Federation

Fraternity of the Desert Bighorn (FDB)

Nevada Bighorns Unlimited, Reno Chapter

Nevada Bighorns Unlimited, Fallon Chapter

Nevada Bighorns Unlimited, Elko Chapter

Nevada Bighorns Unlimited, Midas Chapter

Safari Club International, Northern Nevada Chapter

Safari Club International, Las Vegas Chapter

National Wild Turkey Federation

Wild Turkey Federation, Nevada State Chapter

Mule Deer Foundation

Muley Fanatic Foundation Sierra Front Chapter

Rocky Mountain Elk Foundation

Ducks Unlimited

Nevada Waterfowl Association

Nevada Chukar Foundation

Nevada Sporting Dog Alliance

Nevada Bow Hunters Association

Truckee River Flyfishers

Nevada Trappers Association

Nevada Outfitters and Guide Association

Willie Molini, Retired Director, Nevada Department of Wildlife

Kenneth Mayer, Retired Director, Nevada Department of Wildlife

Jeremy Drew, Past Chair, Nevada Board of Wildlife Commissioners and Past Vice-Chair, Nevada Sagebrush Ecosystem Council

Jim French, National Wild Horse and Burro Advisory Board, Co-chair and Wildlife Representative; Retired, Nevada Department of Wildlife

Dr. James Sedinger, Foundation Professor of Wildlife Emeritus

Dr. Sherm Swanson, University of Nevada, Reno, Emeritus Professor of Rangeland and Riparian Ecology and Management

Jake Tibbitts, Sagebrush Ecosystem Council, Local Government Representative

Eddie Booth, Nevada Board of Wildlife Commissioners, Sportsman Representative

Rex Steninger, Chair, Elko County Board of Commissioners

Rob Jacobson, Board member, Lyon County Board of Commissioners

Don Klebenow, Retired Captain, Nevada Department of Wildlife

Rebecca Mills, Retired, Superintendent of Great Basin National Park

Mark Butler, Washoe Valley, Retired, Superintendent of Joshua Tree National Monument

Henry Krenka, Hidden Lakes Outfitter, LLC

Susan Juetten, Carson City, Retired, Professional Advocate for Public Land Health

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

For Possible Action: Petition - At its March 8, 2024 meeting, the Commission may take action to deny or accept Ms. Rebecca Goff's petition to add a new section to Chapter 503 of the Nevada Administrative Code (Hunting, Fishing and Trapping; Miscellaneous Protective Measures) regarding Wildlife Killing Contests.

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7B-Petition-Ms-Rebecca-Goff.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____

_____

_____

_____

(Vote Recorded By)

NEVADA BOARD OF WILDLIFE COMMISSIONERS
PETITION FOR ADOPTION, AMENDMENT, FILING OR REPEAL OF REGULATION
(Submit to: Secretary, Board of Wildlife Commissioners, 6980 Sierra Center Parkway, Reno, NV 89511)

Petitioner's Full Name: Rebecca Goff
(Please Print)

Type of Petitioner: (Individual, Partnership, Corporation, Government Agency, Other): Non-profit organization

Petitioner's Mailing Address: PO Box 33034 Reno, NV 89533

Petitioner, please complete the following (attach additional sheets if necessary):

1. State the need for and purpose of the proposed regulation:

In wildlife killing contests that take place across Nevada, participants vie for cash and prizes for killing the most, the heaviest, or the smallest animals within a certain time period, usually one day or over the course of a weekend. Prizes may also be awarded for certain features such as "mangiest mutt," "biggest ears," or "prettiest female," or by a point allocation by species, such as 10 points per coyote, 5 points per bobcat, and 3 points per fox. These contests often include raffles or drawings for prizes, and "Calcutta" sports betting may even be encouraged on the contest participants themselves. Species targeted in Nevada contests often include coyotes, bobcats, and red, gray, and kit foxes, among others. Contest participants have been documented dumping the bodies of the animals after the prizes are awarded.[1]

Nevada killing contests held in recent years, and the species targeted, include:

1. Cheeney's Signature Scents 19 Hr Oddball Hunt (Pioche) – Jan. 2023; bobcat, badger, ringtail, raccoon, beaver, fox, coyote
2. Annual Coyote Ball/Wayside Coyote Hunt (Reno) – Jan. 2023; coyote
3. Overnight Coyote Derby (Fallon) – Jan. 2023; coyote
4. 2nd Wild West Coyote Calling Contest (Tonopah) – Jan. 2023; coyote
5. Searchlight Predator Calling Contest (Searchlight) – Dec. 2022; bobcat, coyote, fox
6. Annual World Championship Coyote Calling Contest (Elko) – Dec. 2022; coyote
7. Mike Wood Memorial Predator Calling Contest (Panaca) – Dec. 2022; bobcat, coyote, fox, raccoon
8. Annual Save the Chukar Coyote Tournament (Battle Mountain) – Nov. 2022; coyote, rabbit, chukar
9. 10th Annual Nevada Coyote Calling Championship (Las Vegas) – Nov. 2022; coyote
10. 5th Annual Coyote Calling Contest (Winnemucca) – Nov. 2022; coyote
11. Wildhorse 2nd Annual Coyote Calling Contest (Elko) – Nov. 2022; coyote
12. First Annual Coyote Hunt Triple Crown (Stagecoach) – Feb. 2022; coyote
13. 6th Annual Pack Team 6 Coyote Calling Challenge (McGill) – Jan. 2022; coyote
14. 2nd Annual Coyote Hunt (Midas) – Jan. 2022; coyote
15. McGill VFD Coyote Competition (McGill) – Jan. 2022; coyote
16. Overnight Coyote Hunt - Carvers Cafe & Bar (Carvers) – Jan. 2020; coyote
17. Grand Slam Coyote Series (Elko) – Aug. 2019; coyote
18. Coyote Hunt - FirearmOwnersToday.com (Fish Lake Valley) – Mar. 2019; coyote
19. 40 Hr. Calling Contest (Pioche) – Dec. 2018; bobcat, coyote, fox
20. CTM Northern Nevada Coyote Calling Championship (Winnemucca) – Nov. 2018; coyote
21. Coyote Derby - Silver State Saloon (Austin) – Oct. 2018; coyote

[1] HSUS investigation in Sullivan County, New York 2020 at https://blog.humanesociety.org/wp-content/uploads/2020/03/NY-Wildlife-Killing-Contest-Report.pdf

22. Varmint Hunt - Carvers Cafe & Bar (Carvers) – Oct. 2018; coyote
23. 11th Annual Coyote Callin' Contest (Battle Mountain) – Feb. 2018; coyote
24. SuperBowl Shootout (Battle Mountain) – Feb. 2018; coyote
25. Annual Roy Townsend Jr. Memorial "Song Dog" Calling Contest (Hawthorne) – Dec. 2017; coyote
26. High Desert Shootout (Elko) – Dec. 2016; coyote
27. Annual Nevada Coyote Classic (Las Vegas) – Jan. 2016; coyote
28. Annual Olympic Arms Youth Predator Hunt (Henderson) – Dec. 2014; bobcat, coyote, fox
29. 4th Annual Dave McGarr Memorial Coyote Hunt (Elko)
30. First Annual Round Robin Coyote Hunt (Caliente)
31. Moonlight Shootout (Battle Mountain)
32. Watering Hole Coyote Calling Contest (Spring Creek)
33. Howl at the Moon Coyote Tournament (Battle Mountain)
34. Beat the Best Put Up or Shut Up Coyote Hunt (Battle Mountain)
35. Overnight Coyote Hunt (Round Mountain)

- **Wildlife killing contests are inconsistent with the reputation Nevada is trying to maintain as the leader in the gaming industry and outdoor recreation opportunities.**

The gaming industry is the primary driver of Nevada's economy. In addition, outdoor recreation is becoming an increasingly important economic driver in various portions of the state. Wildlife killing contests create difficulty on both fronts. First, these contests almost always have a gaming component to them. Fair gaming is a concept that is deeply rooted in Nevada's history. Practices such as these go against that concept and are counterproductive to the reputation we have built and seek to preserve as the world's gaming capital. Secondly, as Nevada works to position itself as a premier outdoor destination for visitors from around the world, allowing killing contests sends a troubling message to families wishing to take advantage of our outdoor offerings.

In March of 2023, the Humane Society of the United States released the results of an investigation into two wildlife killing contests in Nevada.[2] Participants in the Cold Springs Station Overnight Coyote Derby in Fallon on January 28 competed in categories for the greatest weight of four animals killed, biggest coyote, smallest coyote and for the "lucky loser" prize, given to a team with no kills. At the weigh-in, the HSUS investigator witnessed participants cutting slits in the approximately 60 dead coyotes' legs to hang them upside down on the scale before they were piled onto a truck bed. When a contestant was asked why he participates in killing contests, he told the investigator: "Being able to shoot as many as I f****** want. And kill s***. The itch to kill something. Better than people." Two other competitors described how they had to leave three dead coyotes in the field because the bodies were too deep in mud to bother retrieving.[3]

At the weigh-in of the 9th Annual Coyote Ball at the Wayside Bar in Reno on January 14, 2023, an attendee stood by blood running along a gutter. He exclaimed, "The blood will flow!" The 32 teams competed to kill the most, the largest, and the smallest coyotes and purchased raffle tickets for two guns. Roughly 60 coyotes were killed, with the winning team alone killing 11 of them. A participant also admitted to killing on Bureau of Land Management land despite the fact that the contest organizer did not have a BLM Special Recreation Permit for the event.

These findings shed a light on the disturbing practices and attitudes associated with these events, raising concerns about their impact on Nevada's reputation. As a premier outdoor recreation and gaming destination, there is no place for wildlife killing contests that serve only to erode Nevada's positive, worldwide reputation for both.

[2] Full investigation report at https://www.humanesociety.org/sites/default/files/docs/HSUS_NV-Wildlife-Killing-Contest-Investigation-2023.pdf.
[3] Audio transcript and recording of this investigation available upon request, contact rgoff@humanesociety.org.

- **Wildlife killing contests fly in the face of the North American Model of Wildlife Conservation.**

Many state wildlife management agency professionals, wildlife commissioners, and hunters adhere to the tenets of the North American Model of Wildlife Conservation as a set of guiding principles for ethical hunting and wildlife conservation. Wildlife killing contests contravene at least four of these seven tenets.

- ***Tenet 1: Wildlife resources are conserved and held in trust for all citizens.***

  Allowing wildlife killing contests to continue is an abdication of the State's solemn duty to protect the public's wildlife for all residents. Under the Public Trust Doctrine, wildlife must be held in the public trust for all citizens; wild animals cannot be "owned" by any one person. Yet during killing contests, the public's wildlife is pilfered for private profit.

  Most people do not support wildlife killing contests. A national poll taken by the bipartisan firm Remington Research Group in January 2022 found that 80% of Americans oppose wildlife killing contests.[4] Motivation for hunting affects public support for it. The *American Attitudes Towards Hunting, Fishing, Sport Shooting, and Trapping 2019* report by the National Shooting Sports Foundation found that while 84% of survey respondents supported hunting for meat, only 29% supported hunting for a trophy.[5] It is likely that support for killing contests is even less than it is for trophy hunting. Very few Nevadans engage in hunting (only 3.4% of Nevada residents were paid hunting license holders in 2023)[6] and the portion of those hunters who participate in contests is miniscule. Wildlife belongs to, and is important to, all Nevada citizens—not just the very small percentage of people who participate in this activity.

  Americans, including Nevadans, increasingly care about wildlife. A keystone study, the *America's Wildlife Values* project, has documented a substantial shift in public attitudes—especially in Western States—away from a traditional view of wildlife (a view of human mastery over wildlife and that wildlife should be managed for human benefit) and toward a mutualist view of wildlife (or the belief that humans and wildlife should coexist and that the welfare of animals is important).[7] Nevada has among the lowest number of traditionalists of any state in the country: only 22% of survey respondents expressed traditionalist views of wildlife, while 44% were mutualists.[8] The Association of Fish & Wildlife Agencies and the Wildlife Management Institute have noted these studies and underscored the need for state wildlife management agencies to appeal to a broader constituency to ensure that the agencies remain influential in the future.[9]

  Coyotes, foxes and other wildlife species targeted in these contests are often vilified in order to justify killing them en masse, but current social science studies show that the majority of

[4] National Public Opinion, January 2022, Remington Research Group, https://www.humanesociety.org/sites/default/files/docs/National-Public-Opinion-011022-condensed.pdf
[5] "American Attitudes Towards Hunting, Fishing, Sport Shooting, and Trapping," Responsive Management and the National Shooting Sports Foundation (2019), p. 14, https://www.fishwildlife.org/application/files/7715/5733/7920/NSSF_2019_Attitudes_Survey_Report.pdf
[6] The U.S. Fish and Wildlife Service: "Hunting Licenses, Holders, and Costs by Apportionment Year" at https://us-east-1.quicksight.aws.amazon.com/sn/accounts/329180516311/dashboards/48b2aa9c-43a9-4ea6-887e-5465bd70140b
[7] Manfredo, M.J., Sullivan, L., Don Carlos, A.A., Dietsch, A.M., Teel, T.L., Bright, A.D., & Bruskotter, J. 2018). *America's Wildlife Values: The Social Context of Wildlife Management in the U.S.* National report from the research project entitled "America's Wildlife Values." Fort Collins, CO: Colorado State University, Department of Human Dimensions of Natural Resources. https://sites.warnercnr.colostate.edu/wildlifevalues/wp-content/uploads/sites/124/2019/01/AWV-National-Final-Report.pdf
[8] Dietsch, A.M., Don Carlos, A.W., Manfredo, M. J., Teel, T. L., & Sullivan, L. (2018). State report for Nevada from the research project entitled "America's Wildlife Values." Fort Collins, CO: Colorado State University, Department of Human Dimensions of Natural Resources.
[9] The Association of Fish & Wildlife Agencies and the Wildlife Management Institute: *The Fish and Wildlife Agency Relevance Roadmap (v1.0); Enhanced Conservation Through Broader Engagement.* September 2019 at https://www.fishwildlife.org/application/files/2515/7547/9977/Fish_Wildlife_Relevancy_Roadmap__Final_12-04-19-lowres.pdf

the public does not share these views about wildlife, including historically persecuted species. A recent study by researchers at the Ohio State University found that between 1978 and 2014, the public's positive attitudes toward coyotes, the most frequent target of killing contests, grew by 47 percent, with the majority of respondents expressing positive attitudes toward coyotes.[10] The researchers theorized that this increase in positive attitudes toward coyotes may indicate that Americans are growing more concerned for their welfare.[11] Other studies, including the *Nature of Americans Report*, have found that Americans express broad interest in nature, believe connecting with nature is important, and want to conserve wildlife species and their habitats.[12]

Some falsely claim that this is a culture war on rural Nevada but this claim is a red herring and appears to be designed to divide us. When it comes to wildlife, Nevadans—whether they live in urban, suburban or rural areas—do not support practices that they view as pointless, unsporting or wasteful. This is simply a matter of ethics and how we value and treat the public's wildlife. It is not an issue about the differences in values between urban and rural residents. We can support hunting as a tradition and establish restrictions on irresponsible practices.

- ***Tenet 2: Commerce in dead wildlife is eliminated.***

  In the late 1800s, commerce in dead wildlife led to the destruction of countless wildlife species. This tenet is aimed at eliminating markets and commercial traffic in dead wildlife to promote sustainable wildlife populations. During any given wildlife killing contest, hundreds of animals may be slaughtered for private profit. This mass killing of wild animals is detrimental to healthy ecosystems.

- ***Tenet 4: Wildlife may only be killed for a legitimate, non-frivolous purpose.***

  Wildlife killing contests—during which animals are killed for cash, prizes, and bragging rights—are the very definition of "frivolous." Killing for food, self defense, and property protection are generally cited as "legitimate uses" under the NAM. But these animals are not killed for their meat, and even their fur is often rendered useless for sale by the high-powered rifles. They are also not killed for any genuine wildlife management purpose, as detailed below, and they are killed without regard for the important role each animal plays in healthy ecosystems. The animals are typically dumped like trash after the event is over. It's a wanton waste of life.

  The very nature of these events—in which participants are motivated by financial rewards to kill as many animals as allowed over a designated time period—increases the likelihood that participants will fail to abide by the rules and values embraced by responsible hunters. As a result, targeted animals may suffer injuries that can take days or weeks to succumb to, even indirectly due to starvation, predation or exposure. During springtime contests, dependent young may be orphaned, putting their survival in jeopardy.

  Furthermore, killing contest photos posted on social media show contestants grinning next to piles of bloodied animals and showing off their prizes. The animals are carelessly thrown into heaps, with their guts often spilling out and the ground covered in a thick layer of blood, piled into trucks, and hung upside down from railings and barn walls. Such behavior

[10] George, Kelly A., Kristina M. Slagle, Robyn S. Wilson, Steven J. Moeller and Jeremy T. Bruskotter. 2016. Changes in attitudes toward animals in the United States from 1978 to 2014. *Biological Conservation* 201:237-242. http://www.sciencedirect.com/science/article/pii/S0006320716302774

[11] Ibid.

[12] Kellert, S.R., Case, D.J., Escher, D., Witter, D.J., Mikels-Carrasco, J., Seng, P.T. April 2017. The Nature of Americans: National Report. https://natureofamericans.org/sites/default/files/reports/Nature-of-Americans_National_Report_1.3_4-26-17.pdf

demonstrate a lack of respect for wildlife and serves to undermine the reputation of responsible hunters.

- ***Tenet 7: Scientific management is the proper means for wildlife conservation.***

  Science should be the underpinning of any good wildlife management policy. Wildlife killing contests do not serve any legitimate wildlife management purpose and are an affront to science-based wildlife management principles. They do not reduce coyote populations, prevent livestock conflicts, or increase game species numbers. In fact, killing contests are counterproductive—the best available science shows that indiscriminate killing of coyotes can increase coyote numbers and increase conflicts. The scientific rationale for eliminating killing contests is explained in comprehensive detail in the next section.

In 2021, during a meeting of the Nevada Board of Wildlife Commissioners, **Tony Wasley, hunter and then-director of the Nevada Department of Wildlife,** summed up how killing contests defy the North American Model of Wildlife Conservation. He said: "I just want to clarify that contests are not threatening coyote populations, nor are they in and of themselves saving mule deer or other game populations . . . nor do they save the agency any appreciable amount of money." Discussing NDOW's proposed regulation to ban contests, Wasley explained, "It proposes no change on an individual's right or ability to gather, call or kill coyotes." He went on to say, "Killing contests are ethically upsetting by virtue for most members of society. Hunting should not be a competition as such behavior ultimately degrades the value of life and undermines respect for the animals being hunted. . . . The North American Model that we often prop up as the anchor of modern wildlife management disapproves of, I quote, 'frivolous killing.' . . . In my ethics as a hunter I hope to defend a deeper and more profound sense of hunting than what I fear coyote contests say to the general public about hunters and our ethics. Hunters need to be conscious of the public image we project and the way in which the public perceives us." Pointing out that "hunters are in the extreme minority of citizens," Wasley stated, "our actions must be with the awareness of our broader societal irrelevance." He concluded, "Really what my biggest fear around this issue is for the future, for the future of conservation, for the way that we as ethical sportsmen and women are viewed by a changing society and the consequences on a whole host of other activities. . . . [M]y fear as a sportsman and my fear as the director of the Department of Wildlife is an unwillingness to consider what society at large feels about a certain activity will hasten the erosion of privileges that I hold near and dear."[13]

- **Wildlife killing contests will not reduce coyote numbers and may increase them.**

The science is clear: Randomly killing coyotes in contests does not reduce their populations. In fact, since 1850 when mass killings of coyotes began, the range of coyotes has tripled in the United States.[14] The Nevada Department of Wildlife has recognized, "Though many efforts have been made to reduce its numbers and even to eradicate it, the resilient coyote is as plentiful today as it ever has been."[15]

The best available science demonstrates that indiscriminate killing of coyotes disrupts their social structure, which, ironically, encourages more breeding and migration, and ultimately results in more coyotes.[16] The alpha pair, often the parents of different aged offspring, are typically the pack's only reproducers. When one or both members of the alpha pair are killed, the survivor will find a new mate, and the remaining members of the pack, who had been behaviorally sterile, will now also mate,

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[13] 2021 Nevada Department of Wildlife November Wildlife Commission Meeting, Nov. 5, 2021, https://www.youtube.com/watch?v=ELXWyYLr_f8

[14] Robert Crabtree and Jennifer Sheldon, "Coyotes and Canid Coexistence in Yellowstone," in *Carnivores in Ecosystems: The Yellowstone Experience*, ed. T. Clark et al.(New Haven [Conn.]: Yale University Press, 1999)

[15] Nevada Department of Wildlife: Coyote at http://www.ndow.org/Species/Furbearer/Coyote/

[16] F. F. Knowlton, E. M. Gese, and M. M. Jaeger, "Coyote Depredation Control: An Interface between Biology and Management," Journal of Range Management 52, no. 5 (1999); Robert Crabtree and Jennifer Sheldon, "Coyotes and Canid Coexistence in Yellowstone," in Carnivores in Ecosystems: The Yellowstone Experience, ed. T. Clark et al.(New Haven [Conn.]: Yale University Press, 1999); J. M. Goodrich and S. W. Buskirk, "Control of Abundant Native Vertebrates for Conservation of Endangered Species," Conservation Biology 9, no. 6 (1995).

increasing the number of breeding pairs. At the same time, lone coyotes will move in to mate, young coyotes will start having offspring sooner, and litter sizes will grow.[17]

In 2018, the North Carolina Wildlife Resources Commission ("North Carolina Commission") published its Coyote Management Plan ("Plan"). The Plan, which was developed using a large body of scientific and peer-reviewed literature, concluded that indiscriminate, lethal methods of controlling coyotes—including bounty programs, which are similar in effect to wildlife killing contests—are ineffective and counterproductive, that coyotes provide benefits to humans and ecosystems (even outside of their historic range), and that non-lethal measures are the best way to address conflicts with coyotes.[18] The North Carolina Commission stated that, "numerous bounty program case studies have led to conclusions that bounties are ineffective in achieving real declines of predators (including coyotes), at addressing livestock depredation, or at positively affecting populations of species targeted for protection."[19] It further noted that killing predators in bounty programs may have undesirable effects, such as increasing prey species viewed as pests and killing non-offending coyotes, which creates a niche vacancy for coyotes that have learned to prey on livestock.[20] The North Carolina Commission reached the following conclusions:

a) Intensive removal of coyotes is time-consuming and expensive, and research has yet to show it to be effective.[21]
b) Coyotes rapidly increase their populations when large numbers of coyotes are removed from an area.[22]
c) A review of 34 studies that undertook intensive coyote removal found no reduction of coyote numbers over the long term.[23]
d) Intensive hunting and trapping efforts aimed at lowering coyote numbers either maintained or increased coyote populations.[24]
e) A coyote population can rebound in less than five years even when 90 percent of the population is eliminated from an area.[25]

All species—especially top carnivores—play a vital role in healthy ecosystems. Coyotes, for example, are native to Nevada and help to control disease transmission, keep rodent populations in check, increase biodiversity, remove sick animals from the gene pool and protect crops. And by predating on mice and other rodents that harbor disease-carrying ticks, they are important for controlling tick-borne diseases such as Lyme.[26]

- **Wildlife killing contests will not reduce livestock conflicts—and may increase them.**

Exploited coyote populations tend to have younger, less experienced coyotes, increased numbers of yearlings who are reproducing, and larger litters. Feeding pups is a significant motivation for coyotes to switch from killing small and medium-sized prey to killing sheep.[27] An article published by the Oregon

[17] Knowlton, F.F. 1972. Preliminary interpretations of coyote population mechanics with some management implications. J. Wildl. Manage. 36:369-382.
[18] Coyote Management Plan. (Mar. 1, 2018). North Carolina Wildlife Resources Commission: 11, 21-28, at: https://www.ncwildlife.org/Portals/0/Learning/documents/Species/Coyote%20Management%20Plan_FINAL_030118.pdf.
[19] *Id.* 11-17.
[20] *Id.*
[21] *Id.* at 20.
[22] *Id.*
[23] *Id.*
[24] *Id.*
[25] *Id.*
[26] S. E. Henke and F. C. Bryant, "Effects of Coyote Removal on the Faunal Community in Western Texas," *Journal of Wildlife Management* 63, no. 4 (1999); K. R. Crooks and M. E. Soule, "Mesopredator Release and Avifaunal Extinctions in a Fragmented System," *Nature* 400, no. 6744 (1999); E. T. Mezquida, S. J. Slater, and C. W. Benkman, "Sage-Grouse and Indirect Interactions: Potential Implications of Coyote Control on Sage-Grouse Populations," *Condor* 108, no. 4 (2006); N. M. Waser et al., "Coyotes, Deer, and Wildflowers: Diverse Evidence Points to a Trophic Cascade," *Naturwissenschaften* 101, no. 5 (2014).
[27] F. F. Knowlton, E. M. Gese, and M. M. Jaeger, "Coyote Depredation Control: An Interface between Biology and Management,"

State University College of Agricultural Sciences further described that USDA data shows a paradoxical relationship between coyotes and livestock—kill more coyotes, lose more livestock.[28] Haphazardly removing non-offending coyotes leaves voids that may be filled by coyotes who are more likely to prey on livestock.[29] Most coyotes can even serve as "guard coyotes" for ranchers, keeping other carnivores at bay.[30] As the Washington Department of Fish and Wildlife has noted, "If your property is the home territory of coyotes that don't harm livestock, they will keep away other coyotes that are potential livestock killers. Coyotes also benefit ranchers and other property owners by helping to control populations of mice, rats, voles, moles, gophers, rabbits, and hares."[31]

Killing contests do not target specific, problem-causing coyotes. Instead, they kill coyotes in woodlands and grasslands who are keeping to themselves—not those who have become habituated to human food sources such as unsecured garbage, pet food, or livestock carcasses (left by humans).

Furthermore, arguments regarding the impact of carnivore-livestock conflict are exaggerated. According to U.S. Department of Agriculture ("USDA") data, livestock losses to wild carnivores are minuscule. In 2015, U.S. cattle and sheep inventories (including calves and lambs) numbered approximately 118.8 million animals.[32] Of that total, 474,965 cattle and sheep (including lambs and calves) were lost *to all carnivores combined* (including coyotes, wolves, cougars, foxes, unknown predators, and dogs), or 0.39 percent of the inventory.[33] The predominant sources of mortality to livestock, by far, are non-predator causes including disease, illness, birthing problems, and weather.[34] The North Carolina Commission has noted that, based on USDA data, dogs are an equal or greater risk to sheep, goats, and cattle as compared to coyotes.[35]

Prevention—not lethal control—is the best method for minimizing conflicts with coyotes.[36] Eliminating access to easy food sources, such as pet food and garbage, supervising pets while outside, and keeping cats indoors reduces conflicts with pets and humans. Practicing good animal husbandry and using strategic nonlethal predator control methods to protect livestock (such as birthing cattle and sheep in barns or sheds and employing electric fences, guard animals, and removing dead livestock) are more effective.[37]

Journal of Range Management 52, no. 5 (1999); B. R. Mitchell, M. M. Jaeger, and R. H. Barrett, "Coyote Depredation Management: Current Methods and Research Needs," Wildlife Society Bulletin 32, no. 4 (2004).

[28] Randy Comeleo, "Using Coyotes to Protect Livestock. Wait. What?" Oregon Small Farm News (Spring 2018), https://smallfarms.oregonstate.edu/using-coyotes-protect-livestock-wait-what

[29] *Id.*

[30] *Id.*

[31] "Living with Wildlife," Washington Department of Fish and Wildlife, available at http://wdfw.wa.gov/living/coyotes.html.

[32] See USDA. 2015. "Cattle and Calves Death Loss in the United States Due to Predator and Nonpredator Causes, 2015." USDA–APHIS–VS–CEAH, available at: https://www.aphis.usda.gov/animal_health/nahms/general/downloads/cattle_calves_deathloss_2015.pdf; USDA. 2015. "Sheep and Lamb Predator and Nonpredator Death Loss in the United States, 2015." USDA–APHIS–VS–CEAH–NAHMS, available at https://www.aphis.usda.gov/animal_health/nahms/sheep/downloads/sheepdeath/SheepDeathLoss2015.pdf.

[33] *Id.*

[34] For an in-depth discussion, see: Wendy Keefover, "Northern Rocky Mountain Wolves: A Public Policy Process Failure: How Two Special Interest Groups Hijacked Wolf Conservation in America," *WildEarth Guardians www.wildearthguardians.org/site/DocServer/Wolf_Report_20120503.pdf* 1, no. 1 (2012).

[35] Coyote Management Plan. (Mar. 1, 2018). North Carolina Wildlife Resources Commission: 10.

[36] Gehrt, S.D., Anchor, C., and White, L.A.: "Home Range and Landscape Use of Coyotes in a Metropolitan Landscape: Conflict or Coexistence?" Journal of Mammalogy 90(5):1045-1057. 2009, and Poessel, S.A., Breck, S.W., Gese, E.M.: "Spatial ecology of coyotes in the Denver metropolitan area: influence of the urban matrix," Journal of Mammalogy 97 (5): 1414-1427, 2016.

[37] Adrian Treves et al., "Forecasting Environmental Hazards and the Application of Risk Maps to Predator Attacks on Livestock," BioScience 61, no. 6 (2011); Philip J. Baker et al., "Terrestrial Carnivores and Human Food Production: Impact and Management," Mammal Review 38, (2008); A. Treves and K. U. Karanth, "Human-Carnivore Conflict and Perspectives on Carnivore Management Worldwide," Conservation Biology 17, no. 6 (2003); J. A. Shivik, A. Treves, and P. Callahan, "Nonlethal Techniques for Managing Predation: Primary and Secondary Repellents," Conservation Biology 17, no. 6 (2003); N. J. Lance et al., "Biological, Technical, and Social Aspects of Applying Electrified Fladry for Livestock Protection from Wolves (Canis Lupus)," Wildlife Research 37, no. 8 (2010); Andrea Morehouse and Mark Boyce, "From Venison to Beef: Seasonal Changes in Wolf Diet Composition in a Livestock Grazing Environment," Frontiers in Ecology and the Environment 9, no. 8 (2011).

As the Nevada Department of Wildlife has noted, "Most coyote management is limited to removal of chronic problem animals. In areas where coyotes prey on domestic livestock, animals are removed to prevent further losses."[38]

- **Wildlife killing contests will not boost populations of game species.**

The best available science demonstrates that killing native carnivores with the goal of increasing game species abundance, including populations of ungulates, small game animals, and game birds is ineffective. With regard to coyote killing contests, the Vermont Fish & Wildlife Department has stated, "we do not believe such short-term hunts will have any measurable impact on regulating coyote populations, nor will they bolster populations of deer or other game species."[39]

Killing carnivores to grow ungulate populations, such as deer or elk, is unlikely to produce positive results because the key to ungulate survival is protecting breeding females and ensuring herds have access to adequate nutrition, not preventing predation.[40] Comprehensive studies, including those conducted in Colorado[41] and Idaho,[42] show that killing native carnivores fails to grow deer herds. In recent studies that involved predator removal, those removals had no beneficial effect for mule deer.[43] In recommending against a year-round hunting season on coyotes, the New York State Department of Environmental Conservation based its decision in part on the fact that "random removal of coyotes resulting from a year-round hunting season will not: (a) control or reduce coyote populations; (b) reduce or eliminate predation on livestock; or (c) result in an increase in deer densities."[44]

In response to hunters' concerns about the effect of coyotes on small game species, the Pennsylvania Game Commission stated during a 2016 meeting, "After decades of using predator control (such as paying bounties) with no effect, and the emergence of wildlife management as a science, the agency finally accepted the reality that predator control does not work."[45] Regarding the impact of coyotes specifically on small game populations, the North Carolina Commission, citing a long list of studies, found that coyotes are beneficial to a wide array of game bird species, including ducks and quail, because they suppress populations of smaller mammals, including feral cats, opossums, raccoons, red foxes, and skunks, and lessen their effects on other species, including birds. The North Carolina Commission also found that "most coyote diet studies document low to no prevalence of wild turkey or other gamebirds in diets."[46]

The respected hunting organization the Izaak Walton League of America states, "The League recognizes the intrinsic value of predatory species and their important ecological roles. … There is no justification

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[38] "Coyote," Nevada Department of Wildlife, available at http://www.ndow.org/Species/Furbearer/Coyote/.
[39] "Eastern Coyote Issues – A Closer Look," Vermont Fish & Wildlife, January 2017 at www.vtfishandwildlife.com/UserFiles/Servers/Server_73079/File/Hunt/trapping/Eastern-Coyote-Position-Statement.pdf.
[40] Bishop, C. J., G. C. White, D. J. Freddy, B. E. Watkins, and T. R. Stephenson. 2009. Effect of Enhanced Nutrition on Mule Deer Population Rate of Change. Wildlife Monographs:1-28; Hurley, M. A., J. W. Unsworth, P. Zager, M. Hebblewhite, E. O. Garton, D. M. Montgomery, J. R. Skalski, and C. L. Maycock. 2011. Demographic Response of Mule Deer to Experimental Reduction of Coyotes and Mountain Lions in Southeastern Idaho. Wildlife Monographs:1-33.; Forrester, T. D. and H. U. Wittmer. 2013. A review of the population dynamics of mule deer and black-tailed deer Odocoileus hemionus in North America. Mammal Review 43:292-308.; Monteith, K. L., V. C. Bleich, T. R. Stephenson, B. M. Pierce, M. M. Conner, J. G. Kie, and R. T. Bowyer. 2014. Life-history characteristics of mule deer: Effects of nutrition in a variable environment. Wildlife Monographs 186:1-62.
[41] Bishop, C. J., G. C. White, D. J. Freddy, B. E. Watkins, and T. R. Stephenson. 2009. Effect of Enhanced Nutrition on Mule Deer Population Rate of Change. Wildlife Monographs:1-28.
[42] Hurley, M. A., J. W. Unsworth, P. Zager, M. Hebblewhite, E. O. Garton, D. M. Montgomery, J. R. Skalski, and C. L. Maycock. 2011. Demographic Response of Mule Deer to Experimental Reduction of Coyotes and Mountain Lions in Southeastern Idaho. Wildlife Monographs:1-33.
[43] Forrester, T. D. and H. U. Wittmer. 2013. A review of the population dynamics of mule deer and black-tailed deer Odocoileus hemionus in North America. Mammal Review 43:292-308
[44] New York State Department of Environmental Conservation. (June 1991). *The Status and Impact of Eastern Coyotes in Northern New York,* http://www.dec.ny.gov/docs/wildlife_pdf/coystatnny91.pdf.
[45] Frye, Bob. (July 25, 2016). "Habitat, not predators, seen as key to wildlife populations," *Trib Live,* http://triblive.com/sports/outdoors/10756490-74/game-predator-predators.
[46] Coyote Management Plan. (Mar. 1, 2018). North Carolina Wildlife Resources Commission: 16.

for widespread destruction of animals classified as predators … The League opposes payment of bounties on predators or varmints."[47] A Ducks Unlimited magazine article adds, "Predator control cannot result in meaningful increases in duck numbers or birds in the bag and threatens to undermine the broad coalition of public support on which modern waterfowl conservation depends."[48]

The Mississippi Flyway Council, established in 1952 to coordinate the management of migratory game birds in that region, says, "The Mississippi Flyway Council (MFC) does not support the practice of predator removal as a viable management practice to improve waterfowl recruitment over the long-term or over large geographic areas. The MFC believes that the highest conservation priorities for improving waterfowl recruitment are the landscape-scale wetland and grassland habitat restoration strategies advocated by the North American Waterfowl Management Plan."[49] And the National Wild Turkey Federation asserts, "Ultimately, the long–term solution to wild turkey populations is not dependent on predator control, but on man's activities and good habitat management."[50]

- **Peer commission members and wildlife management professionals have called for an end to wildlife killing contests.**

Many wildlife commission members and state wildlife agency professionals have stated that these contests in particular, in which a high quantity of animals are killed with no consumptive use intent or scientific backing, harm the image of the consumptive use community. That was the prevailing rationale driving killing contest bans by wildlife commissions in Arizona, California, Colorado, Massachusetts, Oregon, Vermont, and Washington.

Tony Wasley, former director of the Nevada Department of Wildlife, made a convincing statement at a Nevada Board of Wildlife Commissioners meeting in 2021 about why the Board should abolish killing contests. We included that statement on page 5. Statements by others include:

- During an August 1, 2020, **Washington Fish and Wildlife Commission** hearing on a proposed ban, Washington Department of Fish and Wildlife director Kelly Susewind said, "…part of my job, and frankly part of my soul, is to promote hunting, to get our youth hunting, to really have this be a core piece of what our society supports. And frankly, that job is a lot harder if we're condoning these types of contests, and for that reason, I personally support this language."[51] One month later, Washington became the seventh U.S. state to prohibit wildlife killing contests.

- On April 30, 2020, when the **Colorado Parks and Wildlife Commission** voted to become the sixth U.S. state to ban killing contests, Colorado DNR director Dan Gibbs added, "For me, hunting contests don't sit well. As a sportsman, I'd never participate in one personally. Hunting is an important reverent tradition in Colorado and powerful management tool but I also think wildlife killing contests give sportsmen and sportswomen a bad name and damage our reputation."[52]

- In 2019, prior to passing its ban, the **Arizona Game and Fish Commission** stated, "To the extent these contests reflect on the overall hunting community, public outrage with these events has the potential to threaten hunting as a legitimate wildlife management function."[53] Jim Zieler,

[47] The Izaak Walton League of America: "Conservation Policies 2022," pg. 54 https://www.iwla.org/docs/default-source/about-iwla/2022-policy-book-final.pdf
[48] Chuck Petrie: "Prairies Under Siege Part 1: Ducks, Habitat & Predators," *Ducks Unlimited*, November/December 2003 issue. https://duckscdn.blob.core.windows.net/imagescontainer/landing-pages/conservation/conservation-facts/ducks-and-predators-lowres.pdf
[49] Resolution by the Technical Section of the Mississippi Flyway Council, February 21, 2003.
[50] Kennamer, James Earl, Ph.D. Wild Turkeys and Predators: What's the real problem facing wild turkeys?" The National Wild Turkey Federation, August 25, 2021. https://www.nwtf.org/content-hub/wild-turkeys-and-predators
[51] Transcript from Washington Fish and Wildlife Commission meeting on August 1, 2020.
[52] Colorado Parks and Wildlife Commission Meeting, April 30, 2020 https://www.youtube.com/watch?v=5Vk7x_gx5PY
[53] The Arizona Game and Fish Commission: Notice of Proposed Rulemaking, Title 12. Natural Resources Chapter 4. https://s3.amazonaws.com/azgfd-portal-wordpress/azgfd.wp/wp-content/uploads/2019/03/25093742/R12-4-303-NPRM.pdf

hunter and then-chair of the Arizona Game & Fish Commission, said, "There has been a lot of social outcry against this, and you can kind of understand why. It's difficult to stand up and defend a practice like this."[54]

- The **Massachusetts Division of Fisheries & Wildlife** also passed its ban in 2019, explaining that it was doing so in "...recognizing that public controversy over this issue has the potential to threaten predator hunting and undermine public support for hunting in general..."[55] The agency, after it "examined the best available science and consulted with wildlife professionals from other state agencies," also passed the ban to address "public concerns that these hunting contests are unethical, contribute to the waste of animals, and incentivize indiscriminate killing of wildlife, inconsistent with the North American Model of Wildlife Conservation."[56]

- In 2017, **Vermont Fish and Wildlife** stated, "Coyote hunting contests are not only ineffective at controlling coyote populations, but these kinds of competitive coyote hunts are raising concerns on the part of the public and could possibly jeopardize the future of hunting and affect access to private lands for all hunters."[57] A year later, the Vermont legislature enacted a statewide ban on the practice.

- In 2014, after the **California Fish and Game Commission** passed the first prohibition on wildlife killing contests in the U.S., then-president of the Commission Mike Sutton said, "Awarding prizes for wildlife killing contests is both unethical and inconsistent with our current understanding of natural systems. Such contests are an anachronism and have no place in modern wildlife management."[58]

- In 2019, **then-chair of the Oregon Fish and Wildlife Commission Mike Finley** testified in support of legislation to prohibit such contests, stating, "Killing large numbers of predators as part of an organized contest or competition is inconsistent with sound, science-based wildlife management and antithetical to the concepts of sportsmanship and fair chase."[59]

In its policy on wildlife killing contests, **The Wildlife Society**, whose stated mission is "To inspire, empower, and enable wildlife professionals to sustain wildlife populations and habitats through science-based management and conservation," has recognized "that while species killed in contests can be legally killed in most states, making a contest of it may undermine the public's view of ethical hunting."[60] Its policy goes on to explain the difference between killing contests and deer hunting-related competitions: "Killing contests differ from typical regulated hunting by the very nature of the organized public competition and prizes being given specifically for killing the largest, smallest, or most animals. 'Big Buck' pools or organized record books differ from killing contests because the animals recognized in these competitions are harvested consistent with ordinary and generally accepted hunting practices and then introduced to the competition."[61]

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[54] "Coyote-killing contests face growing outrage, state bans," Washington Post, May 17, 2019, https://www.washingtonpost.com/science/2019/05/17/predator-hunting-contests-face-bans-amid-backlash-several-states/

[55] Massachusetts Division of Fisheries & Wildlife, "Proposed Regulations to Ban Predator Contests and Prohibit Wanton Waste," July 25, 2019 https://www.mass.gov/news/masswildlife-proposes-regulations-to-ban-predator-contests-and-prohibit-wanton-waste

[56] *Id.*

[57] "Eastern Coyote Issues – A Closer Look," Vermont Fish & Wildlife, January 2017 at https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Hunt/trapping/Eastern-Coyote-Position-Statement.pdf

[58] Ted Williams, "Coyote Carnage: The Gruesome Truth about Wildlife Killing Contests," *Yale Environment 360*, May 22, 2018 https://e360.yale.edu/features/coyote-carnage-the-gruesome-truth-about-wildlife-killing-contests

[59] Testimony by Mike Finley to the Oregon Senate Judiciary Committee, March 18, 2019 https://olis.leg.state.or.us/liz/2019R1/Downloads/CommitteeMeetingDocument/200547

[60] The Wildlife Society: "Issue Statement: Wildlife Killing Contests," March 7, 2019 at https://wildlife.org/wp-content/uploads/2018/05/TWS_IS_WildlifeKillingContest_ApprovedMarch2019.pdf.

[61] The Wildlife Society: "Issue Statement: Wildlife Killing Contests," March 7, 2019 at https://wildlife.org/wp-content/uploads/2018/05/TWS_IS_WildlifeKillingContest_ApprovedMarch2019.pdf.

We therefore propose that the Nevada Board of Wildlife Commissioners initiate the rulemaking process to prohibit wildlife killing contests.

It is time for Nevada to join the ten U.S. states that have now put a stop to wildlife killing contests.

1. In 2014 the **California** Game and Fish Commission prohibited the offering of prizes for contests that target furbearer and nongame species by a vote of 4 to 1.
2. In 2018, a bill to ban coyote killing contests passed the **Vermont** legislature and became law.
3. In 2019, a bill to ban coyote killing contests passed the **New Mexico** legislature and became law.
4. In 2019, the **Arizona** Game and Fish Commission voted unanimously to prohibit killing contests for furbearer and predator species.
5. In 2019 the **Massachusetts** Fisheries and Wildlife Board voted 6-1 to prohibit killing contests for furbearer species.
6. In 2020 the **Colorado** Parks and Wildlife Commission voted 8-3 to prohibit killing contests for small game and furbearer species such as coyotes and prairie dogs.
7. In 2020, the **Washington** Fish and Wildlife Commission voted 7-2 to prohibit wildlife killing contests for species including bobcats, foxes, coyotes, crows and raccoons.
8. In 2021, a bill to prohibit killing contests for coyotes, foxes and raccoons passed the **Maryland** legislature and became law.
9. In 2023, the **Oregon** Fish & Wildlife Commission voted 6-0 to end wildlife killing contests for unprotected mammals in the state.
10. In 2023, the **New York** state legislature banned wildlife killing contests for coyotes, foxes, bobcats, squirrels, raccoons, crows, and other species (except deer, bear, turkey and fish). The law goes into effect in November 2024.

As stated above, it is well-established that wildlife killing contests in Nevada do not achieve any science-based wildlife management objective. Instead, they are held for the sole purpose of killing animals for entertainment and the chance at cash and prizes. During a June 13, 2016 meeting of the Nevada Board of Wildlife Commissioners' Administrative Procedures, Regulations, and Policy Committee, the Commission acknowledged this by saying, "...the wildlife management profession does not generally recognize the use of contests as a tool with substantial wildlife management effect," and, instead, wildlife killing contests "...traditionally are used to encourage participation, recruit new participants, and provide a social contest in wildlife recreation."[62] However, growing public outrage over these contests, recent actions to prohibit them by states across the U.S., and the scientific evidence provided herein all suggest that the state of Nevada can no longer justify the continuation of this activity simply to recruit hunting participation and provide an opportunity for social interaction.

To be clear, this rule would not in any way: (1) reduce opportunities to hunt coyotes or other wildlife species or affect seasons or bag limits; (2) prevent anyone from protecting livestock, property or people using lethal control; (3) prohibit the shooting of coyotes in the name of predator control; (4) ban "big buck" competitions, fishing derbies, chukar contests, or field dog trials; or (5) prevent anyone from donating to any charitable organization directly, patronizing a local bar or restaurant to support the establishment economically, or gathering with a few friends to shoot coyotes as part of a "tradition."

- **The Commission has the statutory authority to prohibit wildlife killing contests.**

The Commission has multiple, independent sources of statutory authority to prohibit wildlife killing contests for fur-bearing and unprotected mammals: its general power to adopt regulations necessary to the preservation, protection, and management of wildlife in the state, and its specific power to adopt regulations governing the manner of taking wildlife. Either would suffice, standing alone, to support a killing contest regulation. Taken together, they present a clear and compelling source of authority for

[62] Draft meeting minutes of the Nevada Board of Wildlife Commissioners Administrative Procedures, Regulations, and Policy Committee on June 13, 2016.

the Commission to act without further legislation, as other state commissions in analogous contexts have successfully done.

A state agency's powers are generally limited to the powers set forth by statute, or those implied powers necessary to carrying out the agency's duties pursuant to statute. *Stockmeier v. State Bd of Parole Com'rs*, 255 P.3d 209, 213 (Nev. 2011). *See also Clark Cty v. State Equal Rights Com'n*, 813 P.2d 1006, 1007 (Nev. 1991) ("Administrative agencies have only those powers which the legislature expressly or implicitly delegates."). State statute vests the board with multiple, independent sources of authority to prohibit wildlife killing contests via regulation.

A. The Commission's Broad Authority to Adopt Regulations Governing the Protection and Management of Wildlife

First, the Nevada Legislature has given the Commission a broad grant of authority to regulate wildlife[63] in the state. State statute directs the Commission to "establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat," NRS 501.105; *see also* NRS 501.181(4)(a) (the Commission shall "[e]stablish regulations necessary to carry out the provisions of this title"). In turn, state law empowers the Board to establish "broad policies" for "the protection . . . and management of wildlife in the state," NRS 501.181(1)(a), including "[t]he management of . . . fur-bearing mammals . . . and unprotected mammals, birds, fish, reptiles, and amphibians" and "the management and control of predatory wildlife." NRS 501.181 (3)(a)-(b). In sum, these provisions vest the Board with wide latitude to establish regulations it deems necessary to carry out wildlife management and protection policy, including for fur-bearing and unprotected mammals. Indeed, in construing these provisions the Nevada Attorney General noted "the *expansive* powers and responsibilities delegated to the commission by statute. . ." 1985 Nev. Op. Att'y Gen. 58, at 4 (1985) (emphasis added).

A regulation prohibiting wildlife killing contests would constitute a valid exercise of this broad regulatory authority. As described above, the best available science shows that the indiscriminate killing that occurs in the course of killing contests is counterproductive as a means of wildlife population management[64], undermines the integral role that predatory animals play in healthy ecosystems[65], fails to increase game species populations, and may even increase conflicts with livestock.[66] This provides a sound scientific basis for the Board to conclude that killing contests should be prohibited as a matter of wildlife management and protection policy, and to implement that policy through regulation pursuant to its authority under NRS 501.105 and NRS 501.181(4).

B. The Commission's Specific Authority to Adopt Regulations Governing the Manner of Taking Wildlife

Second, state statute separately directs the Commission to establish regulations governing hunting, including seasons, bag limits, and "the manner and means of taking wildlife . . ." NRS 501.181(4)(a). While this authority is often invoked by the Commission to regulate the types of firearms and other devices that may be used to kill animals while hunting (i.e. the "means" of taking), it also extends to regulation of other elements related to take of wildlife. For example, the Board has used this authority

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[63] "Wildlife" means "any wild mammal, wild bird, fish, reptile, amphibian, mollusk or crustacean found naturally in a wild state, whether indigenous to Nevada or not and whether raised in captivity or not." NRS 501.097.

[64] F. F. Knowlton, E. M. Gese, and M. M. Jaeger, "Coyote Depredation Control: An Interface between Biology and Management," Journal of Range Management 52, no. 5 (1999); Robert Crabtree and Jennifer Sheldon, "Coyotes and Canid Coexistence in Yellowstone," in Carnivores in Ecosystems: The Yellowstone Experience, ed. T. Clark et al.(New Haven [Conn.]: Yale University Press, 1999); J. M. Goodrich and S. W. Buskirk, "Control of Abundant Native Vertebrates for Conservation of Endangered Species," Conservation Biology 9, no. 6 (1995).

[65] Fox, C.H. and C.M. Papouchis. 2005. Coyotes in Our Midst: Coexisting with an Adaptable and Resilient Carnivore. Animal Protection Institute, Sacramento, California.

[66] F. F. Knowlton, E. M. Gese, and M. M. Jaeger, "Coyote Depredation Control: An Interface between Biology and Management," *Journal of Range Management* 52, no. 5 (1999); B. R. Mitchell, M. M. Jaeger, and R. H. Barrett, "Coyote Depredation Management: Current Methods and Research Needs," *Wildlife Society Bulletin* 32, no. 4 (2004).

to: require hunters to make a reasonable effort to track wounded animals while hunting, prohibit the use of bait to attract animals in order to hunt them, and prohibit the use of trail cameras and drones during hunting seasons .NAC 503.191, 503.149, 503.148, 503.1485. This is consistent with case law holding that the "plain meaning of the 'manner of taking' encompasses more than just the method used for killing wildlife." *Armstrong v. State*, 958 P.2d 1010, 1012-13, 1016 (Wash. App. 1998) (concluding that Washington regulation requiring hunters to wear fluorescent orange clothing while hunting was valid exercise of agency authority to regulate "manner of taking").

Prohibiting killing contests would be a valid exercise of the Commission's authority to regulate the "manner… of taking" fur-bearing and unprotected mammals. Taking furbearers in the course of a killing contest constitutes a "manner" of take that is, like hunting with the aid of trail cameras or unmanned aerial vehicles, distinct from other forms of hunting in terms of ecological impact and sportsmanship. And the goal of participants in a killing contest – taking as many animals as possible in a specified time frame to earn prizes – directly and concretely affects where and how many animals are taken. It would therefore be well-within the Commission's authority to prohibit killing contests pursuant to its authority to regulate the manner of taking fur-bearing and unprotected species.

C. Regulations Prohibiting Killing Contests in Other States Support the Commission's Authority

Further support for the Commission's authority can be found by looking to other states that have banned wildlife killing contests through agency regulation. State wildlife commissions in California (2014), Arizona (2019), Colorado (2020), Washington (2020), and Oregon (2023) have prohibited killing contests for predatory and/or fur-bearing species in this way. Each of these regulations remain in effect today and have not faced legal challenges. Notably, the wildlife commissions in most of these states adopted their regulatory prohibitions using statutory authority that is substantially very similar to the Commission's:

- In 2019, the **Arizona Game and Fish Commission** adopted a regulation making it unlawful to "[p]articipate in, organize, promote, sponsor, or solicit participation in a contest where a participant uses or intends to use any device or implement to capture or kill predatory animals or fur-bearing animals." 12 Ariz. Admin Code. 4-303(4)(i).[67] The Commission did so pursuant to its statutory authorities to "[e]stablish broad policies and long-range programs for the management, preservation and harvest of wildlife" and "[e]stablish hunting, trapping and fishing rules and prescribe the manner and methods that may be used in taking wildlife." Ariz. Rev. Stat. § 17-231(A)(1), (3).

- In 2020, the **Colorado Parks and Wildlife Commission** amended its "Manner of Take" regulation to add a prohibition on small game and furbearer killing contests. 2 Code Colo. Regs. 406-3 #303(A)(1)).[68] In doing so, the Commission cited[69] both its specific authority to "by appropriate rules and regulations…[d]etermine under what circumstances, when, in which localities, by what means, what sex of, and in what amounts and numbers the wildlife of this state may be taken" and its general authority to adopt rules deemed necessary to implement state wildlife policy. Colo. Rev. Stat. §§ 33-1-106(1)(a), 33-9-102(2), 33-1-101(1).

- In 2020, the **Washington Fish and Wildlife Commission** adopted regulations prohibiting killing contests involving species without a bag limit (such as coyotes). WAC 220-412-110(5), 220-413-060(3).[70] The Commission "determined that hunting contests that encourage and reward killing

[67] *Available at* https://apps.azsos.gov/public_services/Title_12/12-04.pdf.
[68] *Available at* https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=7043.
[69] *See* Colorado Parks and Wildlife, Summary re: final regulatory changes, https://cpw.state.co.us/Documents/Commission/2020/April/Item.7-W-3-Final.pdf, at 5 (Apr. 17, 2020).
[70] *Available at* https://app.leg.wa.gov/WAC/default.aspx?cite=220-412-110 and https://app.leg.wa.gov/WAC/default.aspx?cite=220-413-060.

large numbers of native wildlife are not consistent with sound wildlife management principles"[71] and cited its statutory authorities to "establish policies to preserve, protect, and perpetuate wildlife," "prescribe the time, place, manner, and methods that may be used to harvest or enjoy game fish and wildlife," and adopt rules "specifying the times, places, and manner" where hunting equipment may be used. RCW 77.04.055, 77.12.047.

- In September 2023, the **Oregon Fish and Wildlife Commission** adopted a rule prohibiting killing contests for unprotected species. OAR 635-050-0300. The Commission did so pursuant to its specific authority to restrict the "manner" of taking wildlife, as well as its broad regulatory authority to regulate take in furtherance of state wildlife policy.[72] ORS 496.162(1)-(2).

Each of these four states invoked similar authority to those delegated to the Commission under Nevada statute and discussed above: the general power to adopt regulations necessary to enact wildlife management policy, and the specific power to regulate the manner and/or method of taking wildlife. NRS 501.105, 501.181(4), 501.181(4)(a). The successful adoption and enforcement of regulatory prohibitions in Arizona, Colorado, Washington, and Oregon therefore strongly supports the Commission's authority to enact a similar prohibition in Nevada.

2. Provide (or attach) the wording for the change you are proposing:

We propose the following amendment to add a new section to Chapter 503 of the Nevada Administrative Code (HUNTING, FISHING AND TRAPPING; MISCELLANEOUS PROTECTIVE MEASURES):

NAC 503.196. Wildlife Killing Contests.

1. Notwithstanding any other provision of law, a person may not conduct or participate in a contest, competition, tournament, or derby that has the objective of taking unprotected mammals as defined in NAC 503.035, or fur-bearing mammals as defined in NAC 503.025, for prizes or other inducement.

2. The remains of any unprotected mammal or fur-bearing mammal killed during the course of a contest or competition conducted in violation of this regulation shall be forfeited, and the remains of such wildlife shall become the property of the department.

3. This section does not affect competitive field trials for hunting dogs as authorized under NRS 503.200, or the taking of fur-bearing mammals causing damage to property as authorized by NRS 503.470.

3. What is the estimated "economic" effect of the regulation on the business which it is to regulate?

(a) Include both adverse and beneficial effects:

This petition does not seek to regulate or limit the practices of Nevada businesses, but rather to prohibit the conducting of or participating in contests that offer cash and prizes for the killing of wildlife.

However, a prohibition on wildlife killing contests may prove beneficial to Nevada businesses that serve wildlife watching, ecotourism, and other non-consumptive users of the state's wildlife and wild places, as

[71] Washington Department of Fish and Wildlife, Notice of Proposed Rule Making #20-13-088, at 8 (June 16, 2020) (available at https://wdfw.wa.gov/sites/default/files/2020-09/5_huntingcontestss.pdf).

[72] *See* Oregon Department of Fish and Wildlife, Agenda Item Summary (Sept. 15, 2023) ("[T]he Commission likely has the authority to adopt rules prohibiting the take of unprotected mammals through contests in Oregon as a manner of take and as a restriction that will carry out the provisions of wildlife law. This includes furtherance of the wildlife policy in ORS 496.012, and implementing the goal in ORS 496.012(7) of making decisions that affect wildlife resources for the benefit of the wildlife resources and to make decisions that allow for the best social, economic, and recreational utilization of wildlife resources by all user groups.") *available at* https://www.dfw.state.or.us/agency/commission/minutes/23/09_Sep/E/Exhibit%20E%20Attachment%201%20Agenda%20Item%20Summary.pdf

well as hotels, restaurants, and travel and transportation providers. Non-consumptive wildlife recreation contributes significantly to Nevada's economy. The National Park Service reports:

> In 2022, 4.4 million park visitors spent an estimated $224 million in local gateway regions while visiting National Park Service lands in Nevada. These expenditures supported a total of 2,360 jobs, $102 million in labor income, $176 million in value added, and $283 million in economic output in the Nevada economy.[73]

And according to the U.S. Bureau of Economic Analysis, more than $6 billion was spent on all outdoor recreation activities in Nevada in 2022 (the most recent data available). Only 0.5% of that amount was spent on hunting and trapping.[74]

(b) Include both immediate and long-term effects:

The immediate effect of a prohibition on wildlife killing contests will be positive media coverage of the state's wildlife commission for reaffirming their commitment to science and ethics in guiding their wildlife management policy. Non-consumptive users may be more likely to support the agency financially and otherwise if they believe the commission is listening to the concerns and interests of non-consumptive users in addition to hunting, trapping and ranching interests.

4. What is the estimated "economic" effect of the regulation on the public which it is to regulate?

(a) Include both adverse and beneficial effects:

Beneficial effects include increased revenue from tourism and wildlife watching by visitors who may have been unwilling to patronize the state because of its wildlife killing contests. Tourists who visited other western states that have banned killing contests, including California, Arizona, New Mexico, Colorado, Oregon and Washington, may now be more willing to spend their dollars in Nevada as well.

As stated above, the science is clear that wildlife killing contests provide no demonstrable benefits to livestock farmers or to hunters, and, in fact, can be more costly to farmers because the indiscriminate killing of coyotes can increase conflicts with livestock. The establishments that host these activities may experience a slight loss of profits, but we expect the impact to be minimal as most establishments only host these events once per year.

It's important to note that only a small minority of Nevada residents engage in hunting (only 3.4% of Nevadans were paid hunting license holders in 2023),[75] and the portion of those hunters who participate in wildlife killing contests is minuscule.

(b) Include both immediate and long-term effects:

Immediate and long-term effects will include an improvement of Nevada's image as pro-science, pro-conservation, and wildlife- and ecotourist-friendly.

[73] National Park Service: "Economic Contributions to the Nevada Economy." https://www.nps.gov/subjects/socialscience/vse.htm
[74] U.S. Bureau of Economic Analysis: Outdoor Recreation Satellite Account, U.S. and States, 2022. https://www.bea.gov/data/special-topics/outdoor-recreation
[75] The U.S. Fish and Wildlife Service: Hunting Licenses, Holders, and Costs by Apportionment Year. https://us-east-1.quicksight.aws.amazon.com/sn/accounts/329180516311/dashboards/48b2aa9c-43a9-4ea6-887e-5465bd70140b

5. **What is the estimated cost to the Department of Wildlife for enforcement of the proposed regulation?**

There is no projected cost for enforcement of the proposed regulation, and no projected decrease in the sale of hunting licenses because coyotes can be hunted without a hunting license in Nevada. Wildlife killing contests do not bring any revenue to NDOW.

The top prizes in most wildlife killing contests are the distribution of the cash pot accumulated from the contest registration fees, along with hunting equipment donated by manufacturers who are also sponsors of the contests. The proposed regulatory language would prohibit organizers from offering cash or other prizes for contests, and would prohibit participants from competing in a contest. This would eliminate the charging of registration fees that would become the cash pot for prizes, as well as the donation of prizes such as hunting equipment by potential sponsors. In turn, without the chance to win cash and prizes, few are likely to attend or participate in such contests, and, without participants, organizers no longer have a contest. These factors work together to serve as a *preemptive enforcement mechanism* that does not rely heavily on law enforcement resources.

Additionally, in order to accumulate a cash pot and items to award as prizes, a killing contest organizer must charge a registration fee, solicit corporate or business sponsorships, and advertise the event well in advance. Any combination of these activities would likely put the event on the radar of law enforcement, or of individuals who might report the planned event to law enforcement—which would then alert the organizers that they cannot hold the event because it is prohibited by regulation.

Therefore, most of the enforcement of this proposed ban would be in advance of any planned contest, rather than the policing of those who are lawfully hunting in Nevada.

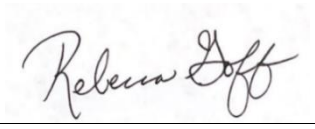
6. **Does the proposed change overlap or duplicate any regulations of other state or local government agencies?** __X__ No_____ Yes
   If "Yes," list the agency and explain why the duplication or overlapping is necessary:

7. **Does the requested change overlap or duplicate a federal regulation?** X__ No ___ Yes
   If "Yes," list the name of the regulating federal agency?

8. **Is the requested change required by federal law?** __X__ No _____ Yes
   If "Yes," please cite or describe the federal law as best you can:

9. **Does the requested change include provisions which are more stringent than a federal regulation that regulates the same activity?** __X__ No_____ Yes

10. **Does the requested change establish a new fee or increase an existing fee?** __X No__ Yes

Petitioner's Signature  Date: February 12, 2024

PETITION PROCESS FLOWCHART

(Refer to **NAC 501.195** for detailed process)

Note: The petition process is used to request a change to existing regulation or create a new regulation. Current regulations remain in effect until any proposed changes are fully adopted. A petition for changes to adopt, file, amend or repeal a permanent regulation does not affect the present, only the future. The process takes at least 4 months.

Petitioner will fill out the petition form explaining the reason and legal authority. They will also include the proposed language change to a pertinent NAC. Legal authority must be based on NRS.

→

Commission will refer the petition to the Department to obtain a recommendation.

↓

The Department and Office of the Attorney General will review the petition to verify legal authority. Not later than 20 days after receiving the petition, the Department will forward their recommendation to the Commission whether to deny the petition or initiate rulemaking based on legal authority.

↓

The Executive Assistant to the Secretary of the Commission will work with the petitioner to schedule the petition to be heard at a Nevada Board of Wildlife Commissioners meeting. The petitioner must appear at the meeting to support their petition, and answer any questions.

↓

The Commission will hold the meeting: At the meeting, the petitioner will present their petition and answer questions. Department staff will be prepared to address any questions the Commission may have. The Commission will decide to accept or deny petition.

↓

Within 30 days after a petition is presented to the Commission, the Secretary of the Commission will notify the petitioner in writing of the Commission's decision to deny the petition or initiate rulemaking. If accepted by Commission, the Department initiates the rule-making procedures set forth in Chapter 233B of NRS.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: **For Possible Action: Presentation for Interim Natural Resources Committee Meeting -** At its March 8, 2024, meeting the Nevada Board of Wildlife Commissioners will hear an overview of the presentation that the department was asked to give to the Interim Natural Resources Committee about the commission and its duties at their April 5th Meeting. They have the opportunity to provide input.

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7C-Interim-NR-Presentation-Memo-March-2024-1.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____
_____

_____ _____

(Vote Recorded By)

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, February 16, 2024**

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: **Interim Natural Resources Presentation**

Description: The Department has been asked to provide a presentation on the Commission to the Interim Natural Resources Committee on April 5th.

Summary:

Legislative Counsel Bureau staff have requested that the Department give a presentation to the Interim Natural Resources Committee at their April 5th Meeting on various aspects of the Wildlife Commission. LCB staff gave very detailed instructions to the Department on what should be included in the presentation. Their instructions are pasted below.

"The presentation should be brief and include the following information about the Board, as governed by statute, regulation, or Board policy:

- Powers, duties, mission and interactions with NDOW
- Recent actions
- The current composition, qualifications and background of members, length of service and term, and geographic representation of Board members
- Appointment process and selection criteria considered during the appointment process
- How leadership of the Board is determined
- Number of meetings held per year and location(s)
- Voting rules/constitution of a quorum
- Per diem allowances and expenses of the Board in 2022/2023
- Legislative history that created the Board"

Recommendation:

The Department is seeking input from the Commission on other information they would like to provide as part of the presentation, should time allow.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: **For Possible Action: Commission General Regulation 520 - Tag Deferral Extenuating Circumstances Revision.** At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code to amend the circumstances surrounding tag deferrals.

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7D-CGR-520-Tag-Deferral-Extenuating-Circumstances.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____
_____
_____

_____
(Vote Recorded By)

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: **FEBRUARY 16, 2024**

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 520, Extenuating Circumstance Tag Deferral

Description: The Commission will review and revise draft language amending Nevada Administrative Code (NAC) chapter 502 that would amend the timeframe an extenuating circumstance could happen to a customer for qualification to defer the big game tag.

Brief Explanation of the Proposed Regulation:

This regulation amends section 1 of LCB File No. R022-19 which established a program to allow a customer the option to defer or transfer their big game tag if an extenuating circumstance happened to the customer before the hunting season of the tag opened that prevented the tag holder from hunting on the tag.

The regulation adjusts the timeframe of which an extenuating circumstance could happen to the customer for deferral qualification. It also restricts the excludes the deferral option if a tag is awarded through certain programs.

Recommendation:

The Department recommends that the Commission review, amend if needed, and move towards an additional workshop or adoption of the proposed regulation.

PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 520

LCB File No. R014-24

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[~~omitted material~~]** is material to be omitted.

AUTHORITY: §§1-4, NRS 501.105, 501.181, 502.103, 502.160 and 502.250; §5, NRS 501.105, 501.181, 502.160, 502.219 and 502.250.

A REGULATION relating to licensing and the validation of a game tag in any form……

Sec. 2. Section 1 of LCB File No. R022-19 (uncodified regulation) is hereby amended to read as follows:

1. A holder of a tag may claim an extenuating circumstance and request to transfer the tag, return the tag for the restoration of bonus points or defer the use of the tag pursuant to NRS 502.103, as amended by section 4.5 of Assembly Bill No. 89, chapter 109, Statutes of Nevada 2021, at page 473, only in accordance with the requirements of this section.

(a) Tags excluded for deferral approval include:

(1) Tags awarded pursuant to NAC 502.421: alternate list.

(2) Tags awarded pursuant to NAC 502.4215: First Come First Served program.

(2) Tags awarded pursuant to NAC 502.4237: drawing of tags for the restricted nonresident guided mule deer hunt.

(3) Tags awarded pursuant to NAC 502.424 through NAC 502.4268, NAC 502.42253 through NAC 502.42283: for any management, depredation, landowner damage compensation antelope or mule deer, elk incentive or emergency hunt programs.

(4) Tags awarded pursuant to NAC 502.4269 through NAC 502.42696, NAC 502.4273 through NAC 502.42905, NAC 502.4291 through NAC 502.4298, NRS 502.250 for Dream, Partnership in Wildlife, Heritage, or Silver State specialty tag programs.

2. A person who applies for a big game tag may designate a beneficiary of the tag. Upon the death of the holder of the tag, if the designated beneficiary provides a death certificate to the Department, the designated beneficiary will be treated as if he or she were awarded the tag pursuant to subsection 6. The designated beneficiary may:

(a) Use the tag if he or she is otherwise eligible to hunt a big game mammal in this State, subject to any applicable waiting period, as long as the person has not been suspended by the Department from using a tag;

(b) Transfer the tag to a qualified organization approved by the Department pursuant to subsection 10; or

(c) Return the tag to the Department.

3. If the holder of a tag is diagnosed as terminally ill before hunting hours begin on the opening day of the season for which the tag was issued, the holder of the tag may claim an extenuating circumstance and request to transfer the tag to another person who is otherwise eligible to hunt a big game mammal in this State.

4. Except as otherwise provided in subsection 8, the Department shall allow the holder of a tag to return the tag to the Department pursuant to NAC 502.422, for the restoration of any bonus points that he or she used to obtain the tag or defer the use of the tag to the next applicable hunting season if any of the following extenuating circumstances occur ***after the last day that the holder is entitled to return the tag pursuant to NAC 502.422, but*** before the hunting hours begin on the opening day of the season for which the tag was issued:

(a) The death of a family member of the holder of the tag, as verified by a certificate of death;

(b) The holder of the tag or a family member of the holder incurs a severe and unanticipated injury or illness which prevents the holder from hunting during the season for which the tag was issued, as verified in writing by a physician; or

(c) The holder of the tag is serving in the Armed Forces of the United States and is transferred to a location which makes it impracticable for the holder to hunt in the area for which the tag was issued, as verified by a copy of his or her orders or other proof satisfactory to the Department.

5. If the holder of the tag claims an extenuating circumstance as described in subsections 3 and 4, he or she must:

(a) Return the tag to the Department not later than 14 business days after the opening day of the season for which the tag was issued;

(b) Attest that he or she did not hunt on the tag; and

(c) Submit evidence to the Department of the extenuating circumstance. In the case of the death of a family member, if the holder of the tag has not received a death certificate for the deceased person within the 14 business days required to return the tag to the Department pursuant to paragraph (a), the death certificate may be submitted to the Department at such time as the holder of the tag receives a copy of the death certificate.

6. If a tag is transferred to another person or qualifying organization pursuant to this section, both the original holder of the tag and the new recipient of the tag will be treated as if he or she drew the tag with respect to any applicable waiting periods and bonus points.

7. The Department shall process the transfer, return or deferral within 5 business days after receiving the tag.

8. The provisions of this section do not apply to the holder of a tag who is serving in the Armed Forces of the United States if he or she defers the use of a tag pursuant to NAC 502.336.

9. The tag transfer program is hereby established. An organization that wishes to participate in the tag transfer program must submit an application to the Department between September 1 and October 31 of each year for participation in the hunting season for the following year. An application submitted by an organization must demonstrate that the organization is a qualified organization, as that term is defined in section 1 of Assembly Bill No. 89, chapter 109, Statutes of Nevada 2021, at page 471 (NRS 502.104), and further demonstrate:

(a) The ability of the organization to cooperate with a licensed master guide, licensed subguide or otherwise qualified person to safely guide or mentor persons who are eligible to receive a transferred tag pursuant to this section;

(b) The number of persons represented out of each category described in subparagraphs (1) and (2) of paragraph (b) of subsection 3 of section 1 of Assembly Bill No. 89, chapter 109, Statutes of Nevada 2021, at page 471 (NRS 502.104), who are eligible to receive a transferred tag pursuant to this section, including, without limitation, the following information:

(1) The first and last name of each person;

(2) The date of birth of each person; and

(3) The client number, as defined in NAC 502.029, of each person; and

(c) That no monetary trade or exchange of goods will be taken or given by the organization, a person or family member of a person represented by a qualifying organization or a person wishing to transfer his or her tag.

10. If an application submitted pursuant to subsection 9 is approved, the Department shall notify the organization of the approval. Such approval authorizes the qualified organization to participate in the tag transfer program for 1 calendar year beginning on January 1 and ending on the last day of that year's concurrent hunting seasons.

11. At the request of the holder of a tag, the Department shall provide a tag transfer request form and list of qualified organizations to the holder for submission to the Department designating the qualified organization that will receive the tag.

12. If a qualified organization fails to meet the requirements set forth in subsection 9, the Department shall revoke the authorization of the organization to participate in the tag transfer program for the remainder of the current year's hunting season.

13. The Department shall update the Commission on all tags that are transferred, returned or deferred pursuant to this section.

14. As used in this section:

(a) "Family member" has the meaning ascribed to it in NRS 502.103.

(b) "Tag transfer program" means the program established by this section pursuant to section 1 of Assembly Bill No. 89, chapter 109, Statutes of Nevada 2021, at page 471 (NRS 502.104).

(c) "Terminally ill" has the meaning ascribed to it in NRS 449A.081.

NEVADA DEPARTMENT OF WILDLIFE
Data and Technology Services
6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511
License Office
STANDARD OPERATING PROCEDURE

Determining Extenuating Circumstance Qualifications for Tag Deferral Requests

EFFECTIVE DATE: TBD
APPROVED BY:

Alan Jenne
Director, Nevada Department of Wildlife

Tommy Caviglia
Chair, Nevada Board of Wildlife Commission

REFERENCE: NRS 232.4854, NRS 502.103, NAC 502.103, NAC 502.422

DISTRIBUTION: Data and Technology Service (DATS) Staff, Director's Office Staff, Game Staff

Purpose:

To establish a procedure to collect and process tag deferral requests; to reduce any likelihood of overallocation of set quotas; to remain fair and consistent when determining if provided *extenuating circumstances* qualify the tag holder for a tag deferral; and to ensure public transparency of deferral allocations during quota setting.

This policy does not regulate provisions found for military deferrals in NAC 502.336 or diseased tag replacement deferrals in NAC 502.321.

Policy:

NAC 502.103 provides a big game or turkey tag holder the ability to choose to defer the tag to the next applicable hunting season if an *extenuating circumstance*, defined as a "severe or unanticipated injury or illness," occurs which prevents the tag holder from hunting during the season for which the tag was issued. The unanticipated injury or illness must not have been diagnosed before the notification of the awarded draw results. The extenuating circumstance must have occurred after the close of the last business day of the Department and before the legal shooting hours of the tag season's opening day.

To ensure consistency and fairness to participants, the Department shall use NRS 232.4854 as a guide for *extenuating circumstance* qualifications. Each deferral request will be reviewed for compliance on an individual basis by the Director or Deputy Director. A response shall be provided for each request within 10 business days of request receipt.

> **NRS 232.4854** – "Serious illness" means a medical illness, physical injury or condition that substantially affects the quality of life of a person for more than a short period of time.

A serious illness or injury under this statute is a medical illness or injury that was unknown and unanticipated before the person was awarded the tag. The Department may request additional medical information from the customer who submitted a deferral request to determine if the request

qualifies. Requests for medical records establishing the onset of any particular medical condition may be of particular value.

It is ultimately the responsibility of the tag holder to submit proper documentation demonstrating their eligibility for the deferral program including but not limited to a statement clearly showing that the tag holder's physical condition precluded his or her participation in the hunt described on the awarded tag. The Department has the right to deny a request for lack of documentation that shows the injury or illness was unknown at the time the tag was awarded.

Pursuant to NAC 502.422, a general tag return must be received by the Department before the opening day of the hunt season. Tag returns received prior to the opening day of the season that DO NOT qualify as an extenuating circumstance shall be treated as a general tag return.

Pursuant to NAC 502.103 subsection 5(a), a customer who has experienced an extenuating circumstance prior to the opening day of the hunt season has 14 business days into the hunt season to notify the Department.

Examples of qualifying *extenuating circumstances* include but are not limited to:
- Motor vehicle accidents resulting in severe personal injury
- Unplanned surgeries resulting from unanticipated accidents or illnesses
- Blood clot(s)
- Broken bones
- Severe, acute, or life-threatening illnesses
- Death of a family member, as defined in NRS 502.103

Examples of *extenuating circumstances* that **DO NOT** qualify include but are not limited to:
- Cold and flu
- Return to work notes depicting "light duty"
- Elective or planned surgeries such as knee or hip replacements
- Chronic medical conditions, including but not limited to, hypertension, obesity, high cholesterol, fibromyalgia, arthritis, asthma, COPD, multiple sclerosis, etc.
- Seizures and similar chronic medical conditions that encompass a range of neurological disorders characterized by abnormal electrical activity in the brain.
- Injury or death of another member of the tag holder's hunting party, unless the member is also kindred to the tag holder within the first degree of consanguinity.

Examples of events that do not meet the definition of an extenuating circumstance include but are not limited to:
- Natural disasters or property damage such as wildland fires
- Weather related events
- Government closures and shutdowns
- Jury summons
- Biological impacts on herd health or numbers

Tag holders who do not qualify for tag deferment may still return their tag for any reason for the return of bonus points, pursuant to NAC 502.422, as long as the tag is physically possessed or received by the Department before the opening day of the tag's season.

Tag holders who were awarded multiple tags in a hunt year may only defer one tag for the following year.

Procedures:

DATS customer support staff will assist in clarifying qualifications of a big game or turkey tag deferral. Support staff will inform inquiring tag holders about the deferral program and that each

request requires supporting documentation and will be reviewed for compliance separately by the Director/Deputy Director of the agency. Staff will inform tag holders regarding the need to provide supporting documentation for deferral requests

Tag Returned by Customer: All deferred tag requests received at a NDOW office will immediately be forwarded by mail (the physical tag must accompany the paperwork) to the Headquarters location with attention to the DATS Program Officer 1 (PNC0008). Scanned copies of tag return and deferral requests will be emailed to the DATS Program Officer 1 to begin the review and return process and married to the original tag once received by mail.

NDOW Headquarters staff will date stamp received tag deferral request through the mail and provide it to the DATS Program Officer 1. Additional medical documentation may be requested by the Department if the supporting documentation supplied by the customer is insufficient to qualify for the deferral request.

A deferred tag list will be created by the DATS Program Officer 1 within the duration of the current hunt season. The created list should be sortable by each section and include:

- Tag holder Client Identification Number
- Tag holder's full name
- Reason for the deferment
- Species for which the tag is being deferred
- Hunt season dates of deferred tag
- Unit for which the deferred tag was issued
- Weapon class of the deferred tag
- Approved or denied column

Director's Office Approval Process: Once logged, the DATS Program Officer 1 will forward the request to the Director's Office for review.

The Director's Office staff will notify the DATS Program Officer 1 and/or the DATS Management Analyst 3 (PCN0010) if a customer qualifies for a tag deferral, within ten (10) business days of deferral request receipt by the Department.

Tag holders will be notified by Department staff whether their deferral request does or does not qualify for the extenuating circumstance deferral. Information on returning a tag for any reason will be given if a tag holder does not qualify for a deferral. An explanation of the process to fulfill the deferred tag for the next identical season and the possibility of void deferrals due to season or unit changes will be offered to the customer. Information regarding the deferral suspension will be provided to the customer.

Once the customer is notified, tag holders with qualifying deferral requests will have their tag returned through the AMS system which produces a tag fee refund and the tag for the current season will be issued to an alternate or offered for sale through the FCFS program. A deferral suspension will be added to the customer account in AMS preventing them from receiving any other big game tags through the alternate, FCFS, or landowner tag programs for the duration of the current hunt season.

Complete tag deferral paperwork will be filed by last name and hunt year and stored until the retention period has expired. Staff will follow the State and agency approved retention schedule for storage timing and document destruction.

Quota Setting: Upon the close of the corresponding hunt year, the Program Officer 1 will provide the deferred tag list to the DATS Division Administrator (PCN0002), the DATS Management Analyst 3, and Game Division Administrator (PCN0088). Game Division staff will review the tag deferral list

and provide the DATS staff information on the number of hunts where deferred tags take up the full quantity of the anticipated quotas. The deferment list, **with CID and names redacted**, will be provided to the Commission as additional supporting materials during the season setting meeting in January and the quota setting meeting in May.

Deferral Tag Fulfillment: DATS Management Analyst 3 will provide the list of deferred tags to the licensing vendor and track the deferred tags in the configuration file used to build the application period. Deferred tags will be accounted for in the Commission approved quotas before being loaded into the AMS system's application period. This process prevents the overallocation of tags awarded through the draw.

Deferrals will not be approved if a tag was awarded through the alternate program or purchased through the First Come First Served (FCFS) program.

Deferrals will not be approved for the non-resident guided mule deer hunt.

Deferrals will not be approved for any management, depredation, landowner damage compensation antelope or mule deer, elk incentive, or emergency hunts.

Deferrals will not be approved for any Silver State, Heritage, Dream or Partnership in Wildlife specialty tags.

The Board of Wildlife Commissioners approves the hunt seasons, quotas, and Commission Regulations. Deferral requests in which the season dates or structures have changes so that the tag is no longer matching to the original tag approved for deferral, the customer will be treated as if the deferral was a general tag return in relation to lifted waiting periods and bonus point restoration.

Filling Tag Deferral Quotas: Quotas are approved at the May Board of Wildlife Commission meeting and are unknown at the time the big game application period opens, usually in March. If the quota for a hunt is lower than the received number of approved deferral requests resulting in all tags being allocated before the application period, the Department will not award a tag through the draw.

If a whole quota is allocated for tag deferrals, the Department will take applications to build an alternate list for use if a deferred tag is returned to the Department.

If the Department receives more deferrals than the available quota in season, the Department will issue deferred tags the lowest assigned draw number. Customers who were approved for deferral but do not receive a tag based on no available quota will have their deferral request treated as a regular tag return.

Upon completion of the big game application period, the quotas within the configuration file should be updated to reflect the actual Commission approved quota. This will ensure that the applicant is shown the correct number of tags that were issued last season during the following year's application period.

Fulfilling Deferred Tags: Tag deferrals from a prior season that are to be issued in the current season will be configured by licensing vendor staff and prepped for sale. Once configured, DATS staff will ensure that the deferral customers have an active hunting license before the tag is issued. DATS licensing staff will contact the deferral customers scheduled to receive a tag and collect payment of the tag fee. Customers will be given a deadline to submit payment to the Department for the deferred tag. If payment is not received by the deadline, the deferral request will be denied and the quota for the deferral will be issued through the main draw.

Once payment is collected, the tags can be assigned to the customer accounts in AMS, printed on durable stock, and mailed to the customer.

Employee Responsibilities:

- DATS Staff – provide proper information to tag holders, contact customers, collect payment, date stamp and forward paperwork to DATS PO1, file deferral paperwork.
- DATS PO1 – create, manage, and share deferred tag list.
- DATS MA3 – track deferred tags in configuration file, provide list to licensing vendor.
- Game Staff – communicate with DATS staff on anticipated low quotas for hunts with a high volume of deferrals, include **redacted** deferred tag list in January and May's Commission support materials.
- Director's Office Staff – approve or deny tag deferral requests, communicate deferral decisions with DATS staff within ten (10) business days.

Definitions:

- EXTENUATING CIRCUMSTANCE: a serious injury, illness, or death of a child, partner, or close relative to the first degree of consanguinity which **prevents the holder of the tag from hunting** during the season for which the tag was issued. Section 1 of LCB File No. R022-19, subsection 4 (b) of NAC 502
- SERIOUS ILLNESS: a medical illness, physical injury or condition that substantially affects the quality of life of a person for more than a short period of time - NRS 232.4854. A serious illness or injury under this statute is a medical illness or injury that was unknown and unanticipated before the person was awarded the tag.
- TERMINAL ILLNESS: a medical diagnosis made by a physician that a person has an anticipated life expectancy of not more than 12 months. NRS 449A.081
- FAMILY MEMBER: spouse of the big game hunter, a stepchild of the big game hunter, a person related to the big game hunter within the first degree of consanguinity (spouse, child, or parent). – NRS 502.103.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

For Possible Action: Commission General Regulation 521 - Junior Tag Transfer. At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold a workshop to consider amending Chapter 502 of the Nevada Administrative Code to provide for the circumstances surrounding the transfer of a tag to a junior hunter.

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7E-CGR-521-Junior-Tag-Transfer.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____

_____

_____

_____

(Vote Recorded By)

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: **FEBRUARY 16, 2024**

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 521, Junior Tag Transfer

Description: The Commission will review and revise draft language amending Nevada Administrative Code (NAC) chapter 502 that would allow the transfer of a game tag to a minor between the age of 12 and 17 who is otherwise eligible to hunt the tag.

Brief Explanation of the Proposed Regulation:

This regulation was drafted in coordination with the Tag Allocation and Application Hunt Committee after the passage of Senate Bill 311 of the 82nd Legislative Session.

The regulation outlines a program that would allow a mule deer tag holder to transfer their mule deer tag to a minor between the age of 12 and 17 who is otherwise eligible to be awarded and hunt the mule deer tag.

Recommendation:

The Department recommends that the Commission review, amend if needed, and move towards an additional workshop or adoption of the proposed regulation.

PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 521

LCB File No. R015-24

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§1-4, NRS 501.105, 501.181, 502.103, 502.160 and 502.250; §5, NRS 501.105, 501.181, 502.160, 502.219 and 502.250.

A REGULATION relating to licensing and the validation of a game tag in any form……

New Tag Transfer NAC 502

1. *A tag holder may transfer their main draw awarded mule deer tag for the current corresponding hunt year to a minor between the ages of 12 to 17 who is otherwise eligible to hunt on the mule deer tag.*
    a. *A minor must have reached their 12th birthday before the opening day of the tag's season and must not reach their 18th birthday before the close of the tag's season to be eligible to receive a transfer.*
    b. *Junior mule deer tags are excluded for transfer within this program.*
2. *The minor receiving the transfer may only receive one mule deer tag annually and must have been unsuccessful in receiving any big game tag through the main draw for the corresponding hunt year.*
3. *The tag holder must designate the name(s) and client ID(s) of the minor(s) they intend to transfer their tag to at the time their main draw application is submitted.*
4. *The original tag holder shall surrender the mule deer tag to the Department and correctly enter the required information on the Department issued mule deer tag transfer affidavit. The information must include:*
    a. *The original tag holder's legal name;*
    b. *The legal name of the minor the big game tag will be transferred to;*
    c. *The relationship between the tag holder and the minor receiving the tag transfer;*
    d. *The Nevada client ID of both the original tag holder and the minor;*
    e. *The type of hunt as defined in NAC 502.105;*
        i. *Species;*
        ii. *Species Category;*
        iii. *Weapon;*
        iv. *Residency;*
        v. *Season;*
        vi. *Hunt Unit;*
5. *Transfer requests must be received by the Department no later than July 1 of the corresponding hunt year.*
6. *The original tag holder is responsible for the payment of the tag fee pursuant to NRS 502.250.*
7. *Both the original tag holder and the minor receiving the mule deer tag will be treated as if they were awarded the mule deer tag with respect to bonus point cost.*

8. The Department will return a copy of the Department signed and dated affidavit to the original tag holder-at the time the transfer has been completed. The tag holder transferring the big game tag must accompany the minor receiving the mule deer tag into the field, regardless of the age of the minor, and have on their person a copy of the Department signed tag transfer affidavit.

9. A tag holder may only transfer a tag through this program once in their lifetime.

10. Transferred tags may not be returned to the Department for the restoration of bonus points.

11. The exchange of anything of value including, without limitation to, money, goods, and/or services is strictly prohibited from participation in the program.

12. Transferred tags may not be deferred or transferred a second time to another person.

13. As used in this section:

a. *"Accompany into the field" means the youth and adult must remain close enough for the adult to see and provide verbal assistance to the youth hunter, no more than 10 yards. Using electronic devices, such as walkie-talkies or cell phones, does not meet this requirement.*

NAC 502.385 - Use of tag or permit

1. The tag or permit must be carried by the holder at all times while the holder is hunting or trapping or while he or she is fishing for wildlife for which a tag or permit is required.

2. Except as otherwise provided in NAC 502.42905*, name of new junior tag transfer regulation LCB File No. RXXX-XX,* and section 1 of LCB File No. R022-19, it is unlawful for any person to:

(a) Use or possess a tag or permit issued to any other person;

(b) Transfer or give a tag or permit issued to him or her to any other person;

(c) Use any tag or permit in a management area or unit for which it is not intended; or

(d) Use a tag or permit at any time other than at the time intended.

3. After it has been issued, a tag or permit may not be exchanged or a refund made except in accordance with the policies and regulations of the Commission.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title: **For Possible Action: Commission General Regulation 500, Subdivision Map Review.** At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold an adoption hearing to consider amending Nevada Administrative Code (NAC) 278 to provide for the Department review of tentative subdivision map(s) and inclusion of recommendations for methods to avoid or minimize impacts to wildlife, mitigation measures, best management practices or required design features, and provide for collection of associated fees to the Department for carrying out such reviews.

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
19A-CGR-500.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____

_____
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_____

_____
(Vote Recorded By)

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: **MARCH 8, 2024**

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

From: Jasmine Kleiber, Wildlife Staff Specialist, Habitat Division

Title: **Commission General Regulation 500, Subdivision Review Program**

Purpose: The Commission will review and possibly adopt new proposed language to NAC 278 on wildlife review of tentative subdivision maps.

Summary

This is draft language for a new regulation to be added to Nevada Administrative Code (NAC) Chapter 278. New draft language includes definitions for “Infill development,” “Substantially vacant,” and “Vacant” relative to subdivision development. Draft language also includes direction for the collection of fees for conducting review of tentative subdivision maps relative to wildlife and/or habitat resources with potential to be impacted, pursuant to Nevada Revised Statutes 278.337. Current draft was developed in coordination with LCB.

Brief Explanation of the Proposed Regulation

Existing law sets forth an approval process for a subdivision of land, requiring the subdivider of the land to submit a tentative map to the planning commission or governing body of a county or city, as applicable, and requires the tentative map to be forwarded to certain state agencies and local governments for review, including the Nevada Department of Wildlife (“Department”). Existing law also authorizes the Nevada Board of Wildlife Commissioners to establish reasonable fees and procedures for the review of a tentative map (NRS 278.335, 278.337). This regulation sets forth procedures and requirements for the review of a tentative map by the Department.

Recommendation

The Department recommends that the Commission review and determine whether to further revise, or to finalize and adopt the language.

PROPOSED REGULATION OF THE

BOARD OF WILDLIFE COMMISSIONERS

LCB File No. R162-22

August 23, 2022

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[**~~omitted material~~**]** is material to be omitted. ***Recommendations from public meeting.***

AUTHORITY: §§ 1-7, NRS 278.335; § 8, NRS 278.335 and 278.337.

A REGULATION relating to land use planning; defining certain terms relating to the review of a tentative map of a subdivision of land; interpreting certain terms for the purpose of the review of a tentative map by the Department of Wildlife; requiring that certain information be submitted to the Department for the review of a tentative map; providing that the Department will provide written comments on a tentative map; establishing certain fees for the review of a tentative map; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth an approval process for a subdivision of land that requires the subdivider of the land to submit a tentative map to the planning commission or governing body of a county or city, as applicable. (NRS 278.330) Existing law also: (1) requires the tentative map to be forwarded to certain state agencies and local governments for review, which includes, with certain exceptions, the Department of Wildlife; and (2) authorizes the Board of Wildlife Commissioners to establish reasonable fees for the review of a tentative map. (NRS 278.335, 278.337) This regulation sets forth certain procedures and requirements for the review of a tentative map by the Department.

Sections 3 and 4 of this regulation define certain terms relating to the review of a tentative map.

Under existing law, a tentative map is not required to be forwarded to the Department if the proposed subdivision is infill development which is proposed on a vacant or substantially vacant tract of land that is surrounded by land that is already developed. (NRS 278.335) **Section 5** of this regulation sets forth the interpretation by the Department of the terms "infill development," "substantially vacant" and "vacant" for the purposes of this exception.

Section 6 of this regulation requires a developer to submit to the Department a tentative map, a review form and the fee required for the review of a tentative map. **Section 6** also sets forth the information that must be included on the review form submitted to the Department.

Section 7 of this regulation provides that the Department will provide written comments on the tentative map and review form which may include methods to avoid or minimize impacts to wildlife, mitigation measures, best management practices or required design features.

Section 8 of this regulation sets forth the fees charged by the Department for the review of a tentative map, which are: (1) $250 for the initial review of the tentative map plus an additional $5 for each acre shown on the map; and (2) $5 per acre shown on the tentative map for any subsequent review of modifications to the map.

Section 1. Chapter 278 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this regulation.

Sec. 2. ***As used in sections 2 to 8, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this regulation have the meanings ascribed to them in those sections.***

Sec. 3. ***"Subdivision" has the meaning ascribed to it in NRS 278.320.***

Sec. 4. ***"Tentative map" has the meaning ascribed to it in NRS 278.019.***

Sec. 5. ***As used in NRS 278.335, the Department of Wildlife interprets the term:***

1. "Infill development" to mean the process of developing vacant or underutilized tracts of land in areas that are already developed.

2. "Substantially vacant" to mean a subdivision of land in which ~~not less than~~ at least 75 percent of the land is vacant.

3. "Vacant" to mean a subdivision of land in which the land:

(a) Is not occupied or used;

~~(b) Has not been developed or disturbed; and~~

(c) Does not have any forage, cover, nesting habitat or any other value necessary for wildlife.

Sec. 6. ***1. Except as otherwise provided in paragraph (d) of subsection 1 of NRS 278.335, for each tentative map or a modification to a tentative map submitted pursuant to NRS 278.335, a developer shall submit to the Department of Wildlife for review ~~in printed or electronic form~~:***

(a) The tentative map;

(b) The review form prescribed by the Department of Wildlife; and

(c) The fee required pursuant to section 8 of this regulation.

2. The review form required pursuant to subsection 1 must include, without limitation:

(a) A map that shows:

(1) The topographic features of the subdivision, including, without limitation, the topographic features of the vicinity of the subdivision; and

(2) The location of the proposed subdivision relative to the nearest city, major highway, cross streets and any other easily identifiable landmarks;

(b) The expected general timeline of the development of the subdivision;

(c) The size of the subdivision indicated in acres, including planned open space(s);

(d) A statement of the type of water system to be used in the subdivision and the water source, which may include, without limitation, private wells or a public water system;

(e) A map of the 100-year floodplain for the location of the subdivision, which must have been prepared using recognized methods of preparing a map by a governmental agency responsible for the areas subject to flooding;

(f) A description of the subdivision by 40-acre legal subdivisions within a designated section, township and range or any other legal description which provides a positive identification of the location of the subdivision;

(g) The names, addresses, phone numbers and any other contact information of all developers of the subdivision; and

(h) A description of expected or planned ~~master plan showing the location of~~ future development and the intended use of all the land under the ownership or control of the developer~~s~~ in the vicinity of the subdivision.

3. All items and information required pursuant to subsections 1 and 2 must be submitted to the Department of Wildlife within 5 business days after the tentative map is submitted to the planning commission, or its designated representative, or the clerk of the governing body pursuant to NRS 278.330. If any item or information required pursuant to subsections 1 and 2 are missing, the Department of Wildlife will provide written notice to the developer which identifies the specific item or information that is missing.

4. A developer may submit a tentative map to the Department of Wildlife before submitting the tentative map to the planning commission or governing body to be pre-reviewed by the Department of Wildlife for any potential wildlife issues. If a developer submits a tentative map pursuant to this subsection, he or she must still submit the tentative map, information and fees required in accordance with section 8.

5. The Department of Wildlife will make the review form required pursuant to subsection 1 available on the Internet website of the Department of Wildlife.

6. A developer or other interested party may request wildlife information from the Department of Wildlife before submitting any information required by this section.

Sec. 7. *The Department of Wildlife will provide written comments on a tentative map and review form submitted pursuant to section 6 of this regulation by the deadline set forth in subsection 5 of NRS 278.335. The comments provided by the Department of Wildlife may include, without limitation:*

1. Methods to avoid or minimize impacts to wildlife;

2. Recommendations on mitigation measures; or

3. Best management practices or ~~required~~ design features.

Sec. 8. *1. The Department of Wildlife will charge the following fees for the review of a tentative map:*

(a) For the review of a tentative map, $250 plus an additional fee of $5 for each acre shown on the tentative map; and

(b) For the review of any modifications to a tentative map that was previously submitted to the Department of Wildlife, $5 for each acre not previously ~~shown~~ reviewed or disclosed, acres outside of previously submitted areas, newly depicted, on ~~the~~ modified tentative map.

2. Any fee required pursuant to subsection 1 must be paid at the same time the developer submits the tentative map and review form to the Department of Wildlife pursuant to section 6 of this regulation.

3. For the purposes of the section, acres subject to fee include only those acres that will be disturbed during development and not those that are reserved in the tentative map for open space.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

For Possible Action: Commission General Regulation 511, Wildlife Management Area Designations. At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will hold an adoption hearing to consider amending Chapter 504 of the Nevada Administrative Code. This Regulation would update Wildlife Management Area (WMA) designations and restrictions.

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
19B-CGR-511.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____ _____
_____
_____

_____

_____

_____

(Vote Recorded By)

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 **OCTOBER 17, 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 third reading.

Summary
The Commission recently designated the Argenta Wildlife Management Area (WMA) and Pole Canyon Cooperative WMA. Additionally, the Department will be incorporating the Blue Dimond properties into the Steptoe WMA. Restrictions on the use of firearms and ammunition, campfires, camping, blinds, 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, blinds, 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.

PROPOSED REGULATION OF THE

BOARD OF WILDLIFE COMMISSIONERS

LCB File No. R128-23

January 31, 2024

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[**~~omitted material~~**]** is material to be omitted.

AUTHORITY: §§ 1-3 and 5-8, NRS 501.105, 501.181, 504.140 and 504.143; § 4, NRS 501.105, 501.181, 503.150, 504.140 and 504.143.

A REGULATION relating to wildlife; establishing the Mountain Unit and Meadow Unit within the Steptoe Valley Wildlife Management Area; prohibiting certain acts within the Pole Canyon Cooperative Wildlife Management Area; revising restrictions on the use of certain weapons and ammunition in certain wildlife management areas; revising provisions governing campfires, camping and trapping in certain wildlife management areas; revising restrictions on the construction and use of blinds in wildlife management areas; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Wildlife Commissioners to establish policies and adopt regulations necessary to: (1) preserve, protect, manage and restore wildlife and its habitat; and (2) carry out the provisions of title 45 of NRS governing wildlife. (NRS 501.105, 501.181) Existing law also authorizes the Department of Wildlife, with the approval of the Commission, to enter into agreements with landowners to establish wildlife management areas and to enforce regulations necessary for the purpose of providing greater areas for the public to hunt or fish on private lands. (NRS 504.140) Existing law authorizes the Commission to prescribe by regulation, among other things, the manner and means of taking wildlife in state-owned wildlife management areas created and maintained by the Commission. (NRS 504.143)

Section 2 of this regulation provides that the Steptoe Valley Wildlife Management Area is comprised of the Meadow Unit and the Mountain Unit. **Section 2** provides that the: (1) Meadow Unit is comprised of that portion of the Steptoe Valley Wildlife Management Area that is located within Unit 111 or Unit 222 and is west of the boundary line of Cave Lake State Park; and (2) Mountain Unit is comprised of the remaining portion of the Steptoe Valley Wildlife Management Area.

Section 3 of this regulation: (1) establishes the Pole Canyon Cooperative Wildlife Management Area in cooperation with landowners in Pole Canyon; and (2) prohibits a person from engaging in certain activities within the Pole Canyon Cooperative Wildlife Management Area. **Section 3** also authorizes a person to operate a motor vehicle or bicycle, including a motor vehicle or bicycle that is electric or battery electric, to access the Pole Canyon Cooperative Wildlife Management Area.

Existing regulations prohibit: (1) the discharge of a rifle or pistol in certain wildlife management areas; (2) with certain exceptions, the use of shotguns capable of holding more than three shells on all wildlife management areas owned or managed by this State; and (3) the use or possession of shells for a shotgun containing shot that is toxic or larger than standard-size T on certain wildlife management areas. Existing regulations also authorize a person to hunt deer on the Mason Valley and Wayne E. Kirch Wildlife Management Areas using: (1) shotguns and rifled shotgun slugs or shotgun rounds with sabots that contain a single expanding projectile; and (2) bows and arrows. (NAC 504.135) **Section 4** of this regulation: (1) additionally prohibits the discharge of a rifle or pistol in the Argenta Wildlife Management Area; (2) eliminates the prohibition on the use of shotguns capable of holding more than three shells on all wildlife management areas owned or managed by this State; and (3) additionally prohibits the use or possession of shells for a shotgun containing shot that is toxic or larger than standard-size T on the Carson Lake and Argenta Wildlife Management Areas and the Meadow Unit of the Steptoe Valley Wildlife Management Area. **Section 4** also authorizes a person to hunt big game mammals on the Mason Valley, Wayne E. Kirch and Argenta Wildlife Management Areas using: (1) shotguns and rifled shotguns slugs or shotgun rounds with sabots that contain a single expanding projectile; (2) shotguns containing shot that is toxic or larger than standard-size T; and (3) bows and arrows.

Existing regulations: (1) prohibit campfires and bonfires in wildlife management areas; and (2) exempt certain wildlife management areas from such a prohibition by permitting campfires in certain wildlife management areas. (NAC 504.140) **Section 5** of this regulation expands such exempt wildlife management areas to include the Mountain Unit within the Steptoe Valley Wildlife Management Area. **Section 5** also provides that the exception is subject to any fire restriction order issued by this State or any federal agency.

Existing regulations: (1) prohibit camping in wildlife management areas; and (2) exempt certain wildlife management areas from such a prohibition. (NAC 504.145) **Section 6** of this regulation expands such exempt wildlife management areas to include, in the Steptoe Valley Wildlife Management Area: (1) any area within the Mountain Unit that is more than 0.5 mile from Success Summit Road; and (2) any site designated for camping that is 0.5 mile or less from Success Summit Road.

Existing regulations authorize a person to construct a hunting blind on any wildlife management area if, among other things, the blind is: (1) temporary and portable; and (2) based on the wildlife management area, constructed of certain material. Existing regulations also: (1) provide that a supervisor of a wildlife management area must approve the plans for a blind before a group of persons may construct the blind; (2) provide that sunken blinds, and barrels and boxes used as sunken blinds, must be covered when not in use; and (3) prohibit the use of a sink box. (NAC 504.160) **Section 7** of this regulation eliminates such restrictions on the use of blinds and instead provides that a blind must be: (1) temporary and constructed of material found on the wildlife management area; or (2) portable. **Section 7** also provides that a portable blind that is not used to hunt big game mammals must be removed daily from the wildlife management area.

Existing regulations: (1) prohibit trapping on wildlife management areas; and (2) create an exception to such prohibition by authorizing a person who has a permit to trap to do so on certain wildlife management areas. (NAC 504.170) **Section 8** of this regulation expands such exempt wildlife management areas to include the Bruneau River and Carson Lake Wildlife Management Areas. **Section 8** also prohibits trapping in any area that is 0.5 mile or less from any

site designated for camping within the Mountain Unit of the Steptoe Valley Wildlife Management Area.

Section 1. Chapter 504 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. ***The Steptoe Valley Wildlife Management Area is comprised of the Meadow Unit and the Mountain Unit. The:***

1. Meadow Unit is comprised of that portion of the Steptoe Valley Wildlife Management Area that is located within Unit 111 or Unit 222, as designated in NAC 504.210, and is west of the boundary line of Cave Lake State Park; and

2. Mountain Unit is comprised of the remaining portion of the Steptoe Valley Wildlife Management Area that is not within the Meadow Unit.

Sec. 3. ***1. Pole Canyon is a wildlife management area established in cooperation with landowners in Pole Canyon. The following activities are prohibited on the Pole Canyon Cooperative Wildlife Management Area:***

(a) Overnight camping, including, without limitation, overnight camping in areas designated for parking;

(b) Except as otherwise provided in subsection 2, operating a:

(1) Motor vehicle, including, without limitation, an electric or battery electric vehicle; or

(2) Bicycle, including, without limitation, a bicycle that is electric or battery electric;

(c) Riding an animal other than a horse or mule;

(d) Providing a guide service pursuant to NRS 504.390;

(e) Hunting any predator;

(f) Trapping; and

(g) Building or having a campfire.

2. A person may use a motor vehicle or bicycle, including, without limitation, an electric or battery electric motor vehicle or bicycle, in the parking area of the access point at the Franklin River or the 1,340 feet of dirt road comprising the access point in the Horse Canyon public right-of-way on Horse Creek Road to access the Pole Canyon Cooperative Wildlife Management Area.

3. As used in this section, "predator" means any fur-bearing mammal, mountain lion or coyote.

Sec. 4. NAC 504.135 is hereby amended to read as follows:

504.135 1. Except as otherwise provided in subsection ~~[6,]~~ ***5,*** 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]~~ ***A person*** may ~~[be hunted]~~ ***hunt big game mammals*** 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) ***Shotguns containing shot that is toxic or larger than standard-size T; or***

(c) Bows and arrows.

➥ A shotgun that is used to hunt ~~[deer]~~ ***big game mammals*** 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.~~

~~4. The]~~ ***Except as otherwise provided in subsection 2, 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 ***within the Meadow Unit*** in White Pine County.

(j) Franklin Lake in Elko County.

(k) Carson Lake in Churchill County.

(l) Argenta in Lander County.

~~[5.]~~ ***4.*** 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.]~~ ***5.*** 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.]~~ ***6.*** 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.

Sec. 5. NAC 504.140 is hereby amended to read as follows:

504.140 1. Except as otherwise provided in subsection 2, campfires and bonfires are prohibited in wildlife management areas.

2. ~~[Campfires]~~ ***Subject to any fire restriction order issued by this State or any federal agency, 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) Mountain Unit within the Steptoe Valley Wildlife Management Area.

Sec. 6. NAC 504.145 is hereby amended to read as follows:

504.145 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:

(1) Any area within the Mountain Unit that is more than 0.5 mile from Success Summit Road; and

(2) Any site designated for camping that is 0.5 mile or less from Success Summit Road.

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.

Sec. 7. NAC 504.160 is hereby amended to read as follows:

504.160 1. Except as otherwise provided in subsection ~~[6,]~~ ***4,*** a person may construct a ~~[hunting]~~ ***single*** 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 ~~[:]~~ ***be:***

(a) ~~[Be temporary]~~ ***Temporary*** and ~~[portable;]~~ ***constructed of material found on the wildlife management area; or***

(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.~~

~~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.]~~ ***Portable.***

2. A blind may not be locked or reserved for the use of a particular person or group of persons.

3. A portable blind that is not used to hunt big game mammals must be removed daily from the wildlife management area.

~~[6.]~~ ***4.*** 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.]~~ ***5.*** 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.

Sec. 8. NAC 504.170 is hereby amended to read as follows:

504.170 1. Except as otherwise provided in subsection 2, a person shall not trap on a wildlife management area.

2. ~~[Persons]~~ ***Except as otherwise provided in subsection 4, persons*** having permits to do so may trap on the Overton, Key Pittman, Wayne E. Kirch, Humboldt, Fernley, Scripps, Mason Valley, Steptoe Valley, Franklin Lake ***, Bruneau River, Carson Lake*** and Alkali Lake Wildlife Management Areas.

3. Permits to trap on wildlife management areas will be issued on a first-come, first-served basis and may contain designations of specific trapping areas, dates or other restrictions to ensure compatibility with other public activities.

4. A person shall not trap in any area that is 0.5 mile or less from any site designated for camping within the Mountain Unit of the Steptoe Valley Wildlife Management Area.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

For Possible Action: Commission Regulation 24-10, Migratory Game Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Migratory Game Birds Public Hunting Limited on Wildlife Management Areas and Designated State Lands for the 2024-2025 Seasons. At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider recommendations for seasons, bag limits and special regulations for migratory game birds for the 2024-2025 season and adopt regulations consistent with the proposed regulations framework for the 2024-2025 hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission will also consider rules regulating public hunting on Wildlife Management Areas and designated state lands.

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7H-CR-24-10-Migratory-Game-Bird-Seasons.pdf

Motion: _____	1) _____	Aye/Nay
	2) _____	_____
		_____
		_____
		_____
		_____

_____
(Vote Recorded By)

STATE OF NEVADA

DEPARTMENT OF WILDLIFE

Game Division

6980 Sierra Center Parkway, Ste 120 • Reno, Nevada 89511

(775) 688-1500 Fax (775) 688-1987

MEMORANDUM

February 16, 2024

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

From: Russell Woolstenhulme, Staff Specialist, Game Division

Title: **Commission Regulation 24-10, Migratory Game Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Migratory Game Birds; Public hunting limited on Wildlife Management Areas and Designated State Lands – 2024–2025 Season – For Possible Action**

Description: The Commission will consider recommendations for seasons, bag limits, and special regulations for migratory game birds for the 2024–2025 season and adopt regulations consistent with the proposed regulations framework for the 2024–2025 hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission Regulation will become final pending adoption of federal frameworks. The Commission will also consider rules regulating public hunting on Wildlife Management Areas and designated state lands.

Presenter: Wildlife Staff Specialist Russell Woolstenhulme

Season regulations for hunting migratory waterfowl, doves, and crows differ from some other common species, like mule deer, that are not governed by the Migratory Bird Treaty Act. The U.S. Fish and Wildlife Service works with the states within designated flyways, and Nevada resides within the Pacific Flyway. Collectively, the Pacific Flyway develops regulatory sideboards known as the Federal Frameworks within which each state may promulgate seasons for hunting. Although the Federal Frameworks are generally established by the time the Commission acts on the Migratory Game Bird Commission Regulation, the federal government suffered delays this year and the proposed frameworks are still draft. Should the final approved frameworks require amendment to this CR, the Department will bring this CR back to the Commission before seasons are published.

The Department is recommending changes to waterfowl and migratory bird seasons from those adopted by the Commission last year in March. The Department recommends the Commission adopt an increase in Nevada Swan Permits from 650 annually to 750 annually beginning in the 2024-2025 season.

Continental and Flyway Conditions

Continent-wide, waterfowl abundance is similar to last year. The total 2023 duck population estimate (excluding scoters, eiders, long-tailed ducks, mergansers, and wood ducks) was 32.3 million birds. This population estimate is 7% lower than the 2022 estimate of 34.7 million and was 9% lower than the long-term average of 35.5 million ducks. Mallard, and widgeon were below long-term average. Canvasback and green-winged teal were near long-term averages while redhead was above the long-term average. Most duck species remain in the liberal season package. Greater and lesser scaup were below their long-term average abundance and remain in a standard season package (86 days).

Western Canada Geese numbers continue to increase and are currently over population objectives. Pacific Greater White-fronted Geese and Western Canadian Arctic Snow Geese are above, but near long-term averages.

Most waterfowl from the Pacific Flyway nest north of Nevada. Nearly all U.S. prairies experienced below average precipitation during the 2022-2023 winter. Pond estimates throughout the prairie pothole region were 9% lower than the previous year.

The predicted abundance of mourning doves for September 2023 in the Western Management Unit were 26.2 million, which results in a standard regulatory alternative as prescribed by the harvest strategy.

Nevada Habitat

In Nevada, 2022-2023 winter precipitation and run-off was nearly 200% of normal across most of the northern part of the state. Most wetlands in northern Nevada including the Carson Sink area (Stillwater National Wildlife Refuge, Carson Lake Wildlife Management Area) entered the breeding season with residual waters. Carson Lake and Stillwater remain at flood stage levels. Lahontan Valley water allocations during the summer of 2023 were 100% of normal, with free flow water coming during early summer.

As of February 2024, year-to-date precipitation (Oct 1 – Feb 14) is slightly below average for Nevada. Lake Tahoe Basin precipitation stations were reported between 70 and 80% of normal. Walker River Basin stations ranged from 70 to 85% of Normal. Carson River Basin stations (including Lahontan Basin) were also reported at 70 to 85% of normal. Eastern Nevada (Ruby Marshes) stations were reported at 115 to 140% of normal. Many Nevada marshes have residual water. AS of February 1, reservoir storage at Lahontan Reservoir is at 74% of capacity. Rye Patch is currently at 37% of capacity. Both amounts are above the normal February 1 capacity.

Recommendation:

The Department recommends that the Commission **VOTE TO APPROVE CR 24-10 MIGRATORY GAME BIRD SEASONS, BAG LIMITS, AND SPECIAL REGULATIONS FOR WATERFOWL AND WEBLESS MIGRATORY GAME BIRDS; PUBLIC HUNTING LIMITED ON WILDLIFE MANAGEMENT AREAS AND DESIGNATED STATE LANDS - 2024–2025 SEASON AS PRESENTED.**

STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS

The Board of Wildlife Commissioners under the authority of Section 501.181, 503.090, 503.140 and 503.245 of the Nevada Revised Statutes, does hereby adopt the following regulations for the management of migratory game birds.

CR 24-10
2024-2025
SEASONS, BAG LIMITS, AND SPECIAL REGULATIONS FOR MIGRATORY GAME BIRDS

MOURNING & WHITE-WINGED DOVE	
OPEN AREAS:	**Statewide**
2024 SEASON:	September 1 – October 30, 2024
LIMITS:	Daily bag limit 15 Possession 45
SHOOTING HOURS:	½ hour before sunrise to sunset.
SPECIAL REGULATIONS:	Limits for mourning dove and white-winged dove are singly or in the aggregate.

AMERICAN CROW	
OPEN AREAS:	**Statewide**
2024 FALL SEASON:	September 1 – November 17, 2024
2025 SPRING SEASON	March 1 – April 15, 2025
LIMITS:	Daily bag limit 10
SHOOTING HOURS:	Sunrise to sunset.
SPECIAL REGULATIONS:	May be hunted by archery, shotguns and falconry. All crows must be retrieved and removed from the field. Season closed on ravens

Note regarding Waterfowl Zone designations:
NORTHEAST ZONE: Elko, Eureka, Lander & White Pine Counties
NORTHWEST ZONE: Carson City, Churchill, Douglas, Humboldt, Lyon, Mineral, Pershing, Storey & Washoe Counties
SOUTH ZONE: Esmeralda, Lincoln, Nye & Clark Counties

DUCKS AND MERGANSERS	
OPEN AREAS:	**NORTHEAST ZONE**
2024-25 SEASON:	September 28, 2024 – December 3, 2024 December 14, 2024 – January 15, 2025
OPEN AREAS:	**NORTHWEST ZONE**
2024-25 SEASON:	October 12, 2024 – January 6, 2025 January 9, 2025– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – (except the Moapa Valley)**
2024-25 SEASON:	October 12, 2024 – October 20, 2024 October 23, 2024– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers**
2024-25 SEASON:	October 26, 2024 – January 26, 2025
LIMITS (daily / possession)	
General Duck Limits:	7 / 21
Included within the general duck limit, but not to include more than:	
Pintail:	1 / 3
Hen Mallard/ Mexican duck	2 hen mallard or Mexican ducks/ 6 in possession
Redhead:	2 / 6
Canvasback:	2 / 6
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

SCAUP (Lesser and Greater)	
OPEN AREAS:	**NORTHEAST ZONE**
2024-25 SEASON:	September 28, 2024 – December 3, 2024 December 14, 2024 – January 1, 2025
OPEN AREAS:	**NORTHWEST ZONE**
2024-25 SEASON:	October 31, 2024 – January 6, 2025 January 9, 2025– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – (except the Moapa Valley)**
2024-25 SEASON:	November 2, 2024 – January 26, 2025
OPEN AREAS:	**SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers**
2024-25 SEASON:	November 2, 2024 – January 26, 2025
LIMITS (daily/possession):	2 / 6 (Included within general duck limit, not in addition to)
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

SPECIAL YOUTH WATERFOWL HUNT	
OPEN AREAS:	**NORTHEAST ZONE**
2024-25 SEASON:	September 21 & 22, 2024
OPEN AREAS:	**NORTHWEST ZONE**
2024-25 SEASON:	September 28, 2024 & February 8, 2025
OPEN AREAS:	**SOUTH ZONE (including the Moapa Valley portion of the Overton Wildlife Management Area)**
2024-25 SEASON:	February 8 & 9, 2025
OPEN AREAS:	**Moapa Valley portion of the Overton Wildlife Management Area.**
2024-25 SEASON:	October 19, 2024
LIMITS:	Daily bag limit is the same as that for the general season for ducks, mergansers, scaup, snipe, geese, coots and moorhens. Youth hunters possessing a valid Nevada Swan Permit may hunt swans in open swan areas (see swan regulation), provided the trumpeter swan quota has not been reached. Limits singly or in the aggregate for Canada geese and Brant. Limits singly or in the aggregate for Snow and Ross' geese. Snow and Ross' geese are closed in Ruby Valley within Elko and White Pine Counties.
SHOOTING HOURS:	½ hour before sunrise to sunset
SPECIAL REGULATIONS:	Open to hunters 17 years of age or younger. Youth hunters 16 years of age and older must possess a federal duck stamp. Youth must be accompanied by an adult who is at least 18 years old. Adults are not allowed to hunt during this season. Open to Nonresidents.

COOTS AND GALLINULES	
OPEN AREAS:	**NORTHEAST ZONE**
2024-25 SEASON:	September 28, 2024 – December 3, 2024 December 14, 2024 – January 15, 2025
OPEN AREAS:	**NORTHWEST ZONE**
2024-25 SEASON:	October 12, 2024 – January 6, 2025 January 9, 2025– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – (except the Moapa Valley)**
2024-25 SEASON:	October 12, 2024 – October 20, 2024 October 23, 2024– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers**
2024-25 SEASON:	October 26, 2024 – January 26, 2025
LIMITS (daily/possession):	25 / 75
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

SNIPE	
OPEN AREAS:	**NORTHEAST ZONE**
2024-25 SEASON:	September 28, 2024 – December 3, 2024 December 14, 2024 – January 15, 2025
OPEN AREAS:	**NORTHWEST ZONE**
2024-25 SEASON:	October 12, 2024 – January 6, 2025 January 9, 2025– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – (except the Moapa Valley)**
2024-25 SEASON:	October 12, 2024 – October 20, 2024 October 23, 2024– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers**
2024-25 SEASON:	October 26, 2024 – January 26, 2025
LIMITS (daily/possession):	8 / 24
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

CANADA AND CACKLING GEESE AND BRANT	
OPEN AREAS:	**NORTHEAST ZONE**
2024-25 SEASON:	September 28, 2024 – December 3, 2024 December 14, 2024 – January 15, 2025
OPEN AREAS:	**NORTHWEST ZONE**
2024-25 SEASON:	October 12, 2024 – January 6, 2025 January 9, 2025– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – (except the Moapa Valley)**
2024-25 SEASON:	October 12, 2024 – October 20, 2024 October 23, 2024– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers**
2024-25 SEASON:	October 26, 2024 – January 26, 2025
Limits (daily/possession)	5 / 15
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

WHITE-FRONTED GEESE	
OPEN AREAS:	**NORTHEAST ZONE**
2024-25 SEASON:	September 28, 2024 – December 3, 2024 December 14, 2024 – January 15, 2025
OPEN AREAS:	**NORTHWEST ZONE**
2024-25 SEASON:	October 12, 2024 – January 6, 2025 January 9, 2025– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – (except the Moapa Valley)**
2024-25 SEASON:	October 12, 2024 – October 20, 2024 October 23, 2024– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers**
2024-25 SEASON:	October 26, 2024 – January 26, 2025
Limits (daily/possession)	10 /30
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

SNOW AND ROSS' GEESE	
OPEN AREAS:	**NORTHEAST ZONE**
2024-25 SEASON:	September 28, 2024 – December 3, 2024 December 14, 2024 – January 15, 2025
OPEN AREAS:	**NORTHWEST ZONE**
2024-25 SEASON:	November 2, 2024 – January 6, 2025 January 9, 2025– January 26, 2025 February 20, 2025 – March 9, 2025
OPEN AREAS:	**SOUTH ZONE – (except the Moapa Valley)**
2024-25 SEASON:	October 12, 2024 – October 20, 2024 October 23, 2024– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers**
2024-25 SEASON:	October 26, 2024 – January 26, 2025
Limits (daily/possession)	20 / 60
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents CLOSED: Ruby Valley within Elko and White Pine Counties CLOSED: The following WMAs are closed during the February 20, 2025 – March 9, 2025 season: Mason Valley and Scripps/ Washoe State Park.
Special Regulations:	Restrictions on three shotshell capacity and recorded or amplified bird calls do not apply during the light goose season from February 20, 2025 until March 9, 2025 (Three shotshell capacity remains in effect on open Nevada Wildlife Management Areas)

FALCONRY SEASONS FOR MIGRATORY GAME BIRDS	
OPEN AREAS:	**NORTHEAST ZONE**
2024-25 SEASON:	September 28, 2024 – December 3, 2024 December 14, 2024 – January 15, 2025
OPEN AREAS:	**NORTHWEST ZONE**
2024-25 SEASON:	October 12, 2024 – January 6, 2025 January 9, 2025– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – (except the Moapa Valley)**
2024-25 SEASON:	October 12, 2024 – October 20, 2024 October 23, 2024– January 26, 2025
OPEN AREAS:	**SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers**
2024-25 SEASON:	October 26, 2024 – January 26, 2025
Limits (daily/possession)	3 / 9
Hunting hours:	½ hour before sunrise to sunset
Special Regulations:	Migratory birds allowed for take include: geese, ducks, mergansers, coots, gallinules, and snipe. Limits for all permitted migratory birds are singly or in the aggregate. Open to Nonresidents.

SWAN	
OPEN AREAS:	**Churchill, Lyon and Pershing Counties**
2024-25 SEASON:	October 12, 2024 – January 6, 2025 January 9, 2025– January 26, 2025
PERMIT QUOTA:	750 total permits
LIMITS:	One swan per swan hunt permit, Maximum two swan hunt permits per season One swan per day
SHOOTING HOURS:	½ hour before sunrise to sunset
Special Regulations:	**Successful swan hunters are required to validate their permit pursuant to NAC 502.380, and then present at least the head and neck of their swan to an NDOW agent at selected sites for species verification within three (3) days of harvest. Mandatory inspection sites and requirements will be provided with the swan hunt permits.** **If a total harvest of ten (10) trumpeter swans is reached, the swan season is closed for the remainder of the season.** Open to Non-residents. Residents must possess a valid Nevada hunting or combination license, a Nevada HIP number and a current Federal Migratory Game Bird Hunting Stamp, when required, to hunt swan in Nevada. Nonresidents must possess a valid Nevada Combination license or a Nonresident 1-day Combination license, a Nevada HIP number and a Federal Migratory Waterfowl Stamp, when required, to hunt swan in Nevada.

PUBLIC HUNTING LIMITED ON WILDLIFE MANAGEMENT AREAS AND DESIGNATED STATE LANDS

ALKALI LAKE WILDLIFE MANAGEMENT AREA (WMA), ARGENTA WMA, BRUNEAU RIVER WMA, CARSON LAKE WMA, FERNLEY WMA, FRANKLIN LAKE WMA, HUMBOLDT WMA, SCRIPPS WMA, STEPTOE VALLEY WMA and WAYNE E. KIRCH WMA

1. Hunting is allowed every day for wildlife species upon which there is an established open season

MASON VALLEY WMA

1. Before or after any waterfowl season, hunting is allowed every day for wildlife species upon which there is an established open season.

2. During any waterfowl season open within the hunt zone, hunting is permitted only on:
   a) Saturdays, Sundays and Wednesdays,
   b) the following legal State holidays: Nevada Day, Veterans Day, Thanksgiving, Family Day (day after Thanksgiving), Christmas, New Year's Day, and Martin Luther King Day,
   c) during any youth waterfowl hunt.
   d) Hunters with a valid turkey tag for the Mason Valley WMA may hunt each day of the established turkey season.

FT. CHURCHILL COOLING POND COOPERATIVE WMA

1. The Ft. Churchill Cooperative Cooling Pond Wildlife Cooperative WMA is closed year-round to all hunting.

2. From October 1, through the Friday preceding the second Saturday of February, the area shall be closed to trespass.

OVERTON WMA

1. Before or after any waterfowl season, hunting is allowed every day for wildlife species upon which there is an established season.

2. Waterfowl hunting is permitted on the Moapa Valley portion of the area on:
   a) the opening day of the earliest opening waterfowl season,
   b) even days thereafter through the end of regular duck and goose seasons,
   c) the final two days of the second duck and goose season, and
   d) during any youth waterfowl hunt.

3. Upland game bird and rabbit hunting is prohibited during the regular duck and goose seasons, except for persons possessing a valid wild turkey tag to hunt turkeys in the Moapa Valley of Clark County. These persons may hunt turkeys every day for which the tag is valid. These persons are prohibited from pursuing any other upland game birds or rabbits during such time that the fall turkey season is concurrent with the waterfowl season.

4. During the waterfowl season on the Moapa Valley portion of the area, hunters must hunt from assigned hunt locations (blinds) constructed by the Department of Wildlife. A maximum of up to four hunters are permitted at each hunt location. Assigned hunt locations are marked by numbered stakes. Hunters shall hunt only within their assigned hunt location and moving to vacant locations is prohibited. The only exception involves reasonable accommodation of the disabled.

5. During the opening day and the first weekend of the dove season, the maximum capacity for the Moapa Valley portion of the area is 60 hunters by reservation. Vacancies will be filled by stand-by hunters on a first-come, first-served basis.

6. On Overton Hunt days, only persons authorized to hunt waterfowl may use vessels on the portion of the area inundated by Lake Mead.

KEY PITTMAN WMA

1. Before or after any waterfowl season, hunting is allowed every day for wildlife species upon which there is an established season.

2. Waterfowl hunting is permitted on:
   a) the opening weekend of the earliest opening waterfowl season within the hunt zone,
   b) odd-numbered days thereafter through the end of regular duck and goose seasons,
   c) the final two days of the second duck and goose season, and
   d) during any youth waterfowl hunt.

3. The maximum hunter capacity during the opening day of duck season and the opening day of goose season will be 55 at any time.

4. All hunters will check-in and out at the main entrance and will park in designated parking areas only. No vehicles are allowed on the area during the hunting season.

5. The area is closed to fishing during the waterfowl season.

6. No motorized boats are allowed on the area during the waterfowl season.

OVERTON-KEY PITTMAN HUNTER RESERVATION SYSTEM

1. To guarantee an opportunity to hunt, reservations must be made for the following specified days of each hunt listed:

   The Key Pittman WMA

   a) The earliest opening day of the general duck and goose seasons.

   The Moapa Valley portion of the Overton WMA

   a) Opening day and the first weekend of the dove season.
   b) The entirety of any open waterfowl season.

      Special Regulation for the Moapa Valley Portion of the Overton WMA: A person or their representative applying for reservations for group hunting will be limited to up to four hunters per party.

2. Waterfowl Remainder of Season Reservation Process:

   (Remainder of season reservation process is defined as that portion of the season following the opening day and weekend applications at Overton WMA and Key-Pittman WMA)

   Reservations for the remainder of the waterfowl hunting season at the Overton WMA will be available the Monday prior to the opening of the waterfowl season and can be made by calling 1-855-542-6369 Monday through Friday 8:00 AM – 4:30 PM pacific time. Hunters that are successful during the Overton WMA Opening Day and Weekend application process must use those reservations before making reservations for the remainder of the season. An individual may reserve no more than one assigned hunt location on the Moapa Valley portion of the area for no more than four individuals to hunt as a party and this reservation must be utilized prior to reserving another hunt day. The reservations must be in the hunter's possession and be shown to the check station attendant to constitute a valid reservation for the day specified. At the Key Pittman WMA, reservations for hunting will be required only on the earliest opening day of the regular duck season and goose seasons. All hunters will check in at the main entrance on the opening day of waterfowl season. For the remainder of the waterfowl season, hunters will complete a reservation card obtained from the Frenchy Lake or Nesbitt Lake check station box and deposit the card in an appropriate drop box for each day hunted. Failure to turn in a completed card at the Key Pittman WMA or failure to check out at the Overton WMA may result in a citation being issued, and the loss of hunting privileges for the remainder of the season. No vehicles are allowed on the areas during the hunting season.

3. During the waterfowl season at the Overton WMA, an assigned hunt location program will be in effect. Hunters will make a reservation for one of three types of hunt locations (field, pond or bulrush plot) and the specific hunt location will be determined by a drawing at the check station prior to each day's hunt.

NDOW reserves the right to adjust blind availability and blind assignments based on the conditions present on the day of the hunt.

4. A hunter with a reservation will be considered as a "no-show" if they do not present themselves at the check station by one full hour before shooting time, except that at the Overton WMA, a hunter with a reservation will be considered a "no-show" if they do not present themselves at the checking station one and one-half hours before shooting time during the waterfowl season.

5. Standby hunters must register at the check station upon arrival.

6. All reservations, permits and assigned hunting locations are nontransferable.

STAFF REPORT

Report To: **Meeting Date:** March 5, 2024

Staff Contact:

Agenda Title:

For Possible Action: Commission Regulation 23-04 – Amendment 3, 2023-2024 and 2024-2025 Big Game Seasons. At its March 9, 2024, meeting, the Nevada Board of Wildlife Commissioners will consider and may take action to approve an amendment to the 2024-2025 hunting seasons and dates.

Agenda Action: Formal Action / Motion **Time Requested:**

Proposed Motion

Board's Strategic Goal

Previous Action

Background/Issues & Analysis

Applicable Statute, Code, Policy, Rule or Regulation

Financial Information
Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Attachment(s):
7I-CR23-04-Amendment-3.pdf

Motion: _____ 1) _____ Aye/Nay
2) _____
_____
_____
_____
_____

_____ _____

(Vote Recorded By)

STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Game Division
6980 Sierra Center Parkway, Ste. 120 · Reno, Nevada 89511
(775) 688-1500 Fax (775) 688-1987

MEMORANDUM **FEBRUARY 16, 2024**

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

From: Cody McKee, Wildlife Staff Specialist, Game Division

Title: **Regulation 23-04, Amendment 3, 2024-2025 Big Game Seasons.**

Purpose: The Commission will consider an amendment to existing hunting season dates for antlerless elk.

Summary

The Department's proposed Amendment #3 to CR 23-04 is intended to correct an erroneous season date for the late antlerless elk season in Unit Group 104, 108^{B}, 121. The existing season completely overlaps the late antlered elk hunt in the same area.

Recommendation

The Department recommends that the Commission review and adopt the proposed regulation as presented.

CR 23-04 - Proposed Amendment #3
2023-2024 and 2024-2025 BIG GAME HUNTING SEASONS

The Nevada Board of Wildlife Commissioners under the authority of sections 501.181, 502.140, 503.120, and 503.140 of the Nevada Revised Statutes, and 502.4205 of the Nevada Administrative Code, does hereby adopt the following regulation for the big game resource.

Note: The limit is one animal per tag and the hunting hours are one-half hour before sunrise to one-half hour after sunset for all big game hunts, unless otherwise specified.

Resident Elk - Antlerless
Any Legal Weapon Hunt 4181

Unit Group	2023-2024 Season	2024-2025 Season
104, 108[B], 121 Early	Sept 25 - Oct 4	Sept 25 - Oct 4
104, 108[B], 121 Late	Dec 5 - Jan 1	Dec 5 - Jan 1 ~~[Nov 21 - Jan 1]~~

[B] That portion of Unit 108 north of the Falcon to Gonder powerline.