

Nevada Board of Wildlife Commissioners' Meeting Agenda

Due to the ongoing challenges surrounding COVID-19, this meeting will be held virtually via Zoom.

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

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

If you wish to make public comment, please use this link for Friday, January 28, 2022.

<https://us02web.zoom.us/j/83726373199?pwd=S1RLN3B4SXRySnPHQ3hDcHVDbElzUT09>

Passcode: 967551

If you wish to make public comment, please use this link for Saturday, January 29, 2022.

<https://us02web.zoom.us/j/88550901737?pwd=d2xFeUI6cjJNR1cxM01xc0diaGZFdz09>

Passcode: 547982

Meeting materials are available at: http://www.ndow.org/Public_Meetings/Com/Agenda/

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

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

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

Friday, January 28, 2022 – 9:00 a.m.

<https://us02web.zoom.us/j/83726373199?pwd=S1RLN3B4SXRySnPHQ3hDcHVDbElzUT09>

- 1. Call to Order, Pledge of Allegiance, Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairwoman East**
- 2. Approval of Agenda – Chairwoman East – For Possible Action**
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.
- 3.* Approval of Minutes – Chairwoman East – For Possible Action**
Commission minutes may be approved from the November 5, 2021 meeting.
- 4. Member Items/Announcements and Correspondence – Chairwoman East – Informational**

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

5. **County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational**
CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.
6. **Reports - Informational**
 - A. * **Litigation Report – Deputy Attorney General Craig Burkett**
A report will be provided on Nevada Department of Wildlife litigation.
 - B. **Western Association of Fish and Wildlife Agencies Mid-Winter Conference – Secretary Wasley and Commissioner McNinch**
A report of the conference will be provided by the attendees.
 - C. **Wildlife Heritage Account Report – Division Administrator Alan Jenne**
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.
 - D. **Tag Allocation and Application Hunt Committee (TAAHC) Report – Committee Chairman Tommy Caviglia**
A report will be provided on the recent TAAHC meeting.
 - E. **Mule Deer Enhancement Program Oversight Committee Update – Committee Chairman Casey Kiel and Division Administrator Mike Scott**
A report will be provided on the recent Mule Deer Enhancement Program Oversight Committee and the Department will provide an update on the current status of the Mule Deer Enhancement Program.
 - F. **Timing and Format of Big Game Status and Trend Book – Game Division Administrator Mike Scott**
A report will be provided to the Commission outlining the suggested changes to the timing of the Big Game Status and Trend Book. The Status and Trend book has historically been completed prior to the Big Game Quota Meeting; however, with the Game Division now being asked to also complete Quota Recommendation Forms, it is difficult to provide both documents prior to the May Wildlife Commission Meeting. The Game Division is proposing to provide the Quota Recommendation Forms to the CAB's, Commission, and interested publics prior to the May Commission Meeting and complete the Big Game Status and Trend Book prior to July 1st. The Game Division is also proposing some formatting changes to the Big Game Status and Trend book to eliminate some redundancy.
 - G. **Big Game Season Prescriptions and Management Objectives for Quota Recommendations – Game Division Administrator Mike Scott**
A report will be provided on the draft revision of the Big Game Season Prescriptions and Management Objectives for Quota Recommendations. This document guides the Game

Division when formulating big game hunting seasons and quota recommendations. This version will replace the Harvest Management Guidelines that were adopted as internal guidance for the Game Division in 2017.

**H. 2021 First Come First Serve Report – Data and Technology Services Division
Administrator Kimberly Munoz and Kalkomey Zack Lambert**

A report will be provided on this year's new First Come First Serve functionality of the online licensing system

I. Department Activity Report – Secretary Wasley and Division Administrators

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

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

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

**A. *Commission Policy 1, General Guidelines for the Commission – Second Reading
– APRP Committee Chairman David McNinch – For Possible Action**

The Commission will have a second reading of Commission Policy 1, General Guidelines for the Commission, and may take action to repeal, revise or adopt the policy.

**B. *Commission Policy 10, Heritage Tags and Vendors – Second Reading – APRP
Committee Chairman David McNinch – For Possible Action**

The Commission will have a second reading of Commission Policy 10, Heritage Tags and Vendors, and may take action to repeal, revise or adopt the policy.

**C. *Commission Policy 31, Lahontan Cutthroat Trout Management – First Reading –
APRP Committee Chairman David McNinch – For Possible Action**

The Commission will have a first reading of Commission Policy 31, Lahontan Cutthroat Trout Management, and may take action to repeal or revise the policy. The Commission may advance the policy to a second reading for possible adoption at a future meeting.

**D. *Commission Policy 33, Fisheries Management Program – First Reading – APRP
Committee Chairman David McNinch – For Possible Action**

The Commission will have a first reading of Commission Policy 33, Fisheries Management Program, and may take action to repeal or revise the policy. The Commission may advance the policy to a second reading for possible adoption at a future meeting.

**E. *Commission Policy 63 – Protecting Wildlife from Toxic Ponds– First Reading –
APRP Committee Chairman David McNinch – For Possible Action**

The Commission will have a first reading of Commission Policy 63, Protecting Wildlife from Toxic Ponds, and may take action to repeal or revise the policy. The Commission may advance the policy to a second reading for possible adoption at a future meeting.

**F. *Commission Policy 64 – Input on Land, Sales, Transfers, and Exchanges – First
Reading – APRP Committee Chairman David McNinch – For Possible Action**

The Commission will have a first reading of Commission Policy 64, Input on Land, Sales, Transfers, and Exchanges, and may take action to repeal or revise the policy. The Commission may advance the policy to a second reading for possible adoption at a future meeting.

**G. *Commission Policy 67 – Federal Horses and Burros– First Reading – APRP
Committee Chairman David McNinch – For Possible Action**

The Commission will have a first reading of Commission Policy 67, Federal Horses and Burros, and may take action to repeal or revise the policy. The Commission may advance the policy to a second reading for possible adoption at a future meeting.

8. Commission General Regulation – Workshop – Public Comment Allowed

A.* Commission General Regulation 504 – E-tag Regulation – Data and Technology Services Division Management Analyst Megan Manfredi and Captain Jake Kramer – For Possible Action

The Commission will review language amending NAC 502 that would allow the Department to offer game tags in an electronic format, as well as, utilize and validate tags in the field on an electronic device.

9. Commission General Regulations – For Possible Action/Adoption – Public Comment Allowed

A. *Commission General Regulation 495, LCB File R176-20 – NAC 502 Simplification - Management Analyst Kailey Musso

The Commission will consider adopting changes to NAC 502 recommended by the Regulation Simplification Committee. This regulation was considered during a workshop at the September and November 2020 and January 2021 meetings.

B. *Commission General Regulation 496, LCB File R009-21 – NAC 503 Simplification - Management Analyst Kailey Musso

The Commission will consider adopting changes to NAC 503 recommended by the Regulation Simplification Committee. This regulation was considered during a workshop at the November 2020 and January and March 2021 meetings.

C. *Commission General Regulation 497, LCB File R006-21 – NAC 502 Simplification - Management Analyst Kailey Musso

The Commission will consider adopting changes to NAC 504 recommended by the Regulation Simplification Committee. This regulation was considered during a workshop at the January 2021 meeting.

10. Public Comment Period

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

Saturday, January 29, 2022 at 9:00am

<https://us02web.zoom.us/j/88550901737?pwd=d2xFeUl6cjJNR1cxM01xc0diaGZFdz09>

11. Commission Regulations – For Possible Action/Adoption - Public Comment Allowed

- A.* Commission Regulation 21-07 Amendment #2, 2022 Heritage Tag Bighorn Sheep Unit Closures – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**
The Commission will consider adopting a regulation to amend the bighorn sheep unit closures for the 2022 Heritage Tags.
- B.* Commission Regulation 22-01, 2022 Big Game Application Deadlines – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**
The Commission will consider adopting regulation to set the 2022 big game tag application deadlines and related information.
- C.* Commission Regulation 22-02, 2022 Big Tag Application Eligibility and Tag Limits – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**
The Commission will consider adopting regulation to set the 2022 big game tag application eligibility and tag limits and related information.
- D.* Commission Regulation 22-03, 2022 Dream Tag – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**
The Commission will consider adopting a regulation to set the 2022 Dream Tag species, seasons, and quota.
- E.* Commission Regulation 22-04, 2022 Partnership in Wildlife Tags – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**
The Commission will consider adopting a regulation to set the 2022 Partnership in Wildlife tags hunt species, seasons, and quota.
- F.* Commission Regulation 22-05, 2023 Heritage Tag Seasons & Quota – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**
The Commission will consider adopting a regulation to set the 2023 Heritage Tag species, seasons, and quota.
- G.* Commission Regulation 22-06, 2022 Silver State Seasons & Quotas – Data and Technology Services Division Administrator Kimberly Munoz – For Possible Action**
The Commission will consider adopting a regulation to set the 2022 Silver State tag species, seasons, and quota.
- H.* Commission Regulation 21-03 Amendment 1, 2022-2023 Big Game Seasons – Wildlife Staff Specialists Mike Cox, Cody Schroeder, and Cody McKee – For Possible Action**
The Commission will consider adopting proposed changes for the 2022-2023 hunting seasons and dates for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat, including limits, hunting hours, special hunt eligibility, animal sex, physical characteristics, hunt boundary restrictions, legal weapon requirements, and emergency depredation hunt structure and statewide quota.
- I.* Commission Regulation 22-09, Black Bear Seasons – Wildlife Staff Specialist Pat Jackson – For Possible Action**

The Commission will consider adopting the 2022 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.

J. * Commission Regulation 22-08, Mountain Lion Season and Harvest Limits – Wildlife Staff Specialist Pat Jackson – For Possible Action

The Commission will consider adopting the 2022-2023 mountain lion hunting season open units, harvest limits by unit group, hunting hours, and special regulations.

K.* Commission Regulation 22-07, 2022-2023 Restricted Nonresident Guided Mule Deer Seasons and Quotas – Wildlife Staff Specialist Cody Schroeder – For Possible Action

The Commission will consider adopting the 2022-2023 hunting seasons and quotas for restricted nonresident guided mule deer including hunt boundary restrictions.

12.* Draft Fiscal Year 2023 Predation Management Plan – Wildlife Staff Specialist Pat Jackson – For Possible Action

The draft Fiscal Year 2023 Predation Management Plan will be presented to the Commission for initial review. Following this review, the draft plan will be updated and shared with the State Predatory Animal and Rodent Committee (PARC). All comments from the PARC, County Advisory Boards to Manage Wildlife, and any other interested entity will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at their March 2022 meeting. The Commission will review and update at the March 2022 meeting from the Wildlife Damage Management Committee and may provide additional direction at that time.

13. Appeal – Mr. Troy Adam Robb – Sub-Guide Denial – For Possible Action

Mr. Robb is appealing the one-year denial and suspension of his guide license for three years.

14. Future Commission Meetings and Commission Committee Assignments – Secretary Wasley and Chairwoman East – For Possible Action

The next Commission meeting is scheduled for January 28 and 29, 2022. The Commission will review and discuss potential agenda items for that meeting. The Commission may change Commission meeting dates, times, and locations at this time. The chairman may designate and adjust committee assignments and add or dissolve committees, as necessary. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

15. Public Comment Period

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

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

Notice to the Public: Nevada Department of Wildlife receives Federal Aid in Fish and/or Wildlife Restoration. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, gender, or disability. Individuals with hearing impairment may contact the Department at 775-688-1500 via a text telephone (TTY) telecommunications device by first calling the State of Nevada

Relay Operator at 1-800-326-6868. Disabled individuals in need of special services should contact the Department prior to the meeting at (775) 688-1599 or wildlifecommission@ndow.org.

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MEMORANDUM

To: Nevada Board of Wildlife Commissioners
Tony Wasley, Director, Nevada Department of Wildlife

From: Craig Burkett, Senior Deputy Attorney General

Date: January 5, 2021

Subject: Litigation Update

1. *United States, et al. v. Truckee-Carson Irrigation District, et al.* (9th Circuit, San Francisco). An appeal of a judgment against the TCID for excess diversions of water. NDOW appealed to protect its water rights and interests. The 9th Circuit dismissed NDOW from the case: “[NDOW was] not injured or affected in any way by the judgment on remand from *Bell*, and thus do not have standing on appeal.” In a subsequent appeal the 9th Circuit ruled that the “Tribe is entitled to recoup a total of 8,300 acre-feet of water for the years 1985 and 1986.” *U.S. v. Truckee-Carson Irrigation Dist.*, 708 Fed.Appx. 898, 902 (9th Cir. Sept. 13, 2017). TCID recently filed a Motion for Reconsideration based on *Kokesh v. Securities and Exchange Commission*, 137 S.Ct.1635 (2017). Argument on the Motion was heard February 4, 2019 and TCID’s Motion was denied. Since then, the parties have begun debating the calculations for satisfaction of the prior judgment. The parties submitted briefs explaining their view of the respective calculations and had a hearing on September 29, 2020 before Judge Miranda Du.

2. *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.

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-judicial 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?

The Nevada Supreme Court accepted both Certified Questions and briefing is *complete*. Oral argument was completed Tuesday, March 3, 2020. After the Nevada Supreme Court issues its opinion, the case will return to the Ninth Circuit Court of Appeals.

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

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

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

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

On April 21, 2021, the Department of Wildlife and other Principal Defendants filed a Joint Status Report submitted pursuant to the court's Minute Order of March 23, 2021. The Status Conference took place on April 28, 2021.

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.

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.

Mineral County v. Lyon County, 136 Nev. Adv. Op. 58 (2020)

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

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

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

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

3. *Nevada Wildlife Alliance v. Nevada*, Second Judicial District, CV 18-01073, Dept I. Plaintiffs challenge the constitutionality of NRS 502.253 (4)(b) which requires that

The Department:

(b) Shall not adopt any program for the management and control of predatory wildlife developed pursuant to this section that provides for the expenditure of less than 80 percent of the amount of money collected pursuant to subsection 1 in the most recent fiscal year for which the Department has complete information for the purposes of lethal management and control of predatory wildlife.

The First Amended Complaint was served on June 5, 2018. The Complaint generally alleges that Plaintiffs activities in viewing wildlife should be classified as a fundamental constitutional right in that they are being denied the pursuit of happiness under the Nevada constitution due to the predator removal.

Both parties filed Motions for Summary Judgment. On January 11, 2021, the district court issued an Order granting the motions for summary judgment filed by the Defendants and issued an Order dismissing the case.

On January 12, 2021, the Plaintiffs filed an Appeal of the dismissal to the Nevada Supreme Court. On February 23, 2021, The Plaintiffs' filed their opening brief. The Respondents' Answering Brief was filed April 9, 2021. The Appellants Reply Brief was filed May 4, 2021.

On October 22, 2021, the Nevada Supreme Court issued a written affirming the Order of the District Court dismissing the case. The Appellants then filed a Request for Re-hearing of that decision for en banc consideration of the Court, and that request was denied as well. This case will be closed shortly.

4. *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. The parties have conducted extensive discovery. Defendants filed a Motion for Summary Judgment, and a Motion for Dismissal as Sanction for Discovery Abuses.

The motion for Sanctions was granted in part and denied in part by the Discovery Commissioner. He granted the Defendants the right to conduct another deposition of Mark Smith, and name an expert witness, but denied dismissal.

The Summary Judgment motion filed by the Defendants’ was denied.

The parties attended a mediation before Robert Enzenberger on June 25, 2021. The mediation was unsuccessful.

The case was recently continued, and a week long trial is now scheduled to initiate February 8, 2022. The parties are in the process of preparing evidentiary motions in preparation for trial.

6. *Desert Survivors v. United State Department of the Interior* (U.S. District Court, California) Case No. 3:20-cv-6787

This action, filed by multiple non-profit “environmental” entities seeks to challenge a decision issued by the U.S. Fish and Wildlife Service in March,

2020, withdrawing a 2013 proposed rule to list the Bi-State distinct population segment (DPS) of greater sage-grouse in California and Nevada (the Bi-state Sage Grouse) as threatened under the Endangered Species Act.

This action follows multiple decisions related to the bird. In 2013, the Service issued a decision to list the bird as threatened. In 2015, the Service withdrew that decision, finding listing was not warranted.

Litigation involving the same parties initiated following the 2015 decision. In 2018, the federal district court in California issued an Order critical of that decision, requiring the Service undertake an additional effort to evaluate the bird's status in view of the Court's primary finding, that the Service had not properly applied the definition of "significant" in the Service's Significant Portion of Its Range Policy under the Endangered Species Act.

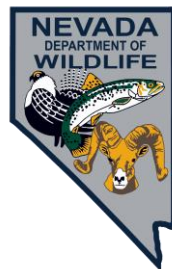
The State of Nevada has chosen to file an amicus brief in support of the U.S. Fish and Wildlife Service's most recent decision not to list the bird. The State is presently engaged in and has a long history of leadership in efforts to conserve the Bi-State Sage Grouse, and continues to engage multiple private and public entities in efforts to maintain its long term viability. The State is concerned that a decision to list the bird as threatened is not needed in light of its efforts and would further interfere with the multiple pieces in place to assist the bird.

**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.

NEVADA DEPARTMENT OF WILDLIFE

GAME DIVISION



**BIG GAME SEASON PRESCRIPTIONS
AND
MANAGEMENT OBJECTIVES
FOR
QUOTA RECOMMENDATIONS**

Draft

January ~~November 0619~~, 20221

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OBJECTIVE

Management Objectives for Hunting Seasons are designed to be used by Nevada Department of Wildlife (Department) Game Biologists when formulating hunting season and quota recommendations. Management objectives are intended to provide general guidance on the target parameters toward which big game species are managed. Season and quota recommendations, as well as targets associated with management objectives will be shared with the Nevada Board of Wildlife Commissioners (Commission), County Advisory Boards to Manage Wildlife (CABs), and interested publics annually to make them aware of the objectives the Department is attempting to achieve with the recommendations being provided. Management objectives may be changed in subsequent years if the Commission provides direction to that effect.

The management objectives themselves are one piece of a strategic approach used by the Department in managing wildlife. While management objectives describe the parameters toward which the Department manages, other protocols describe how that data is collected. Management plans (e.g., species management plans and related sub-planning documents) describe landscape-level objectives, opportunities for habitat enhancement, specific herd management objectives (e.g., increase population), and management challenges (e.g., persistent low fawn recruitment for pronghorn).

The Department also operates under a strategic plan that provides agency vision, an annual work plan developed under the Wildlife and Sport Fish Restoration (WSFR) Program, annual or biennial translocation plans approved by the Commission, and an annual implementation plan that tie together budgets, specific tasks, and work units for the upcoming year. The Department manages Nevada's wildlife within the biological limits of each species. Management strategies are developed to address social perceptions, which are routinely more conservative than the limits at which wildlife may be biologically managed.

Ultimately, the Department manages wildlife in the public trust for all of Nevada's citizens. All game animals, including predators, big game, and upland game, are managed as part of an important ecosystem of at least 894 species to be sustained for future generations of Nevadans and our visitors to enjoy. These

management objectives have been developed to meet a variety of hunting desires and strive to provide adequate opportunity for all, while maintaining a self-sustaining resource. The objectives are based on the best available biological and social science. Nevada has a diverse wildlife resource, yet many of these resources are limited in supply. The following objectives attempt to provide the diversity of experiences desired by the hunters of Nevada, while providing the necessary management so that everyone will benefit from diverse wildlife populations in the future.

- Seasons are recommended biennially, with recommendations from the Department to CAB's, the Commission, and interested publics.
- Recommendations from area biologists, regional supervisors, and game staff will be the primary method of managing standard, alternative, or non-standard hunt strategies.
- Population estimates will be derived from survey data, harvest metrics, and population models when possible.
- Provide for a diversity of hunter ~~opportunity-experiences~~ while maintaining wildlife population health.
- Maintain consistent wildlife survey protocol and interpretation to develop hunt recommendations across the state in accordance with other pertinent management plans (e.g., species management plans and annual work plans).
- Population management objectives (male to female ratios, harvest metrics, age of harvested animals, main beam length) for specific units may be described within pertinent species management plans.
- Use innovative management hunts to address specific management objectives that are not being achieved through standard hunt structures.
- Use split hunt structure to reduce user conflicts and hunter densities.
- Use targeted harvest by hunters to address human-wildlife conflicts when appropriate.
- ~~Promote Emphasize youth hunts and new big game hunter opportunities when possible. In doing so, provide diverse and dispersed hunt opportunities to allow equitable tag availability and limited conflict with other uses.~~
- Emphasize primitive weapons hunts where possible to allow for increased ~~opportunities~~ participation due to ~~with~~ lower success rates especially when a minimum of 10 tags are offered for corresponding any legal weapon seasons.
- Several specialty hunts are offered each year consistent with appropriate statute and rule, to include Heritage, Silver State, Dream, and Partnership in Wildlife tags. These are important programs that have relatively little influence on harvest management for the remainder of Nevada's wildlife. Their implementation is acknowledged but not described within these guidelines.

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ROUNDING AND MINIMUM TAG CONVENTION

Deer and Antelope ALW Tags: *(Minimum of 2 tags for Mule Deer hunts)*

If the array recommends:

- 10 tags or under: Leave as is
- 11 – 99 tags: Round up to nearest 5
- 101 – 300: Round up to nearest 10
- 301 - 500 tags: Round up to nearest 25
- 501 - 1000 tags: Round up to nearest 50

Deer and Antelope Archery & Muzzleloader Tags: *(Minimum of 2 tags for Mule Deer hunts)*

- If ALW tags are evermore than 10, have a minimum of 5 tags
- If ALW tags are under 10 or fewer, leave as is
- 6 – 10 tags: Round up to 10
- 11 – 99 tags: Round up to nearest 5
- 101 – 500 tags: Round up to nearest 25
- 500 - 1000 tags: Round up to nearest 50

Elk ALW, Archery, and Muzzleloader tags: *(Minimum of 2 tags for Antlerless Elk hunts)*

- Under 20 tags: Leave as is
- 21 – 100: Round up to nearest 5
- 100 – 300: Round up to nearest 10
- 300 – 500: Round up to nearest 25
- 500 +: Round up to nearest 50

~~**Deer, Elk, Antelope, and Bighorn (Antlerless, Horns shorter than ears, Ewes):**~~

Bighorn and Mountain Goat:

- No rounding

BIGHORN SHEEP

The Department’s goals are to restore and maintain bighorn sheep herds at optimal population levels, provide diverse recreational opportunities, recognize hunting as a legitimate and desirable use of the bighorn sheep resource, strongly advocate habitats be maintained in good ecological condition, and reduce and manage risk of disease transmission.

Bighorn Season Prescriptions

1. Bighorn hunts include separate ram and ewe hunts using weapon classes for Any Legal Weapon or Archery.
2. Bighorn sheep season dates are set ~~with the following in considerations~~ with; bighorn breeding season that varies across subspecies and elevation, other hunting seasons to reduce overlap, aerial surveys, ~~and~~ capture operations to reduce hunter/NDOW conflicts, allow hunter access to higher elevations, and reduce hunter congestion. Split or extended seasons may be implemented if hunter congestion and hunt efficacy become an issue. Standard season length will not be less than 21 days and preferably 30 days. Hunts on Department of Defense (DOD) lands may be reduced for total hunt days to accommodate special regulations and restrictions.
3. Bighorn ewe seasons will be no shorter than 14 days and will occur on dates that do not overlap with bighorn ram seasons in the same unit. Other considerations are to reduce overlap with mule deer rifle seasons in the same unit and to accommodate optimal timing of bighorn sheep captures for management and disease surveillance.

Desert Bighorn (Nelson) Sheep Seasons	
Ram Any Legal Weapon Standard Season	November 20 – January 1
Alternatives to Standard Seasons <u>Any Legal Weapon</u> – earlier seasons to accommodate high elevation herds; split seasons for high quotas; date shifts to accommodate hunter access, bighorn water availability issues, and for DOD land restrictions	
Ram Archery Standard Season	October 20 – November 14
Ewe Any Legal Weapon Season	Prior to any legal weapon and not overlapping archery season

California Bighorn Sheep	
Ram Any Legal Weapon Standard Season	September 1 – October 31
Ewe Any Legal Weapon Season	After ram season
Ram Archery Season	Prior to any legal weapon and not overlapping ewe season

Rocky Mountain Bighorn Sheep	
Ram Any Legal Weapon Standard Season	September 1 – October 31
Alternatives to Any Legal Weapon <u>Standard Seasons</u> – earlier <u>and later</u> seasons to accommodate high elevation, <u>heavily timbered, herds and difficult to access herds</u> ; date shifts to accommodate hunter access and ram availability (in case of Great Basin National Park)	

Management Ram	

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Management Ram Any Legal Weapon After Any Ram Any Legal Weapon Standard Season
Season

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Management Objectives for Tag Quota Recommendations

- A. Tag quotas for rams for each unit group will be based on the following criteria: a minimum of 8% of the total estimated number of rams, not to exceed 50% of rams ≥ 6 years of age, derived from a herd's population model. These criteria are expected to maintain a mean age of harvested rams ≥ 6 year of age within each unit or unit group.
- B. Units will be the primary geographic basis for managing bighorn harvest. Units may be subdivided to more optimally spread or focus hunting pressure and harvest to all known areas of bighorn distribution during bighorn hunting seasons.
- C. Criteria for establishing ewe hunts and tag quotas will be based on evaluating seasonal or yearlong habitat resource limitations (e.g., water), past cyclical declines associated with record high population size, or proximity to known disease risk. Opportunities for removal of source stock animals for low-risk translocations will be considered prior to recommending ewe hunts.
- D. Archery ram hunts will be considered in units where the majority of water sources used by bighorn sheep are natural to discourage hunting over man-made water developments. The total tag quotas for all archery ram hunts will not exceed 5% of the statewide total any legal weapon ram hunt quotas
- E. Management ram hunts will be considered in specific units to target harvest on a particular ram age group (i.e., young nonbreeding rams to reduce an artificially high ram:ewe ratio and lower the probability of young rams foraging, and contacting domestic sheep), rams that have specific horn characteristics (i.e., mature one-horn or broken-off horn rams), or where hunter access and/or mature ram detection is extremely challenging. Tag quotas may vary depending on which type of management ram hunt is implemented but ~~will would likely~~ not exceed ~~5% of the~~ 5% of the statewide total ram tags issued for all other hunts.

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BLACK BEAR

The Department's Bear Management Goal is to manage black bear population numbers and distribution as an important part of Nevada's fauna, while providing hunting and other recreational opportunities. The hunt recommendation goal is to allow bear hunting harvest, while managing for representation of older age cohorts of both sexes in the population.

Black Bear Season Prescriptions

1. Black bear season will begin September 15 and run through December 1.
2. Seasons will be set for units or unit groups where populations of black bears occur in harvestable numbers. As black bear populations expand, units or unit groups may be added.

Management Objectives for Tag Quota Recommendations

- A. ~~Game Biologists~~The Department will manage black bear harvest toward light harvest, while considering modeled population trends.
- B. Tags and harvest limits may be adjusted to maintain light harvests. The most recent 3-year-average or trend should receive greater emphasis when determining tag quota levels and harvest limits; emphasize previous year's data when a clear trend exists or emphasize the most recent 3-year mean data when no clear trend exists.
- C. Harvest limits may be placed on the entire hunt area or specific units within the hunt area. Additionally, harvest limits may apply to total harvest or specific segments of the population (e.g., female harvest limit).
- D. Determine harvest effect and provide tag quota recommendations using the criteria below based on the previous 3-year mean. If 2 or more parameters exceed light harvest, then tag quotas or harvest limits should be reduced.

Parameter	Light harvest	Moderate harvest	Heavy harvest
Percent females in	<30%	30–40%	>40%
Mean age of harvested females	>6 years	5–6 years	<5 years
Mean age of harvested males	>4 years	2–4 years	<2 years

MOOSE

Presence and distribution of Shiras moose (*Alces alces shirasi*) in Nevada prior to European settlement is unknown. Historic sightings of moose in Nevada date back to the 1950s, likely coinciding with burgeoning moose populations in neighboring states. Since the early 2000s, frequency and distribution of moose sightings in Nevada have increased substantially. Currently, the Department believes the resident moose population is stable to increasing with numerous and repeated observations of adult males (i.e., bulls), adult females (i.e., cows), and juveniles (i.e., calves).

The Department's Management Goal for moose is to manage the moose population numbers and distribution. The Department recognizes moose as an important part component of Nevada's diverse wildlife landscape fauna and serves to protect, and maintain, or and, where applicable, increase the moose resources for current and future the enjoyment and use by the people now and in the future Nevadans. In 2020, the Department initiated a long-term monitoring effort t-Current activities include collaring of moose to determine better understand habitat preferences, movement corridors, abundance numbers, and distribution of moose in Nevada. Monitoring efforts have yielded high-resolution movement data from 7 adult moose, providing previously unknown insight about habitat preferences and seasonal movements. —The Department also maintains a database of moose sightings and reports to supplement moose records and data. Information collected from these efforts will assist the Department in identifying and protecting critical habitat for moose in Nevada, as well as assess the population's viability to support sustainable harvest.

In concert with these activities, the Department has identified three goals guiding management of moose in Nevada. Those goals (1) maintain and improve abundance and distribution of Nevada's resident moose population, (2) allow natural expansion of moose into suitable but unoccupied habitats, and (3) identify and encourage recreational opportunities for all user groups. Specific Departmental activities related to moose must have a nexus to achieving these management goals.

—No season is currently proposed for moose.

Management Objectives for Tag Quota Recommendations

A. No tags are currently recommended for moose.

MOUNTAIN LION

The Department's Lion Management Goal is to manage the mountain lion population, numbers, and distribution, as an important part of Nevada's fauna while providing mountain lion hunting and other recreational opportunities.

The Department will establish a statewide harvest objective and monitor harvest within 6 management zones. These zones correspond to the genetic subpopulations identified in recent research within Nevada. Five zones correspond with 5 unique genetic subpopulations identified by Andreasen et al. (2012). An additional zone comprised of transient units is defined by NDOW.

Mountain Lion Season Prescriptions

1. Hunts for either sex mountain lion "any legal weapon" seasons will occur on March 1 and run until the last day of February of the subsequent year.
2. Unit 091 is managed as an interstate hunt with Utah. Hunter harvested lions from 091 will be considered part of the North management zone.
3. Hunting hours are any time of the day or night; however, hunters are required to follow local county ordinances for legal shooting hours.

Management Objectives for Tag Quota Recommendations

- A. Mountain lion hunts may be authorized for "either sex" seasons, except that spotted kittens or females accompanied by spotted kittens may not be taken. The harvest limit is 1 animal per tag, 2 tag maximum per person per year.
- B. The number of total and adult female mountain lions removed from each unit-management zone will be monitored annually. A premolar will be removed from each harvested mountain lion during the mandatory check procedures. Premolars will be sectioned, and age will be determined using cementum aging techniques. If the 3-year mean percentage of adult (≥ 3 -year-old) female in the regulated hunting seasons within any specific management zone exceeds 35%, the Department will establish a separate harvest objective for that zone to limit harvest.
- C. Female mountain lions should comprise $< 50\%$ of the overall take within a specific management zone. If the 3-year mean percentage of female in the regulated hunting seasons within any specific management zone exceeds 50%, the Department will establish a separate harvest objective for that zone to limit harvest.
- D. Harvest objectives within a specific management zone may be increased or combined with the statewide harvest objective following 2 consecutive seasons in which the 3-year mean of adult females in the harvest is $\leq 35\%$ of the total harvest and the 3-year mean of total females in the harvest is $< 50\%$.

Management Zones

Central units	142,143, 144, 145, 155, 161, 162, 163, 171, 172, 183, 184, 251
East units	102, 103, 104, 105, 106, 108, 109, 111, 112, 113, 114, 115, 121, 231
North units	044, 045, 046, 051, 061, 062, 064, 065, 066, 067, 068, 071, 072, 073, 074, 075, 076, 077, 078, 079, 081, 091 101, 107, 141, 151, 152, 153, 154, 156
West units	011, 012, 013, 014, 015, 021, 022, 032, 033, 034, 041, 192, 194, 195, 196, 201, 202, 203, 204, 206, 291
South units	131, 132, 133, 134, 164, 221, 222, 223, 241, 242, 243, 244, 245, 253, 254, 261, 262, 263, 264, 265, 266, 267, 268, 269, 271, 272, 280, 281, 282, 283, 284, 286
Transient units	031, 035, 042, 043, 181, 182, 205, 207, 208, 211, 212, 213, 252
Units closed to hunting	033, 269, 280, 281, 282, 283, 284, and 286 which are closed by other administrative regulations imposed by the Department of Defense, US Fish and Wildlife Service, or similar restriction.

MULE DEER

The Department's Mule Deer Management Goal is to maintain and enhance deer populations to levels that provide maximum and diverse recreational opportunities, while avoiding adverse effects to the species and its habitat. Harvest strategies for mule deer generally follow the draft *Nevada Management Plan for Mule Deer*.

Mule Deer Season Prescriptions

1. Generally, hunting seasons are for “antlered mule deer” or “antlerless mule deer”. Junior mule deer tags are issued in accordance with NAC 502.063, and Commission Policy 24, which currently authorizes antlered or antlerless also known as “either sex” tags for junior youth hunts. “Antlerless mule deer” hunts are used when deer populations require reduction or stabilization and to provide hunter opportunity. “Antlered mule deer” hunts are used to manage the ratio of males to females in the population while providing recreational hunting opportunities for both residents and nonresidents.
2. Hunts for antlered mule deer typically follow a progression from late summer through mid-autumn (archery, muzzleloader, any legal weapon). Seasons may be split to reduce hunter crowding or more effectively target the timing of harvest. Any legal weapon hunts during the early seasons provide greater probability to draw a tag and are primarily designed to achieve management objectives, whereas late seasons provide higher likelihood to harvest more mature bucks. Antlerless deer seasons are designed to target specific sub-populations while minimizing overlap with antlered any legal weapon seasons, except for some unique situations such as late depredation hunts.
3. Junior “either sex” seasons generally coincide with the any legal weapon season for standard mule deer hunts, the muzzleloader season, and the archery season dates for the unit or unit groups in which the hunt is adopted. Junior hunts that coincide with standard and early-late split seasons for the any legal weapon class will begin on October 5 and end following Nevada Day weekend, with a few exceptions.

Archery – Antlered Mule Deer	
Standard Season	August 10 – September 9
Optional Non-standard seasons	November 10 – November 20 December 1 – December 10 December 1 – January 1 December 16 – January 1
Muzzleloader – Antlered Mule Deer	
Standard season	September 10 – October 4
Optional Non-standard seasons	September 10 – September 30 September 10 – October 10 November 10 – November 30 November 21 – December 10 December 1 – December 15 December 11 – December 20

Any Legal Weapon – Antlered Mule Deer	
Standard Single Season	October 5 – November 5
Standard Early-Late Split Season	October 5 – 20 October 21 – November 5
Standard Early-Mid-Late Split Season	October 1 – October 16 October 5 – October 16 October 17 – October 30 October 31 - November 8
Optional Non-standard Seasons	October 5 – October 31 October 5 – November 2 November 5 – November 30 December 1 – December 15

Antlered Mule Deer Management Objectives for Tag Quota Recommendations

- A. For standard hunt units, the Department manages for approximately 30 bucks per 100 does to provide a quality experience for hunters that are drawn. The Department also manages some units as "alternative" hunt units with higher buck ratios, lower hunter density, and older-age-class animals in the harvest.
- B. Alternative hunt units are managed for a minimum of 35 bucks per 100 does. In addition to buck ratio objectives, the Department will consider hunter success rate and percentage of 4-point or greater when making quota recommendations for alternative hunt units.
- C. The Department will make quota recommendations for non-standard hunts based on a 3-year trend in ~~management criteria~~ hunt success, to account for annual environmental variation. When a clear trend does not exist, the Department will recommend no change to the quota allocation from the previous year.

Commented [KM1]: Is "C" for the Non-standard hunts? It seems like it is, but it is not clear.

Standard Hunts	
Buck ratio objective (post-season)	30 bucks per 100 does
All units or unit groups not managed as Alternative or Non-Standard	

Alternative Hunts	
Buck ratio objective (post-season)	35 bucks per 100 does
Hunter success rate objective	40-55% success
Percent of harvest bucks with ≥ 4-points	50-75%
Unit Groups	Eastern Region: 065; 081; 114, 115; 131-134
	Southern Region: 221-223; 241-245
	Western Region: 033; 194, 196

Non-Standard Hunts	
Hunter Success Objective	≥45% success
Unit Groups	011-013; 014; 192; 201, 204; 202, 205-208; 291; 041, 042; 261-268; 271, 272
Hunter Success Objective	>35 - 45% success

Unit Groups	015; 021; 195; 203; 211-213; 251-254
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Antlerless Mule Deer Management Objectives for Tag Quota Recommendations

- A. Antlerless mule deer harvest may be used to manage mule deer population size, growth, or to provide hunter opportunity. Recommendations of when to implement an antlerless harvest can be based on an assessment of the carrying capacity, trends in fawn-to-doe ratios, or body condition (either captured or harvested).
- B. Generally, antlerless mule deer hunts will not be recommended in units that have total population estimates of < 1,000 adults, unless indices suggest that populations are at or above carrying capacity. In hunt units with > 1,000 adults, fawn-to-adult doe ratios obtained during spring surveys or modeled or measured survival of fawns and does will be used to guide Game Biologists to a range of harvest strategy options.
- C. Catastrophic environmental events (such as large-scale wildfires or severe drought) will be considered when recommending doe quotas and could initiate harvest beyond those described in these harvest objectives.
- D. Harvest rate will be determined as the percentage of the adult female population (typically from population model estimate) based on the following general guidelines:

3-year-avg fawn: adult ratio	< 30	30-40	>40
Pre-hunt population est.		>1,000	>2,000
Doe Hunt?	No	1% - 5%	5% - 10%

E. Where possible, a 3-year mean of observed spring fawn-to-doe adult ratios will be used; however, a longer term modeled spring fawn ratio (or regional average estimate) may be considered when three consecutive years of observed spring data are not available. Antlerless hunts may be eliminated if extenuating circumstances such as prolonged drought conditions, severe population declines, or other indicators are observed may affect management prescriptions.

F. In some instances, fawn-to-doe ratios may decline when the population approaches the capacity of the habitat. In those instances, although it may seem counterintuitive, doe harvest may be needed to maintain healthy populations.

Restricted Nonresident Deer Hunts

“Restricted nonresident deer hunts” are designed to provide nonresident hunters an opportunity to hunt with a licensed Nevada guide for mule deer. These tags are drawn in a separate drawing before the main draw for big game and nonresidents must be accompanied by a licensed master guide at all times. Any legal weapons may be used during these hunts. Seasons for restricted nonresident deer tags coincide with any legal weapon deer hunts and are issued according to NRS 502.147. Nonresident applicants who apply in the restricted nonresident guided deer hunt are not eligible to apply for deer tags in the big game main draw in the same year.

Landowner Compensation Tags for Mule Deer

Commented [KM2]: We tried doe hunts with similar criteria about 4 years ago. The CAB's and Commission shut it down hard. Is it something we really want to hang our hats on? I'm hearing more and more people wanting to end youth doe hunts.

Commented [KM3]: I think this is suppose to be "adult". We need to be careful about the use of doe and adult ratios. They are not the same.

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Commented [KM4]: Adult???

Commented [KM5]: The only "modeled spring fawn ratio" that I know of is on the Results tab. It is also a direct result of the observed fawn ratio or an adjusted fawn ratio on the survey tab. I think using a long-term average or a regional estimate is better than a modeled fawn ratio.

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Commented [KM6]: This paragraph could also be used in the deer section.

An owner, lessee, or manager of private land in this state may apply to the Department for the issuance of deer tags to compensate for damage to their private lands. These tags can be used by the owner, lessee, or manager if he or she holds a valid Nevada hunting license, or the tags can be sold to any holder of a valid Nevada hunting license at any price mutually agreed upon. Landowners, lessees, or managers of private land will be awarded 1 tag for every 50 mule deer present on the property as compensation for damage to private land as per regulation NRS 502.145 and NAC 502.424. NRS 502.145 limits the number of compensation tags to $\leq 2.5\%$ of the total number of mule deer and pronghorn tags authorized by the Commission.

PRONGHORN ANTELOPE

The Department’s Pronghorn Management Goal is to protect, maintain or increase the resource for the enjoyment and use by the people now and into the future. Management practices are maintained annually to determine the status and trend of the pronghorn resource and its attendant habitat.

Factors used to determine population trend include survey observations, harvest success metrics, recruitment, climate and habitat conditions, disease or related items, and modeled population estimates.

Current harvest objectives for pronghorn antelope are set forth in the Department’s pronghorn antelope management plan: *Nevada’s Pronghorn Antelope, Ecology, Management, and Conservation (2003)* and subsequent Commission action: *Nevada Board of Wildlife Commissioners Policy for the Management of Pronghorn Antelope (2003)*.

Antelope Season Prescriptions

1. Pronghorn antelope hunts may be authorized for either “horns-longer-than-ears” (bucks) or “horns-shorter-than-ears” (does).
2. Hunts for horns-longer-than-ears pronghorn may be recommended for “Any Legal Weapon”, “Muzzleloader”, or “Archery” seasons for both residents and non-residents. These seasons occur on standard opening dates. In some instances, seasons are split into “early” or “late” timeframes to reduce hunter density or to target harvest timing more effectively.
3. Where they currently occur, hunts for horns-shorter-than-ears pronghorn are limited to “Any Legal Weapon” seasons.

Horns-longer-than-ears Archery	
Standard Season	August 1 – August 21
Standard Season in areas with early Muzzleloader	August 1 – August 14

Horns-longer-than-ears Muzzleloader	
Standard Season	August 15 – August 21
Late Season	September 25 – October 4

Horns-longer-than-ears Any Legal Weapon	
Standard Season	August 22 – September 7

Late Season	September 25 – October 4
Optional Non-Standard Split Season	August 22 - 28 and August 29 - September 7
Optional Non-Standard Season	October 15 – October 30

Horns-shorter-than-ears Any Legal Weapon	
Standard Season	September 8 – September 24
Optional Non-Standard Season	September 10 – September 16

DRAFT

Management Objectives for Tag Quota Recommendations

- A. Harvest levels for horns-longer-than-ears (buck) pronghorn are based on a desired post-season buck ratio objective of 25 adult (≥ 2-year-old) bucks per 100 does. The target buck-to-doe ratio is based on adult bucks because many yearling bucks have horn lengths that would not allow them to be legally harvested. The ratio of adult bucks per 100 does is derived from the computer population modeled estimate.

Standard Units	
Buck-to-doe ratio objective (post-season)	25 bucks per 100 does
Applicable hunt units	All open units

- B. The primary variable that influences buck quotas for pronghorn is the availability of bucks 2 years of age and older. If the buck: doe ratio for ≥ 2-year-old bucks increases above 30:100, this indicates that more bucks are available for harvest. If the population of pronghorn is trending upwards, this also indicates that more bucks are available for harvest. Under these scenarios, tag quotas may be recommended for increase. Conversely, if the buck: doe ratio for ≥ 2-year-old bucks decreases below 20:100 or if population trend is downward, then a tag quota decrease may be recommended.

- C. Harvest levels for horns-shorter-than-ears (doe) pronghorn are determined on a hunt unit basis to allow for herd population management and to provide additional and desired hunting opportunities to harvest pronghorn does. ~~In general, doe hunts may be prescribed for populations above 500 animals (August Pop pre-hunt estimate) to manage populations within carrying capacity, while providing hunting opportunity (minimum 1% harvest rate of adult doe population). For units or management areas with less than 500 or fewer animals, doe hunts may be used as a management tool to control populations and reduce density in the short term. Extenuating circumstances such as prolonged drought conditions, severe population declines, or other indicators are observed may affect management prescriptions.~~

Doe harvest is typically managed with the range of 1 - 10% of the total adult doe population for smaller populations and could range between 5 - 20% for larger herd at or above carrying capacity. Harvest rates may fall outside this range in the case of catastrophic environmental or climatic events or other unique situations. Emergency depredation hunts may also be authorized as needed for catastrophic events such as wildfires or disease outbreaks.

In some instances, fawn-to-doe ratios may decline when the population approaches the capacity of the habitat. In those instances, although it may seem counterintuitive, doe harvest may be needed to maintain healthy populations.

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Landowner Compensation Tags for Pronghorn Antelope

An owner, lessee, or manager of private land in Nevada may apply to the Department for the issuance of pronghorn tags for compensation for damage to their private lands. These tags can be used by the owner, lessee, or manager if he or she holds a valid Nevada hunting license, or the tags can be sold to any holder of a valid Nevada hunting license at any price mutually agreed upon. Landowners, lessees, and managers of private land will be awarded 1 tag for every 50 pronghorn present on the property as compensation for damage to private lands as per regulation NRS 502.145 and NAC 502.424. NRS 502.145 limits the number

of compensation tags to $\leq 2.5\%$ of the total number of mule deer and pronghorn tags authorized by the Nevada Board of Wildlife Commissioners.

ROCKY MOUNTAIN ELK

The Department's Elk Management Goal is to maintain elk populations to meet population objectives, while providing recreational opportunities and avoiding adverse impacts to the species, its habitat, and reducing land use conflicts. The Commission has adopted various local sub-plans, which provide broad and specific management goals for elk in Nevada and identify additional objectives specific to those areas.

Harvest objectives for elk are set forth in the Department's *Nevada Elk Species Management Plan (1997)* and 10 subordinate sub-plans: *Bruneau River Watershed Environmental Analysis (1994)*; *Wells Resource Management Plan, Elk Amendment and Decision Record (1995)*; *Environmental Assessment for the Release of Elk into the Jarbidge Mountains, Nevada (1997)*; *NDOW Decision For Lands Outside of Wells RMP Elk Amendment Subplan*; *Central Nevada Elk Plan (2004)*; *Conservation Agreement for the Spring Mountain National Recreation Area (1998)*; *the White Pine County Elk Plan (1999)*; *Lincoln County Elk Management Plan (2008)*; *the Western Elko County Elk Management Plan (2003)*, and *the Humboldt County Elk Management Sub-Plan (2016)*. Specific population objectives described in each plan are appended to these guidelines (Appendix 1).

Elk Season Prescriptions

Because of high population growth rates observed in most elk herds and conservative population objectives identified in elk sub-plans, the need to increase harvest on elk to reduce both population size and growth rates has required aggressive hunt structures to maximize the harvest of antlerless elk. These aggressive season structures and quotas are designed to meet the population objectives and minimize conflicts with other hunts. Standardized season dates are implemented when practical. Population objectives identified in local sub-plans, however, may supersede the implementation of the standardized season. Elk hunts are currently authorized for "antlered elk" (i.e., bulls), "spike-only elk" (i.e., yearling bulls), or "antlerless elk" (i.e., cows).

1. Antlered elk hunts, which consist of "any legal weapon", "muzzleloader", and "archery" seasons, may have varied dates among units to reduce overlap with concurrent hunt seasons for other species. In some units, a multiple any-legal-weapon split-season (i.e., early-late) structure has been employed adopted to reduce hunter densities, increase hunt quality, and more effectively achieve desired harvest objectives.

Archery – Antlered Elk	
Standard Seasons:	Aug 25 – Sept 16 Aug 16 – Aug 31 Oct 22 – Nov 5
Optional Non-standard Seasons:	Sept 1 – Sept 20

Muzzleloader – Antlered Elk	
Standard Seasons:	Sept 1 – Sept 16 Sept 17 – Sept 30
Optional Non-standard Seasons:	Oct 5 – Oct 21

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Commented [KM8]: This is a standard muzzleloader season, not archery

Any Legal Weapon – Antlered Elk	
Standard Seasons:	Nov 6 – Nov 20 Nov 21 – Dec 4
Optional Non-standard Seasons	Sept 17 – Sept 30 Oct 5 – Oct 21 Oct 22 – Nov 5

2. Antlered elk hunting in Unit 091 is cooperatively managed with the State of Utah. Season dates for “archery” and “any legal weapon” hunts are established annually and ~~will span 2-3 weeks targeted to~~ [beginning](#) on a Saturday around the third week of August for “archery” hunts or the second week of September for “any legal weapon” hunts ~~and last 2-3 weeks~~.
3. Spike ~~only Elk elk Hunts hunts~~ are established in identified hunt units to reduce the hunting pressure and harvest of mature bulls, while still managing population and harvest objectives. Spike elk hunts will generally run concurrent with ~~seasons for Antlerless antlerless Elk elk Seasons~~ since most spike bulls are found in association with cow-calf elk groups.
4. Hunts for ~~Antlerless antlerless Elk elk~~, which consist of “any legal weapon”, “muzzleloader”, and “archery” seasons, have varied start and end dates to reduce overlap with concurrent seasons. Antlerless elk hunts are used where the elk population requires reduction or stabilization (i.e., above population objective). Where populations are above local sub-plan objectives, a more aggressive harvest strategy is implemented to bring populations closer to objective. In some units, a multiple any-legal-weapon, split-season structure may be implemented to reduce hunter densities, increase hunt quality, and more effectively achieve harvest objectives. Various combinations of non-standard antlerless elk seasons may exist for all weapon classes and will be implemented on a herd-by-herd basis to address emerging management needs.

Archery – Antlerless Elk	
Standard Seasons	Aug 1 – Aug 15 Aug 1 – Aug 24

Muzzleloader – Antlerless Elk	
Standard Seasons	Sept 1 – Sept 16 Sept 17 – Sept 24 Sept 17 – Sept 30
Optional Non-standard Seasons	Aug 16 – Aug 31

Any Legal Weapon – Antlerless or Spike Elk	
Standard Seasons	Sept 25 – Oct 4 Oct 1 – Oct 20 Nov 21 – Jan 1 Dec 5 – Jan 1

Depredation hunts [for antlered or antlerless elk](#) may be implemented in management areas and units with no existing sub-plan, in areas designated as “elk restricted” or “elk de-emphasis”

areas, or to address existing or potential private land conflicts. Depredation hunts offer liberal tag quotas with relaxed eligibility requirements to facilitate the most effective harvest possible. These seasons may be structured to begin and end at any time to best achieve management objectives. [Innovative season structures or harvest prescriptions, including antler point restrictions, may be proposed to address emerging needs.](#)

6. Antlerless elk landowner hunts may be implemented to specifically target offending elk on private lands where conflicts occur.

Management Objectives for Tag Quota Recommendations

- A. Percentage of main beams ≥ 50 inches in the antlered harvest will be used to guide recommended ~~antlered elk~~ tag quotas [for antlered elk](#). Data collected from hunter return questionnaires and cementum annuli from tooth submissions indicates a strong relationship between main beam length and age. The length of the main beam of most antlered elk aged ≥ 8 years is reported to be ≥ 50 inches. Three-year average percent of main beams ≥ 50 inches, changes in population size, and bull ratios, will be evaluated to determine [tag quotas for antlered elk](#)~~antlered elk tag quota adjustments~~ needed to maintain desired hunter outcome.
- B. Spike elk harvest, when implemented, should not exceed 15% of estimated yearling bulls in the population. Predicted spike harvest at the lower end of the objective provides added hunter opportunity with minimal long-term population impacts, while predicted harvest toward the upper end of the objective will be implemented to stabilize or lower bull ratios without impacting current availability of mature bulls in the population.

Standard	
Main beam length > 50 inches	25–35% of bull harvest
Optional spike harvest	$\leq 15\%$ of estimated yearling bulls

Alternative	
Main beam length ≥ 50 inches	35-45% of bull harvest
Optional spike harvest	$\leq 15\%$ of estimated yearling bulls
Hunt units	Units: 078, 105–107, and 109; 091; and 111–115

Non-Standard	
Modeled bull to cow ratio	Supports harvestable surplus
Harvest success	Stable
Hunt units	Units: 051, 075, 241, 242, and 262

Depredation	
Hunt units	Units: 101–103, 144–145, 115 and 251

- C. For antlerless elk in areas where sub-plans exist, quota recommendations are based on specific population management objectives. These objectives may be used to reduce, stabilize, or encourage growth of elk populations. In circumstances where populations are below objective, cow harvest may be designed to slow growth rates while still allowing herds to increase towards population objectives. In areas where no sub-plan currently exists, quota recommendations are based on providing hunting

harvest, reducing conflicts with other resource users, controlling population growth and expansion, or reducing private land depredation issues.

D. Quotas for elk incentive hunts are calculated as identified in NAC 502.42279.

ROCKY MOUNTAIN GOAT

The Department's Mountain Goat Management Goal is to protect and maintain or increase the mountain goat resources for the enjoyment and use by the people now and in the future.

Mountain Goat Season Prescriptions

1. Units may be subdivided into smaller hunt units to prevent hunters concentrating in specific areas within mountain ranges or to encourage hunting within areas with available mountain goats that may be avoided because of access difficulty.
2. All hunts will be "any legal weapon" seasons. Animal criteria for hunts may be either "any" or "male only" mountain goats.
3. Standard Mountain goat seasons will be September 1 through October 30. Multiple shorter seasons may be considered for larger mountain goat herds with minimum season length of 14 days. This would increase the application options for applicants.

Management Objectives for Tag Quota Recommendations

- A. Hunt recommendations should be developed using estimated populations with accurate sex composition based on credible and scientifically sound survey, harvest, and demographic data.
- B. Harvest will be managed to allow for the take of 2–5% of the total population. For purposes of harvest management, hunter success for future hunts will be assumed to be 100%.
- C. For "any" mountain goat hunts, successful applicants will be required to attend online mountain goat identification class with a formal test at the end of the class that they must pass before tag will be issued.



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division

6980 Sierra Center Parkway, Ste. 120 • Reno, Nevada 89511
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MEMORANDUM:

December 29, 2021

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

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

Title: **Commission Policies – Agenda Item 7**

Description: The Administrative Policies, Regulations and Procedures (APRP) Committee will be reviewing all Commission Policies throughout the next year. They will be forwarded to the Commission for approval after Committee review.

Summary:

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

The Administrative Policies, Regulations and Procedures (APRP) Committee reviewed Commission Policy 1 at their September meeting. Commission Policy 1 was updated to reflect changes to the Wildlife Trust Fund made in the 2021 Legislative Session. Commission Policy 1 was also considered for a first reading at the November Commission Meeting. It will now be considered for a second reading.

The Administrative Policies, Regulations and Procedures (APRP) Committee reviewed Commission Policy 10 at their September meeting. Commission Policy 10 was updated to clarify the meeting date and provide for an explanation of online auctions. Commission Policy 10 was also considered for a first reading at the November Commission Meeting. It will now be considered for a second reading.

The Administrative Policies, Regulations and Procedures (APRP) Committee reviewed Commission Policy 31 at their November meeting. Commission Policy 31 was updated to reflect grammatical changes and management practices.

The Administrative Policies, Regulations and Procedures (APRP) Committee reviewed Commission Policy 33 at their November meeting. Commission Policy 33 was updated to updated to reflect grammatical changes and management practices.

The Administrative Policies, Regulations and Procedures (APRP) Committee reviewed Commission Policy 63 at their November meeting where it was determined that Commission Policy 63 did not need any changes.

The Administrative Policies, Regulations and Procedures (APRP) Committee reviewed Commission Policy 64 at their November meeting where it was determined that Commission Policy 64 did not need any changes.

The Administrative Policies, Regulations and Procedures (APRP) Committee reviewed Commission Policy 67 at their September and November meeting. Commission Policy 67 was updated in coordination

with the Coalition For Healthy Nevada Lands, Wildlife and Free-Roaming Horses to reflect the Department and Commission needs in regards to wild horse and burro management.

Recommendation:

Adopt

Commission Policy 1
Commission Policy 10

Move to Second Reading

Commission Policy 31
Commission Policy 33
Commission Policy 63
Commission Policy 64
Commission Policy 67

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 1 **Number:** P-1
Title: General Guidelines for the Commission
Reference: NRS 501.179, 501.181, 501.2585, 501.356(4),
501.320, 502.253(3).
Effective Date: February 15, 1980
Amended Dates: September 22, 2007;
August 15, 2009; June 25, 2016, January 2022.

POLICY

It is the policy of the Board of Wildlife Commissioners (the Commission) to conduct the business matters of the Board according to the official duties and authority granted by the State laws and regulations.

PURPOSE

To guide the Commission in the transaction of business including selection and terms of a chair and vice chair, conduct of meetings, preparation of meeting schedules and agendas, definition of official duties, adoption of Commission Policies, and to ensure that the Commission formally recognizes individuals and entities that provide any gifts, grants, donations, or bequests to NDOW.

PROCEDURE

1. Selection of Chair and Vice Chair: Terms of Office

During its first regularly scheduled meeting following July 1 of each year, the first order of business will be election of officers. The Commission shall select a chair and vice chair from among its members who will continue to serve until the new election in the following year. In case of the temporary absence of the chair, powers and duties shall devolve upon the vice chair. A Commissioner cannot serve more than two consecutive terms as chair.

2. Meetings

In conformance with NRS 501.177, the Commission may hold not more than nine regular meetings every year, but may hold special meetings at such times and places if necessary. A meeting calendar for the next two years will be approved no later than at the regularly scheduled meeting closest to March of the even-numbered year. The Commission's regularly scheduled meetings will be posted to the website and provided to members, advisory boards, and interested persons.

Meeting dates and places will not be changed from those listed on the meeting calendar unless there is a majority vote of the Commission to do so. Any change to the schedule must be done in sufficient time to allow legal noticing of the meeting according to the Nevada Open Meeting Law, in NRS 241. All meetings will be noticed and conducted in compliance with the Nevada Open Meeting Law.

3. Agendas

A draft agenda will be developed by the Secretary to the Commission and approved by the Chair four weeks prior to the scheduled meetings. A final agenda will be approved by the Chair, and distributed to Commissioners, county advisory board members, interested individuals or groups and staff with support material two weeks prior to the meeting. The agenda will be posted according to NRS 241.020.

4. Conduct of Meetings

“Robert’s Rules of Order, Revised Edition,” shall guide the Chair in the conduct of all meetings; however, the Chair may vote on all actions requiring a vote.

5. Compensation of Members: Official Duties

As provided in NRS 501.179, members of the Commission are entitled to receive compensation, travel expenses and per diem for official duties. Reimbursement is not allowed while in travel status, except for regular travel per diem.

- a. Official duties are:
 - (1) Attend regularly scheduled or special meetings of the Commission;
 - (2) Committee work established by the Commission or delegated by the Chair;
 - (3) Assignments by the Chair between meetings;
 - (4) Special events designated by a vote of the Commission to be official duties or assigned by the Chair;
 - (5) Establishing broad policies, regulations, and guidance of the department, and county advisory boards as detailed in NRS 501.181 (1-8).
- b. Method of Compensation:
 - (1) The Secretary to the Commission will process payment based upon a compensation form signed by the Chair of the Commission. The form will be prepared for the Chair by the Recording Secretary at each regularly scheduled meeting and will include any interim approval activities.
 - (2) Reimbursement for transportation shall be by the most economical means considering total cost and time spent in transit. All travel, per diem rates, and associated records required shall be as prescribed in the NDOW Travel Policy.
 - (3) Reimbursement for mileage will be based on the mileage chart shown on the official Nevada State Map when between two communities.
 - (4) Per diem claims will be completed on the Travel Expense Reimbursement Claim form at the rates prescribed in the NDOW Travel Policy.

6. Adoption of Commission Policies Resolutions, and Record Keeping

- a. Proposed policies, amendments, or requests to repeal policies shall be mailed or emailed as acceptable, to the Commission, county advisory boards to manage wildlife, and interested persons. The Commission will have a minimum of two readings not on consecutive days of the revised or proposed policy in public meetings before the Commission takes action to adopt, amend, or repeal, or disapprove the policy. Exception: If the policy is declared an emergency the Commission may read, amend, and adopt the policy in two readings on 2 consecutive days.
- b. The effective date, amended date, and statutory authority of the policy shall be recorded as part of the policy.
- c. An individual may request the Commission to adopt, amend, or repeal a policy by submitting a letter addressed to the Chair/Care Of Secretary of the Commission, at the Nevada Department of Wildlife, Headquarters, 6980 Sierra Center Parkway, Ste. 120, Reno, Nevada 89511. The letter must contain the policy number and title for an existing policy, the intent or purpose of a new or revised policy, and the suggested language. Such

requests for a new or revised policy, or to repeal a policy may be placed on a future Committee agenda, and ultimately for a Commission meeting according to subsection 6.a. of this section.

- d. Record Keeping of Wildlife Commission Policies shall be maintained by the Director's Office for the Agency, and Secretary of the Commission. Any historical record of older Commission Policies or Resolutions that precede this shall be forwarded to the Management Analyst 3.

Upon the suspension or amendment of a Commission Policy or Resolution, a copy of the previous version along with a memo will be sent to the State Library and Archives within a year from its amendment or suspension. The documenting memo will be maintained in the Director's Office with the title and number of that policy and or resolution.

All new policies will be uniquely numbered; suspended or repealed Commission Policy numbers shall not be used again.

7. Acceptance of Gifts, Grants, Donations and Bequests

In 2011, the Wildlife Trust Fund was created in Statute as the non-executive account for donations to the Department from groups or individuals, and is to be used per the donor's intent. In 2021, the Nevada Legislature amended the Wildlife Trust Fund statutes to allow for the acceptance of gifts, donations, or bequests of not more than \$250,000 without previous IFC approval in the event of an unanticipated emergency event.

Per statute, a report concerning the investment and expenditure of the money will be provided to the Wildlife Commission and the Interim Finance Committee ~~semi~~annually.

That report must contain the following information:

(a) The unanticipated emergency event for which the gift, donation, bequest or devise was received;

(b) The amount of the gift, donation, bequest or devise;

(c) The amount of the gift, donation, bequest or devise that was expended for the unanticipated emergency event; and

(d) The private source from which the gift, donation, bequest or devise was received.

Additionally, the anticipated amount and proposed expenditures of the money is provided to the Budget Director of the Governor's Finance Office and the Fiscal Analysis Division of the Legislative Counsel Bureau in a separate statement at the same time as the budget request.

All gifts, grants, donations, and bequests made to the Nevada Department of Wildlife, or any Division thereof, will be presented to the Commission in a public meeting for recognition.

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

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, June 25, 2016,
Board of Wildlife Commissioners.



Jeremy Drew, Chairman
Nevada Board of Wildlife Commissioners

STATE OF NEVADA BOARD OF WILDLIFE COMMISSIONERS

Commission Policy Number 10

Number: P-10
Title: Wildlife Heritage Tags and Vendors
Reference: NRS 502.250
Effective Date: April 1, 2006
Amended Date: September 23, 2016

POLICY

It is the policy of the Board of Wildlife Commissioners (Commission) to provide guidelines for the equitable distribution of Wildlife Heritage Tags to vendors to be auctioned at fundraisers for the benefit of game species.

The intent of offering Wildlife Heritage Tags is to provide for a unique hunting opportunity and for generating revenue in the Wildlife Heritage Account. This will be accomplished without deleterious impacts to Nevada's wildlife populations. To this end, it is the Commission's intention to integrate public comment with sound biological practices in the authorization of seasons and special regulations for Wildlife Heritage Tags annually.

PURPOSE

To inform the public and guide the Nevada Department of Wildlife (Department) in administering the disbursement, through an auction or sealed bid process, of not more than 15 big game tags and 5 wild turkey tags annually, to be known as "Wildlife Heritage Tags," as authorized by NRS 502.250.

"Wildlife Heritage Tag" is defined to mean a big game or wild turkey tag auctioned or awarded by sealed bid for the purpose of providing a unique hunting opportunity and for generating revenue to be deposited in the Wildlife Heritage Account.

PROCEDURE

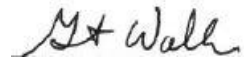
1. The Commission, at the meeting which establishes big game seasons or the first scheduled February Commission meeting of the calendar year, whichever occurs first, may authorize seasons, quotas, and special regulations, including regulations that outline procedures for the auctioning or sealed bidding of the Wildlife Heritage Tags.
2. Except for applicable administrative costs, license, Habitat Conservation Fee, application, Predator Management Fee, and tag fees, all monies derived from Wildlife Heritage Tags will be deposited into the Wildlife Heritage Account.
3. By the first Monday in March, the Department will email, mail and post on the Department website vendor solicitation packets which will include, this policy, the annual regulation regarding species, season, quotas and special regulations, vendor proposal requirements, and proposal deadline information.
4. Proposals submitted to the Department by the third Monday in April of each year will be considered. Proposals received after the deadline may be considered for award of Wildlife Heritage Tags by the Commission after the Commission has considered all other proposals received and when necessary to fulfill the purpose of this policy.
5. A vendor proposal to auction Wildlife Heritage Tag(s) must provide the following information:
 - (a) Date, time and place of auction. If the proposed date, time and place of the auction changes due to circumstances beyond the vendor's control, it is the vendor's responsibility to notify the Department in order to post the updated information.
 - (b) Type of function (banquet, convention, or other event.)

- (c) Estimated attendance.
- (d) Proposed advertising and marketing strategy.
- (e) An explanation of any "packaging" of the game hunt; i.e., other services to be provided in addition to the authorized tag, such as guide or taxidermy services, etc.
- (f) Except for subsection (a), no changes or alterations may occur to the proposal after the deadline for receipt of the proposals
- ~~(f)~~(g) An explanation of if or how the auction will take place online or via phone.

- ~~6. A vendor may not allow a Wildlife Heritage tag to be auctioned, resold, bartered, or traded at another fundraising event without the approval of the Commission.~~
- 7. The Commission will review all proposals and select vendors to auction the respective tags. If no proposals are received, the Commission may authorize other organizations within or outside Nevada to auction the tag. If no acceptable organization can be found to administer an auction, the tag may be sold by sealed bid.
- 8. The Commission reserves the right to refuse any proposal received for auctioning Wildlife Heritage Tags annually.
- 9. All vendors who submit proposals will be notified in writing of the results by the Department.
- 10. By the deadline established in annual regulation, all vendors must provide the successful bidder information on an application provided by the Department and the Wildlife Heritage donation.

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

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, September 23, 2016.



Grant Wallace, Chairman
Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 31

Number: P-31

Title: ~~Lahontan Cutthroat Trout~~ Lahontan Cutthroat Trout Management Guidelines

Reference: NRS 501.105, 501.181

Effective Date: March 22, 1996

Reviewed Date: 2002

Amended Date: November 18, 2016, March 2022

PURPOSE

The [Board of Wildlife Commissioners \(the Commission\)](#) establishes policies necessary to preserve, protect, manage, and restore wildlife and its habitat. The Lahontan ~~e~~Cutthroat ~~t~~Trout is one of six native salmonids currently found in Nevada. Historically, this fish existed in eleven lacustrine populations and an estimated 400 to 600 streams and rivers. Currently it exists in about 159 streams and 6 lakes and reservoirs in Nevada, California and Oregon. The ~~Lahontan cutthroat trout~~ Lahontan Cutthroat Trout was federally listed as “threatened” in 1975 under the Endangered Species Act. In Nevada, the ~~Lahontan cutthroat trout~~ Lahontan Cutthroat Trout is classified as a “game fish” by action of the Board of Wildlife Commissioners.

POLICY

The Commission does hereby establish the following policy to provide for the preservation, protection, management, and restoration of the ~~Lahontan cutthroat trout~~ Lahontan Cutthroat Trout.

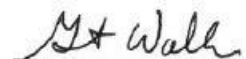
1. The ~~Lahontan Cutthroat Trout~~ Lahontan Cutthroat Trout Recovery Plan approved in January 1995 by the U.S. Fish and Wildlife Service, ~~and the associated Updated Goals and Objectives for the Conservation of Lahontan Cutthroat Trout (2019)~~, in combination with guidelines developed in cooperation with individual species Geographic Management Unit (GMU) implementation teams, will be used as the guidance for the Nevada Department of Wildlife’s species management planning and implementation with the objective of recovery and delisting of the species as rapidly as is biologically possible.
2. Distinguishable races of ~~Lahontan cutthroat trout~~ Lahontan Cutthroat Trout (LCT) will be managed separately within the major drainage basins of historic Lake Lahontan. The three basin population segments include the Western Lahontan basin GMU, Northwest ~~ern~~ Lahontan basin GMU, and the Upper Humboldt River basin GMU.
3. In order to accomplish recovery objectives, the Department will participate in cooperative efforts with the U. S. Fish and Wildlife Service; all land management agencies; other state agencies; willing private landowners and local/tribal governments that are working toward the recovery of LCT and their habitat.
4. Stream habitat restoration and management is a necessity on many waters before reintroductions can take place. On some streams, competing and/or hybridizing nonnative trout will ~~need~~have to be controlled or eliminated and/or physical barriers constructed to prevent competition or introgression with LCT.
5. Private landowner cooperation is essential to the development of connected populations needed to ensure the survival and recovery of LCT within the Northwest Lahontan basin Nevada and Upper Humboldt GMUs. To protect private landowners who currently have LCT on their property, or who through conservation efforts may attract LCT to their property, there are two Programmatic Safe Harbor Agreements (SHA) available (Northwest Lahontan basin Nevada and Upper Humboldt SHAs). The Department will actively work to enroll willing private landowners into Cooperative Agreements under

the SHAs which will provide regulatory assurances that future property use restrictions will not be imposed if they improve, restore, create or maintain habitat for LCT.

6. Currently occupied and potential habitats as identified in the ~~Lahontan Cutthroat Trout~~Lahontan Cutthroat Trout Recovery Plan are to be dedicated to cutthroat recovery efforts. No competing salmonids will be stocked into occupied LCT recovery waters. Sterile (triploid) rainbow trout and / or Tiger Trout may be used on a short-term basis in potential LCT recovery waters to address angler use and demand until LCT reintroductions are deemed appropriate.
7. Where deemed necessary to assist in the recovery of the species, specific waters or specific areas within individual waters may be subject to restrictions or closed to angling by the Wildlife Commission. In most cases, sportfishing for ~~Lahontan cutthroat trout~~Lahontan Cutthroat Trout has no negative impact on recovery progress.
8. The Truckee, Carson, and Walker rivers and Lake Tahoe are important salmonid recreational fisheries for rainbow and brown trout, both in Nevada and California. These ~~waters~~streams support extensive angler use and are stocked annually with hatchery salmonids to support the high angler use and demand. Experimental releases of catchable size ~~Lahontan cutthroat trout~~Lahontan Cutthroat Trout are encouraged to evaluate their contribution to the sport fishery and encourage angler interest and opportunity for catching native trout.
9. Because of social, economic, and environmental constraints, the Nevada Board of Wildlife Commissioners considers it impractical to fully recover in the near future, the ~~Lahontan cutthroat trout~~Lahontan Cutthroat Trout in the main stems of the Truckee, Carson, ~~and~~ Walker River systems, and Lake Tahoe, thus annual stockings of other salmonids are authorized. The use of sterile (triploid) rainbow trout is encouraged in all historic and potential recovery LCT waters. In the Truckee River, only sterile (triploid) rainbow trout and hatchery-reared LCT will be used for recreational stocking, and the use of hatchery reared LCT will be emphasized to the extent they are available for stocking in the size, quality and timing needed to maintain recreational fishing objectives.
10. The Department of Wildlife will actively pursue ~~potential options for reestablishing solutions to maintaining~~ suitable water levels and water quality in Walker Lake in order to ~~restore~~enhance this important Lahontan ~~C~~utthroat ~~T~~ Trout sport fishery. Only solutions consistent with the final decree entered in United States of America, Plaintiff vs. Walker River Irrigation District, et al., Defendants in the United States District Court for the District of Nevada (C-125) will be pursued. Any proposed redistribution of water shall be on a voluntary basis.
11. The Department of Wildlife may maintain brood stocks of pure strain ~~Lahontan cutthroat trout~~Lahontan Cutthroat Trout both for use as recreational sport fish and, if needed, recovery stocks of selected races of cutthroat for reintroduction into recovery ~~waters~~streams.
- ~~12. As the recovery objectives for the restoration of populations within a GMU are met, the Department of Wildlife will work closely with the U.S. Fish and Wildlife Service to identify options and strategies for delisting of the species in that portion of its range.~~

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

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, ~~November 18,~~
2016.



Tiffany East Grant Wallace, Chairwoman
Nevada Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 33

Number: P-33

Title: Fisheries Management Program

References: NRS 501.105, 501.181

Effective Date: July 24, 1999

Reviewed Date: 2002

Amended Date: November 18, 2016

PURPOSE

The Commission is charged in Nevada Revised Statute (NRS) to provide broad level policy guidance to programs of the Department of Wildlife. This policy is designed to provide that broad policy for programs and projects of the Fisheries Division.

JUSTIFICATION

Nevada Revised Statute (NRS) 501.105 states that “the commission shall establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat.” NRS 501.181 further defines commission duties to “establish broad policies” for the “protection, propagation, restoration, transplanting, introduction and management of wildlife in this state.” In addition, the commission shall “establish policies for areas of interest including...the management of...game ~~fish, and~~ fish and protected and unprotected...fish...and amphibians”, including “the introduction, transplanting or exporting of wildlife.”

BACKGROUND

Fish are important to the State of Nevada. They play a vital role in the economic stability of the State. As of 2016, approximately 120,000 people fish in Nevada, expending about 1.4 million angler days of effort each year. The 2011 National survey found that each Nevada angler spends approximately \$99 per day to pursue their sport for an economic impact to the State of about \$138 million per year.

The value of fishing as a psychological and sociological therapy extends far beyond its economic benefits and has been documented in numerous studies. Fishing is a ~~quality-of-life~~ quality-of-life issue for ~~many~~ all Nevadans in rural and urban communities alike. Fish in a desert environment are also a valuable indicator of ecological health and the persistence of native aquatic species across our arid landscape is an important part of Nevada’s natural heritage. Their presence or absence portends the existing condition of aquatic resources as well as the ~~long~~ long-term trend. The Nevada landscape is home to ~~26~~ 2624 Endangered Species Act (ESA) listed threatened and endangered fishes, more than any other state. Climatic changes as well as human environmental impacts are seen in the extirpation of native species, as the plight of Nevada’s endemic fishes documents. The Commission supports programs to manage all fishes and aquatic wildlife with the ultimate goals of species perpetuation, improvements in status leading to eventual delisting of federally protected species, and the prevention of future Federal listing of species through proactive management strategies.

The management of Nevada’s fishery resources is a valuable endeavor ~~and of great~~ importance to the State. This policy direction will help guide that undertaking.

POLICIES

Aquaculture

The propagation, cultivation, and harvest of aquatic organisms for commercial or private use are considered legitimate and valuable uses of Nevada's water resources. However, the paucity of water in the State limits the distribution of aquaculture pursuits, and often forces them to compete directly with native fauna and flora.

- Aquaculture activities and the commercial collection of unprotected fish and aquatic wildlife will not be permitted where they will adversely affect native fauna and flora or nonnative fisheries of significant public value.
- The possession of prohibited species and species of potential adverse impact will be permitted only in closed water systems.
- All aquaculture pursuits will conform to regulatory requirements for fish disease certification, inspection and permitting including NAC 503.560 – 503.565.

Angler Access

Even though approximately 87 percent of Nevada is comprised of public land, access to many, if not most, of the fishable waters of the State is controlled by private land. In ~~addition~~addition, many of the publicly accessible fishing waters of the State are in need of access facilities. To perpetuate the recreational, educational, and aesthetic value of Nevada's water resources, a proactive program to guarantee access and improve access facilities is desirable.

- Angler access, including land acquisitions, easements, conservation pools, and access agreements will be sought from willing providers using Sport Fish Restoration, wildlife, and other funding sources as appropriate.
- Angler access facilities will be developed at appropriate locations where public access is already assured when such facilities will enhance angler use and encourage the use of fishery resources. Locations owned or controlled by the State of Nevada will receive priority consideration for facility development and funding.
- Access to fishery resources will be actively publicized through signage, maps, the Internet, social media, angler guides, and other Department outreach programs.
- New access facilities and improvements to existing facilities will incorporate ADA compliant access provisions to the extent practical.
- The identification and development of new urban ponds and fisheries will be actively pursued to increase angler opportunity and reduce barriers to participation
- All management prescriptions for fisheries controlled by private interests will be developed cooperatively with affected landowners.

Biological Control of Aquatic Vegetation

The use of the triploid form of the grass carp, *Ctenopharyngodon idella*, also known as the ~~w~~White ~~a~~Amur, as a biological method to control aquatic vegetation in specific, closed aquatic environments is a tested and proven technique. Other less prevalent methods of biological control of aquatic vegetation require diligent scrutiny relative to potential impacts to the State's aquatic and fishery resources.

- Certified triploid grass carp may be approved for stocking only into waters where appropriate containment measures have been taken to prevent escapement or unauthorized removal and transfer of grass carp.
- Approval for the importation and possession of any aquatic vegetation control organism will be given only where it can be demonstrated that they pose no harm to existing public aquatic or fishery resources.

Boating Access

The Sport Fish Restoration Program of Federal Aid requires the expenditure of at least 15 percent of the annual appropriation on boating access related facility development. The opportunities afforded by this program are great

but challenging, due to the limited water-based recreational opportunities in the state.

- Fifteen percent of the annual Sport Fish Restoration appropriation will be obligated and expended for development, maintenance, and repair of motorboat access facilities within the state.
- Close cooperation with the National Park Service at Lake Mead National Recreation Area and the [Nevada](#) Division of State Parks will be maintained to provide direct project support for development, repair, and maintenance of boating facilities under their immediate administration.
- Department owned or administered boating access facilities will receive primary consideration for use of annual appropriations.

Fisheries Management Planning

Fisheries and Species Management Plans are a primary vehicle to make management prescriptions for Nevada's waters. Plans can present a logical and scientific argument for specific management direction, as well as serve as an informational document for the public.

- Management plans will be developed to provide guidance and direction for the management of major fisheries in the state, and species management plans may be developed for important sport fish species when their populations can be managed collectively.
- All planning processes and management prescriptions for waters of the State will give due consideration to the immediate and residual effects on resident native and endemic fishes, with special attention for protected species.
- Draft fisheries and species management plans will be subjected to public review prior to being adopted, as outlined in the Fisheries Management Planning Program and Procedure.

Fishery Rehabilitation

The use of fish toxicants to control fish populations is an important fisheries management tool to control and remove undesirable nonnative fish species, for the conservation and recovery of native fish species including native sportfish, and similar management needs. Nevada Revised Statutes prohibit ~~entities anyone~~ other than the Department of Wildlife from conducting fish eradication projects on waters of the State.

Environmental concerns are addressable through adequate project planning and public information.

- All fishery rehabilitation projects will comply with appropriate regulatory requirements and scoping including the National Environmental Protection Act (NEPA) as appropriate.
- Potential impacts to native aquatic species will be evaluated, justified, and/or mitigated prior to any fishery rehabilitation project.
- Prior to a fishery rehabilitation project, the harvest and/or salvage of desirable fish species may be encouraged through liberalization of regulations.
- Supervisory and technical assistance may be provided to private and public entities desiring to complete fishery rehabilitation projects if such projects benefit public purposes, however, project cost and regulatory compliance will remain the responsibility of the initiating party.

Fishing Regulations

A primary tool in fisheries management is the development of general and ~~site-specific~~ site-specific regulations. The regulatory authority of the Board of Wildlife Commissioners extends to setting regular and special fishing seasons, daily and possession limits, manner and means of take, emergency closing or extending of a season, emergency reductions or increases of bag or possession limits, and area closures (NRS 501.181).

- Fishing regulation recommendations will be developed to meet specific goals and objectives for various management programs and will be closely coordinated with county advisory boards to manage wildlife.

The simplification of fishing regulations is encouraged where effective implementation can still be insured, to reduce confusion, increase compliance by existing anglers, and reduce barriers to participation by new anglers.

Management of Native Nongame Aquatic Species

Nevada's native fishes and other native aquatic organisms are important indicators of ecological health and are integral components of properly functioning aquatic ecosystems. ~~Many of these species~~ They have also been severely impacted over time by modifications to and abuse of aquatic systems. The Nevada Wildlife Action ~~p~~Plan (2012) identifies numerous native nongame aquatic species as Species of Conservation Priority ~~while~~and NAC 503.065, ~~503.067~~ and 503.075, ~~and 503.076~~ recognize the need for special management emphasis for ~~sensitive threatened, endangered,~~ and protected fish, ~~and amphibian, and mollusk~~ species. Proactive conservation of all native aquatic wildlife including fishes, amphibians, mollusks, and crustaceans ~~insure~~sensures the preservation of Nevada's biodiversity and is a necessary tool to preclude future species listings under the ESA.

- Programs will be emphasized which assure the security of protected native aquatic species and preclude further ESA listings.
- The use of proactive, collaborative conservation approaches such as multi-party Conservation Agreements ~~and is~~Strategies ~~s~~encouraged to insure effective, broad-based conservation of native aquatic species.
- Native fish management plans may be developed for major drainage basins, species complexes, or individual species as needed to supplement existing Recovery Plans and other management guidance.
- All planning processes and management prescriptions for waters of the State will insure the persistence of resident native and endemic fishes and amphibians.
- Commercial exploitation of amphibians shall be closely regulated, and only allowed when species viability, persistence, and maintenance of historic distribution are assured.
- Due consideration will be given to the persistence of native crustaceans and mollusks in the development of management prescriptions for native and sport fish.

Native Trout Management

Six species of salmonids are native inhabitants of the State of Nevada: Bonneville ~~e~~Cutthroat ~~t~~Trou, ~~b~~Bull ~~t~~Trou, Lahontan ~~e~~Cutthroat ~~t~~Trou, ~~m~~Mountain ~~w~~Whitefish, ~~r~~Redband ~~t~~Trou and Yellowstone ~~e~~Cutthroat~~t~~Trou.

With the exception of Lahontan ~~e~~Cutthroat ~~t~~Trou, each has only a limited distribution in Nevada, but all are unique, and deserving of special management. Given the level of environmental and anthropogenic threats, these species need active long term species management programs implemented in coordination with Federal recovery plans, rangewide conservation agreements, the Nevada Wildlife Action Plan and other conservation planning guidance.

- Native trout persistence will receive priority in management prescriptions for appropriate waters within historic distributions.
- Waters in historic ranges which support native trout populations should be designated and managed as "wild" or "native" fisheries.
- Waters or reaches or waters managed as "wild" or "native" will not be stocked with hatchery trout.
- The use of ~~only~~sterile (triploid) ~~r~~Rainbow ~~t~~Trou ~~and / or Tiger Trout~~species is encouraged for stocking in historic and potential native trout waters that are currently unoccupied by native trout species.
- Special regulatory protections such as harvest or gear restrictions may be considered ~~_~~for waters managed for native trout, if biological information indicates such actions would assure species viability and contribute to conservation or recovery.
- Species management planning and interagency cooperation will focus on species perpetuation, improvements in status, and eventual delisting of federally protected species, and the prevention of future listing of other native trout species through proactive management strategies.

Aquatic Invasive Species

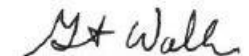
Aquatic invasive species are aquatic species which are exotic and not native to Nevada and which the Commission has determined to be detrimental to aquatic life, water resources, or infrastructure for providing water in the State. Injurious aquatic species are aquatic species which the Commission has determined to be a threat to sensitive, threatened, or endangered aquatic species or game fish or to the habitat of sensitive, threatened, or endangered aquatic species or game fish. Aquatic invasive species may be introduced or spread into waterbodies by activities such as boating, fishing, hatchery releases, and ~~the liberation of aquarium pets, aquarium dumping,~~

The Commission supports programs to identify the introduction pathways and threats of aquatic invasive species and to develop strategies which will preclude or limit the introduction, impact, and spread of aquatic invasive species, including:

- Establishment and operation of watercraft inspection and decontamination stations;
- Implementation of hatchery fish release vehicle decontamination and hatchery inspections for aquatic invasive species;
- Promotion of Clean, Drain and Dry methodologies for watercraft, fishing gear, and other conveyance ~~vectors~~, including the development of appropriate regulations as needed to implement those methodologies;
- Development of strategies to prevent the introduction and dumping of aquarium aquatic invasive species;
- New potential aquatic invasive species will be evaluated and incorporated into existing prohibited aquatic invasive species and/or injurious aquatic invasive species regulations;
- Evaluation of all live aquatic species importation requests will incorporate consideration of aquatic invasive species; and
- Development of strategies to provide public education to prevent the introduction and spread of aquatic invasive species.

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

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, ~~November 18, 2016.~~



Tiffany East Grant Wallace, Chairwoman
Nevada Board of Wildlife Commissioners

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 63

Number: 63

Title: Protecting Wildlife from Toxic Ponds

Reference: NRS 501.181

Effective Date: September 22, 1989

**Amended Date: December 2, 1995 and
September 22, 2017**

POLICY

Policy statement pertaining to programs necessary to ensure the protection of wildlife from industrial operations using or creating chemicals or other potentially lethal substances.

AUTHORITY

Nevada Revised Statutes (NRS) 501.181 provides that the Commission shall adopt regulations governing the provisions for a permit which is required for any person who develops or maintains an artificial or man-made body of water, other than a body of water maintained for agricultural or recreational purposes, containing chemicals or substances in quantities which, with the normal use of the body of water, causes the death of any wildlife.

INTENT

The intent of the legislation was and will continue to be focused specifically on the development and implementation of protective measures to ensure that wildlife mortalities do not occur as a result of cyanide or other substance poisoning in industrial ponds. The legislation was not intended to address other equally important environmental matters or to replace or usurp the legislative authorities of other agencies.

BACKGROUND

During the 1980s, the advancement of mining technology coupled with favorable economic conditions for mining created significant problems related to direct wildlife loss caused by cyanide poisoning. As a result, the statute referenced above was developed by the Department of Wildlife in cooperation with the Nevada Mining Association and other permitting agencies to address problems associated with the development and maintenance of ponds containing cyanide or other chemicals that are potentially lethal or harmful to wildlife.

The creation of the Departments' Industrial Artificial Pond (IAP) program established agency direction and developed potential solutions for reducing or eliminating direct wildlife mortalities at mining projects. The program is based on a permitting process that requires permittees to either exclude wildlife from accessing potentially toxic solutions through fencing and pond covering or by neutralizing solutions to ensure they are non-lethal to wildlife. Monitoring is accomplished through periodic site inspections and mandatory quarterly reporting of wildlife mortalities. Cooperation and coordination with permittees to develop site-specific solutions is integral to the success of the program.

Since the development of the IAP program, the Department has increased its understanding of

how to apply both proactive and reactive measures to preclude wildlife from accessing potentially toxic ponds and minimize wildlife mortality associated with those ponds. Additionally, the increased use of potentially toxic ponds in other industrial development projects has led to a modernized permitting program that also incorporates the energy (coal, natural gas, solar, and geothermal) and manufacturing industries where wildlife is at risk of contacting toxic solutions.

The Department continues to move forward under the legislatively authorized regulatory process to ensure that wildlife receive adequate protection from direct losses associated with industrial activity in Nevada.

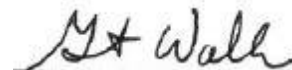
POLICIES

In order to ensure that the Commission's role and direction in developing regulations pertaining to this issue are fully understood, the following policies are hereby established:

1. It shall be the policy of the Commission to maintain a zero mortality objective by implementing protective measures based on the latest technology; recognizing, however, that incidental mortality may occur notwithstanding this objective.
2. It shall be the policy of the Commission to implement necessary wildlife protective measures through the regulation process in a reasonable and prudent and yet prompt and effective manner.
3. It shall be the continuing policy of the Board of Wildlife Commissioners to work cooperatively with industry and environmental interest groups as a means of identifying and resolving problems relating to wildlife which are of mutual interest and concern.
4. It shall be the policy of the Commission to continue working in a cooperative fashion with other regulatory agencies as a means of avoiding duplication of efforts and to ensure that permit requirements are consistent among individual permits.
5. It shall be the policy of the Commission to support agency efforts in distributing information and acting as a clearinghouse for wildlife mortality data collected via mandatory reporting, as well as, a conduit of technology transfer, passing along successful protective measure techniques, materials and all other matters pertaining industrial artificial ponds.

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

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION,
SEPTEMBER 22, 2017.



Grant Wallace, Chairman
Nevada Board of Wildlife Commissioners

STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS

Commission Policy Number 64

Number: **P-64**
Title: Input on Land, Sales, Transfers,
and Exchanges
Reference: NRS 501.181
Effective Date: March 23, 1990
Amended Date: December 2, 1995
Reviewed Date: 2002, 2022

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PURPOSE

The purpose of this policy is to guide the Department of Wildlife in matters relating to the sale, transfer and/or exchange of public lands in Nevada

BACKGROUND

Although the Federal Land Policy and Management Act of 1976 specifically states that “The Congress declares that it is the policy of the United States that (1) The public lands be retained in Federal ownership...,” there are numerous Congressional Acts and attendant Federal programs that provide for land transaction activities. These land transactions often have implications for resident wildlife species and attendant public use. Examples of such activities include direct land sales, land withdrawals, land exchanges, desert land entries, land acquired for recreation and public purposes, land attendant to the Mining Law of 1872, and easements as provided for in the Food Securities Act of 1985. State agency involvement in these activities is provided for under the 1969 National Environmental Policy Act (NEPA) and attendant land use planning processes.

Since Nevada is comprised of some 87% Federal land, much of which supports a wide variety of wildlife and attendant outdoor public recreational use, and in view of the Commission’s responsibilities under state law to establish policies for the acquisition of lands, water rights and easements and other property for the management, propagation, protection and restoration of wildlife...this policy is intended to provide policy guidance to the Department for commenting on public land transactions through the NEPA process.

POLICY

It shall be the policy of the Board of Wildlife Commissioners (the Commission) to support those land transactions or other activities attendant to public land which will either directly or indirectly preserve, protect and/or enhance wildlife habitat in addition to maintaining and/or improving public access to the public lands. In order to accomplish these objectives, the Department should consider the following listed criteria in providing written or verbal comment on public land transactions:

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1. Public lands providing high wildlife values should remain in public ownership to insure the future protection of these values unless higher values for wildlife can be attained through a sale, transfer, or exchange.
2. Land exchanges should be supported only when the wildlife values on selected lands are equal to or greater than those wildlife values or potential wildlife values on offered

lands.

3. In-put on all public land transactions should consider the need for public access to and through both the offered and selected lands.
4. All land transactions must be in the public interest from a wildlife habitat protection and wildlife use standpoint.

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

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION,
JANUARY 28, 2022 .

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Tiffany East, Chairwoman
Board of Wildlife Commissioners

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STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**Commission Policy Number 67****Title:** Federal Horses and Burros**References:** NRS 561.025, 561.218,
569.008, 504.030, 533.367,
533.695, 533.460, NRS
321, Presidential Executive
Order: 12630, Public Law
92-195 (1971).**Effective Date:** January ??, 2022**BACKGROUND**

The Nevada Board of Wildlife Commissioners (NBWC) shall establish and implement policies necessary for the preservation, protection, restoration and management of Nevada's wildlife.

Expanding populations of free roaming horses and burros (FRHB) on federal, state, and military lands are impacting the future of Nevada's wildlife. Additionally, increasing numbers of fires, expansion of exotic grasses, tree encroachment into sagebrush habitats, loss of riparian functions and a warming climate all impact water sources and plant survival. These ever-increasing threats not only challenge populations of FRHB but also the multitude of wildlife species that depend upon healthy Nevada landscapes to survive.

As of March 2021, the nationwide total estimated FRHB population on Bureau of Land Management (BLM) lands was 86,189 with 53,741 residing in Nevada (including Nevada Herd Management Areas managed out of California BLM offices), representing approximately **62%** of the total FRHB BLM manages. These current numbers exceed the nationwide Appropriate Management Level (AML) of 26,770 by 310 percent and Nevada's AML of 14,331 by 375 percent. These population estimates do not include another 2,100 FRHB reside on U.S. Forest Service lands, 3,000 on private lands (managed by Nevada Department of Agriculture), and over 1,000 on Department of Energy and Department of Defense lands, or any horses found on Nevada tribal lands.

The Wild Free-Roaming Horses and Burros Act of 1971 (Public Law 92-195) requires the BLM to protect wild horses and burros from harassment and be managed as components of the public lands. The 1971 Act also requires multiple use management including wildlife and wildlife habitat, recognizing the jurisdiction and authority of State Law and requires consultation and coordination with State agencies such as the Nevada Department of Wildlife and the NBWC (PL92-195 Section 1333 (a)).

Congress declared in 1971 that Wild and Free-Roaming Horses and Burros (WFRHB) would be kept at the level to achieve "thriving natural ecological balance" within the areas in which they would exist. Failure to limit WFRHB numbers to thriving natural ecological balance must trigger specific actions to reduce herd numbers in accordance with

the law (PL92-195 1332(f)(2)).

The tools available to federal agencies are limited for removing excess FRHB. Agencies are restricted to the tools of adoption, short and long-term care, and fertility control. In areas where sufficient forage and water exists, these FRHB populations can double every three to five years. For these and a variety of other reasons, BLM has been unable to achieve Appropriate Management Level (AML) of 14,331 in Nevada necessary to sustain the thriving ecological balance, set by the Act of '71.

The result has been exponential growth, doubling FRHB populations every 3 to 5 years, with Nevada's current population of 53,741 being 375 percent above AML. FRHB graze rangelands 365 days a year, can dominate and exhaust water sources, overgraze rangelands and degrade riparian habitat and springs all at fish and wildlife's expense. This current reality is unsustainable for horses, rangeland ecosystems, wildlife and habitats.

PURPOSE

The purpose of this policy is to provide guidance and direction and guidance for the to the Nevada Department of Wildlife (NDOW) to see FRHB properly managed to ensure that Nevada's diversity of 895 species of wildlife continue to thrive within our vulnerable Great Basin desert ecosystems with their extremely limited water sources.

POLICY

1. The Nevada Board of Wildlife Commissioners (NBWC) recognizes that the exponential growth of free roaming horse and burro (FRHB) populations in Nevada pose a problem for the current and future health and viability of wildlife and FRHB.
2. The NBWC supports compliance with the Act of 1971 and the policies established by BLM for ensuring healthy landscapes and humane management of FRHB.
3. The NBWC supports the intent of the Path Forward (<https://www.energy.senate.gov/services/files/0869B02B-E9C5-4F0B-9AE8-9A8A1C85293E>) developed and approved in April 2019 by humane, livestock, and range management interests, acknowledging that increasing population of FRHB requires immediate management actions. The NBWC supports the Path Forward's three main precepts of targeted gathers and removals, increased adoptions, leased pastures, and use of fertility inhibitors based on efficacy. The NBWC believes that the 20-year time frame to reach AML as specified in the Path Forward will allow the continued degradation of wildlife habitat. The NBWC supports any opportunities for a FRHB gather program to achieve AML in a much shorter time frame.
4. The NBWC supports management actions based on scientific research: on FRHB, on use of public land resources and on development of best management practices.
5. The NBWC supports collaboration of stakeholders and agency managers to develop best practices in managing FRHB within a thriving ecological balance with wildlife,

plants, and pollinators.

6. The NBWC and NDOW shall provide letters of support for projects or plans proposed by BLM or other agencies managing FRHB that propose actions to achieve AML in agreement with objectives of this policy.
7. NDOW shall provide to NBWC, on an annual basis and in concert with the BLM and other agencies managing free-roaming horses and burros, a listing of those areas where FRHB are having the most significant impact on wildlife habitat. Prioritization is focused on those habitats critical for Lahontan Cutthroat Trout, Sage Grouse and other threatened or sensitive wildlife. Upon NBWC approval, the report will accompany a NBWC request to those agencies for the removal of excess horses and burros to AML on HMA lands and be totally removed from non HMA lands.
8. The NBWC supports and recognizes the urgency of removal of FRHB outside HMA's and reduction of horses within HMA's to their Appropriate Management Level to provide critical resources to wildlife in maintaining a "thriving natural ecological balance".
9. Because of Nevada's limited water sources, the NBWC asks NDOW, together with BLM, The Sagebrush Ecosystem Council, other public land agencies and water right holders, to identify and invest in efforts to ensure that these water sources remain available to wildlife, fish and invertebrates and to keep or restore riparian functions.

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION,
January, ?? 2022

Chairwoman, Board of Wildlife Commissioners
Tiffany East

STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS

Commission Policy Number 67

Title: Federal Horses and Burros

References: NRS 561.025, 561.218,
569.008, 504.030, 533.367,
533.695, 533.460, NRS
321, Presidential Executive
Order: 12630, Public Law
92-195 (1971).

Effective Date: May 14, 2011

BACKGROUND

The *Nevada* Board of Wildlife Commissioners (*NBWC*) shall establish *and implement* policies necessary for the preservation, protection, *restoration and management of Nevada's wildlife.* ~~management and restoration of wildlife and its habitat and shall utilize its land management authority to carry out a program for conserving, protecting and propagating wildlife and their habitats. To that end the Nevada Board of Wildlife Commissioners established the "Feral Horse Committee" and asked that committee to provide background and action recommendations relative to the Wild Free-Roaming Horses and Burros found within Nevada.~~

Expanding populations of free roaming horses and burros (FRHB) on federal, state, and military lands are impacting the future of Nevada's wildlife. Additionally, increasing numbers of fires, expansion of exotic grasses, tree expansion-encroachment onto into sagebrush habitats, loss of riparian functions and a warming climate all impact water sources and plant survival. These ever increasing threats not only challenge pPopulations of FRHB are impacted, as are manybut also the multitude of wildlife species of wildlife that depend upon healthy Nevada landscapes to survive., in turn, increasing management difficulties.

As of March 2021, there were anthe nationwide total -estimated 53,741 FRHB population on Bureau of Land Management (BLM) lands was 86,189 with 53,741 residing in Nevada (including Nevada Herd Management Areas managed out of California BLM offices), representing approximately 62% of the total FRHB BLM manages nationwide. These current numbers exceed the nationwide Appropriate Management Level (AML) of 26,770 by 310 percent and Nevada's AML of 14,331 by 375 percent. These population estimates do not include aAnother 2,100 FRHB reside on U.S. Forest Service lands, 3,000 on private lands (managed by Nevada Department of Agriculture), and over 1,000 on Department of Energy and Department of Defense lands, or including Nevada National Security Site and the U.S. Army's Hawthorne Ammunition Depotany horses found on Nevada tribal lands. Where sufficient forage and water exists, these FRHB populations can double every three to five years. They graze rangelands 365 days a year, can dominate and exhaust water sources, overgraze rangelands and degrade riparian habitat and springs.

The Wild Free-Roaming Horses and Burros Act of 1971 (Public Law 92-195) *requires*

~~the BLM to protect wild horses and burros from harassment and be managed as components of the public lands. The 1971 Act also requires multiple use management including wildlife and wildlife habitat, recognizes recognizing the jurisdiction and authority of State Law and requires consultation and coordination with State agencies such as the Nevada Department of Wildlife and the NBWC (PL92-195 Section 1333 (a)).~~ gave federal protection to feral horses that went unclaimed on the federally administered lands. The Act of 1971 protects multiple use, wildlife, wildlife habitat, jurisdiction and authority of State Law, and consultation or coordination with State agencies such as the Nevada Department of Wildlife and the Nevada Board of Wildlife Commissioners (PL92-195 Section 1333(a)). Federal assumption of ownership of the WFRHB places them in a category that is neither wildlife nor livestock. The Act of 1971 instructs each federal agency to resolve any conflicts between wildlife and these feral horses and burros that have been redefined with special status under federal law.

Congress declared *in 1971* that Wild *and* Free-Roaming Horses and Burros (WFRHB) would be kept at the level *to achieve* of "thriving natural ecological balance" within the areas in which they would exist. "~~Thriving natural ecological balance~~" is specified numerous times throughout The Act of 1971. Federal agencies are required to "~~...protect the natural ecological balance of all wildlife species which inhabit such lands, particularly endangered wildlife species.~~" Failure to limit WFRHB numbers to thriving natural ecological balance *must* will trigger specific actions to reduce herd numbers in accordance with the law (PL92-195 Section 1332(f)(2)).

~~However, the~~ *The tools available to federal agencies are limited for removing excess FRHB. Agencies are restricted to the tools of adoption, short and long-term care, and costly temporary fertility control. Yet, in areas where sufficient forage and water exists, these FRHB populations can double every three to five years. For these and a variety of other reasons, BLM has been unable to achieve Appropriate Management Level (AML) of 13,000 14,331 -in Nevada necessary to sustain achieve the thriving ecological balance, set by the Act of '71.*

~~The result is and has been exponential growth, doubling FRHB populations every 3 to 5 years, -with Nevada's current population of 53,741 being 375 percent above AML. FRHB graze rangelands 365 days a year, can dominate and exhaust water sources, overgraze rangelands and degrade riparian habitat and springs all at fish and wildlife's expense. This current reality that is unsustainable for horses, and rangeland ecosystems, and wildlife and habitats.~~

PURPOSE

The purpose of this policy is to provide *guidance and* direction and guidance for the *to the* Nevada Department of Wildlife (NDOW) *to see FRHB properly managed to ensure that Nevada's diversity of 8950 species of wildlife continue to thrive within our vulnerable Great Basin desert ecosystems with their extremely limited water sources* regarding Wild Free-Roaming Horses and Burros, the recognition of any impediments to natural ecological balance, and the fulfillment of coordination to resolve inconsistencies between federal actions and this official policy.

POLICY

1. ~~The Nevada Board of Wildlife Commissioners (NBWC) recognizes that the exponential growth of free roaming horse and burro (FRHB) populations in Nevada pose a problem for the current and future health and viability of wildlife and ultimately those of FRHB~~
2. ~~The State Board of Wildlife Commission~~ **NBWC** supports compliance with the Act of 1971 and the policies established by BLM for ensuring healthy landscapes and humane management of FRHB.
3. The NBWC supports the intent of the Path Forward (<https://www.energy.senate.gov/services/files/0869B02B-E9C5-4F0B-9AE8-9A8A1C85293E>) developed and approved in April 2019 by humane, livestock, and range management interests, acknowledging that increasing population of FRHB requires immediate management actions. The NBWC supports the Path Forward's three main precepts of targeted gathers and removals, increased adoptions, leased pastures, and use of fertility inhibitors based on efficacy. **The NBWC believes that the 20 year time frame to reach AML as specified in the Path Forward will allow for the continued degradation of wildlife habitat. The NBWC supports any opportunities for a more aggressive FRHB gather program so as to reach to achieve AML in a much shorter time frame."**
4. The NBWC supports management actions based on scientific research: on FRHB, on use of public land resources and on development of best management practices.
5. The NBWC supports collaboration of stakeholders and agency managers to develop best practices in managing FRHB within a thriving ecological balance with wildlife, plants, and pollinators.
- 5.6. The NBWC and NDOW shall provide letters of support for projects or plans proposed by BLM or other agencies managing FRHB that propose actions to achieve AML in agreement with objectives of this policy.
- 6.7. NDOW shall provide to NBWC, on an annual basis and in concert with the BLM and other agencies **managing free-roaming horses and burros**, gather planning processes, and a listing of those areas where FRHB are having the most significant impact on wildlife habitat, with prioritization is focused on those habitats critical for Lahontan Cutthroat Trout and Sage Grouse and other threatened or sensitive wildlife. With Upon NBWC approval, the report, together with will accompany a NBWC request to those agencies for the removal of excess horses and burros to ~~low~~ AML on HMA lands and be totally removed from non HMA lands.
- 7.8. The NBWC supports and recognizes the urgency of removal of FRHB outside HMA's and reduction of horses within HMA's to their Appropriate

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Management Level to provide critical resources to wildlife in maintaining a “thriving natural ecological balance”.

~~8. NDOW will review all FRHB management **populations** outside BLM lands with the same criteria used to review ecological impacts on BLM lands.~~

~~11. NDOW should **shall work with BLM, The Sagebrush Ecosystem Council, and other organizations and agencies to identify and protect** critical riparian areas for fencing to exclude or manage FRHB and livestock use for the benefit of Sage Grouse and other critical wildlife species, and to consider the potential use of the Nevada Conservation Credit System to facilitate the fencing and effective management of such areas.~~

The Board of Wildlife Commissioners does hereby establish the following policy to provide for the preservation, protection, management and restoration of wildlife and its habitat:

Commented [KM1]: Need to talk to Coalition about legal action or enforcement clause

A. ~~When the Board of Wildlife Commissioners or the Nevada Department of Wildlife determine a conflict exists between any wildlife of Nevada and WFRHB, written notification should be sent describing such conflict to the responsible federal agency and officials. Such determination of a conflict may be the result of direct observations by Wildlife Commissioners, NDOW personnel, reports by other state or local officials, or reports by members of the public.~~

B. ~~Strict compliance with the Act of 1971 is the minimal acceptable level of management of Wild Free-Roaming Horses and Burros (WFRHB) in Nevada. In particular “thriving natural ecological balance” is to be maintained at all times.~~

~~Thriving ecological balance of Nevada wildlife is violated when WFRHB directly compete for any attribute of wildlife habitat. Such violations include but are not limited to: competition for food or forage, competition for space that disturbs the movement or distribution of wildlife, competition for water, interference with wildlife access to water, use of water reserved for wildlife under Nevada Law by WFRHB that do not have lawful beneficial use designation for that water, etc.~~

~~Thriving natural ecological balance is defined in part by the Secretary of Interior in Section 4.1.5 (page 17) of the BLM Wild Horses and Burros Management Handbook dated July 7, 2010.~~

~~Wild Horses and Burros “...shall be managed in balance with other uses and the productive capacity of their habitat (i.e., WH&B will be managed to achieve and maintain a thriving natural ecological balance (TNEB) and multiple use relationships on the public lands). ...To achieve a TNEB on the public lands, WH&B should be managed in a manner that assures significant progress is made toward achieving the Land Health Standards for upland vegetation and riparian plant communities, watershed function, and habitat quality for animal populations, as well as other site-specific or landscape-level objectives, including those necessary to protect and manage Threatened, Endangered, and Sensitive Species (TES)”~~

C. ~~When it is found that WFRHB are not within “thriving natural ecological balance” NDOW~~

~~should request in writing to the responsible Federal Agency they immediately remove the offending animals in accordance with the Act of 1971.~~

~~D. When WFRHB are found outside of designated Herd Management Areas (HMA) NDOW should request in writing to the responsible Federal Agency that these horses or burros be removed immediately in accordance with the Act of 1971.~~

~~E. When it is found that WFRHB within an HMA are above the set Appropriate Management Levels (AML) NDOW should request in writing to the responsible Federal Agency that all excess animals be removed in accordance with the Act of 1971.~~

~~F. When it is found that the wild horses and burros are in direct competition for limited resources with wildlife this should be a trigger mechanism for the NDOW to request in writing to the responsible Federal Agency that the horses or burros be immediately removed in accordance with the Act of 1971 and that the AML be revised so as to achieve and maintain thriving natural ecological condition.~~

~~G. When a member of the public, local or county officials, or officials of other state agency notifies NDOW that they have identified a violation, this notification should be a trigger for NDOW to investigate and take appropriate action in accordance with this policy.~~

~~H. This policy shall be submitted to the federal agencies operating who may have responsibilities for managing WFRHB and will serve to enable these agencies to fully comply with federal law requiring federal actions be coordinated with state policy and any conflicts be resolved.~~

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

~~BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION,
May 14, 2011~~



Chairman, Board of Wildlife Commissioners
Scott Raine

PROPOSED REGULATION OF THE BOARD OF WILDLIFE**COMMISSIONERS****LCB File No. R072-21**

December 16, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: § 1, NRS 501.105, 501.181, 502.160, as amended by section 4 of Senate Bill No. 406, chapter 304, Statutes of Nevada 2021, at page 1757 and 502.175.

A REGULATION relating to wildlife; revising provisions governing the award of tags pursuant to an electronic system; authorizing the Department of Wildlife to suspend the opportunity of a person who seeks to create an unfair advantage through use of the electronic system from applying for certain tags; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing regulations, the Department of Wildlife is required to issue certain returned tags to hunters on an alternate list if 14 calendar days or more remain before the opening day of the season. (NAC 502.421) Existing regulations further require the Department to provide all eligible hunters with an opportunity to apply electronically for any tags that are: (1) remaining after tags have been issued for a season by using the computerized system of drawing and alternate list; or (2) returned 14 calendar days or less before the opening day of the season. (NAC 502.4215) This regulation authorizes instead of requires the Department to provide all eligible hunters with an opportunity to apply electronically for any tags that are: (1) remaining after tags have been issued for a season by using the computerized system of drawing and alternate list; or (2) returned less than 14 calendar days before the opening day of the season. This regulation also authorizes the Department to suspend the opportunity of a person who seeks to create an unfair advantage while using the electronic system to apply for any tags remaining for the applicable season. This regulation further allows the Department to suspend a person who uses the electronic system to apply for a tag engages in severe conduct, such as continued an substantial efforts to create an unfair advantage, from using the electronic system to apply for remaining tags in future hunting seasons.

Section 1. NAC 502.4215 is hereby amended to read as follows:

502.4215 1. The Department ~~shall~~ *may* provide all eligible hunters with an opportunity to apply electronically for any tags that are:

(a) Remaining after tags have been issued for a season by using the computerized system of drawing and alternate list; or

(b) Returned *less than* 14 calendar days ~~for less~~ before the opening day for that season.

↪ The Department shall act upon applications for such tags in the order received.

2. If an application for a tag described in subsection 1 is successfully drawn, the Department shall collect from the applicant:

(a) The appropriate fee for the tag as provided in NRS 502.250; and

(b) The fee for a hunting license or combination hunting and fishing license, as provided in NRS 502.240, if : ~~the applicant:~~

(1) ~~Has~~ *The applicant has* not obtained a hunting license and indicates on the application that he or she wishes to purchase the hunting license or combination hunting and fishing license only if his or her application is successfully drawn; or

(2) The hunting license or combination hunting and fishing license submitted with the application for the tag or permit will expire before the opening day of the season for the permit or tag.

3. If a tag is issued to a person pursuant to this section, the person will be treated as if he or she was successful in drawing a tag for a season for that species in respect to any applicable bonus points and waiting periods.

4. If a person who uses the electronic system to apply for a tag abuses the electronic system by attempting to create or creating an unfair advantage in obtaining a tag, he or she

may be suspended by the Department from applying for any tags remaining for the applicable season. Activities that are cause for such suspension include, without limitation:

(a) The use of a technological program designed to carry out tasks that would otherwise be performed under human supervision;

(b) The use of technology designed to create an unfair advantage;

(c) Multiple logins into a single customer's account; or

(d) Multiple browser sessions open at a single time.

5. If a person who uses the electronic system to apply for a tag engages in severe conduct described in subsection 4, such as continued and substantial efforts to create an unfair advantage, he or she may be suspended by the Department from using the electronic system to apply for remaining tags in future hunting seasons.



STATE OF NEVADA

DEPARTMENT OF
WILDLIFE

Wildlife Diversity Division

6980 Sierra Center Parkway, Ste 120 • Reno, Nevada 89511

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MEMORANDUM

December 29, 2021

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

From: Kailey Taylor, Management Analyst, Director's Office and Megan Manfredi, Administrative Assistant, Director's Office.

Title: **Commission General Regulation 495, LCB File No. R176-21**

Description: The Commission will hold an Adoption Hearing to consider a regulation relating to amending Chapter 502 of the Nevada Administrative Code (NAC). This regulation is an effort to simplify portions of NAC 502.

Summary

This regulation comes after much discussion from the Regulation Simplification Committee. This Committee was formed after former Chairman Brad Johnston expressed his desire to clean up the wildlife chapters of the Nevada Administrative Code (NAC). State agencies are also required to review their NAC chapters every 10 years. The Nevada Department of Wildlife would be required to review NAC in 2021. The Regulation Simplification Committee has discussed the changes to NAC 502 and simple changes were made to remove contradictory language and clarify existing language. The Commission held a workshop during the September Commission Meeting and directed the Department to review with Deputy Attorney General Burkett and to bring it back to the Commission. The Commission held a second workshop during the November Commission Meeting and directed the Department to work on language with Commissioner McNinch for NAC 502.370. The Department worked with Commissioner McNinch and then was brought back for a third workshop at the January 2021 meeting.

Recommendation:

The recommendation is to adopt CGR 495, updating NAC 502.

**PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R176-20

November 19, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: § 1, NRS 501.105, 501.181 and 501.1818; § 2, NRS 501.105 and 501.181; § 3, NRS 501.105, 501.181 and 502.215, as amended by section 5 of Senate Bill No. 406, chapter 304, Statutes of Nevada 2021, at page 1758; § 4, NRS 501.105, 501.181, 502.130 and 502.160; § 5, NRS 501.105, 501.181 and 502.130; § 6, NRS 501.105, 501.181, 502.130, 502.140 and 502.160; § 7, NRS 501.105, 501.181 and 502.160; § 8, NRS 501.105, 501.119, 501.181 and 502.160; § 9, NRS 501.105, 501.181, 502.160 and 502.175; § 10, NRS 501.105, 501.181, 502.148, 502.160 and 502.175; § 11, NRS 501.105, 501.181, 502.148, 502.149 and 502.160; § 12, NRS 501.105, 501.181, 502.145 and 502.160; §§ 13 and 14, NRS 502.370.

A REGULATION relating to wildlife; requiring certain applications to include a valid passport number; requiring the issuance of a replacement tag if certain representatives or veterinarians aver that the animal is diseased and unfit for human consumption; requiring the presentation of a bighorn sheep skull and horns to certain representatives for inspection within 5 business days after killing the bighorn sheep; providing that it is unlawful for a person to present for sealing or to have sealed the pelt of any bobcat that is taken or possessed unlawfully by any person; revising various provisions related to mountain lion tags; clarifying when a tag is required to be attached to a carcass of an animal killed by the owner of the tag; removing certain requirements for rejecting an application to obtain a tag, permit or bonus point; requiring an application for a restricted nonresident deer tag to be rejected if certain persons are immediate family members; authorizing a holder of a nonresident deer tag to apply for a refund or to retain another master guide in certain situations; allowing one application to be made and one cooperative agreement to be entered into for a damage compensation tag for damage to multiple locations on the same private property in certain situations; requiring certain records to be submitted to the Department of Wildlife with the application for the renewal of a taxidermist license; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Wildlife Commissioners to adopt regulations necessary for the preservation, protection, management and restoration of wildlife and its habitat

LCB version
with one NDOw
change to pg 23
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and to establish regulations necessary to carry out the provisions governing wildlife. (NRS 501.105, 501.181)

Existing regulations require an application for the initial issuance of a license, tag, permit or other licensing document to contain certain information, including the applicant's social security number or, if the applicant is a citizen of a country other than the United States, the passport number issued to the applicant by that country. (NAC 502.199) **Section 2** of this regulation requires that, if the applicant is a citizen of a country other than the United States, the application must include the valid passport number issued to the applicant by that country.

If any person who possesses a tag to hunt a big game mammal kills an animal that is believed to be diseased and unfit for human consumption, existing law requires the person to place his or her tag on the carcass in the manner provided by law and regulation and to provide the whole carcass for inspection by an authorized representative of the Department of Wildlife or by a veterinarian. If the carcass is diseased and unfit for human consumption, the holder of the tag is entitled to receive at no charge another tag as a replacement. (NRS 502.215, as amended by section 5 of Senate Bill No. 406, chapter 304, Statutes of Nevada 2021, at page 1758) Existing regulations require the Department to issue such a replacement tag if a biologist or game warden of the Department or a veterinarian avers on the affidavit of diseased big game that the animal is diseased. (NAC 502.321) **Section 3** of this regulation requires the issuance of such a replacement tag if the biologist or game warden or veterinarian avers on the affidavit of diseased big game that the animal is diseased and unfit for human consumption.

Existing law requires, in addition to the regular hunting licenses that are issued, additional licenses that are known as tags to be issued for a person to hunt bighorn sheep. (NRS 502.130) Existing law authorizes the Commission to adopt any regulations necessary relative to the manner of attaching such tags. (NRS 502.160) Existing regulations require a person who kills a ram to, within 5 days after killing it, personally present the skull and horns of the animal to a representative of the Department for: (1) inspection; and (2) attachment of a seal to one of the horns. (NAC 502.345) **Section 4** of this regulation requires a person to personally present the skull and horns of the bighorn sheep to a representative of the Department within 5 business days after killing it.

Existing regulations require any person who kills a bobcat to, within 10 days after the close of the season: (1) present the pelt for inspection and give the lower jaw to a representative of the Department; (2) have the Department's seal affixed to the pelt; and (3) complete a report of the killing. Existing regulations provide that it is unlawful for a person to present for sealing or to have sealed in this State the pelt of any bobcat taken in another state. (NAC 502.347) **Section 5** of this regulation additionally provides that it is unlawful for a person to present for sealing or to have sealed in this State the pelt of any bobcat taken or possessed unlawfully by any person.

Existing law requires, in addition to the regular hunting licenses that are issued, additional licenses that are known as tags to hunt mountain lions. (NRS 502.130) Existing regulations provide that any resident of Nevada or nonresident is eligible to obtain not more than two mountain lion tags in any year. Existing regulations provide how such tags may be purchased and used and when such tags expire. (NAC 502.370) Except in certain situations where a tag may be transferred, **section 6** of this regulation additionally requires the tag to be purchased by: (1) the holder of the mountain lion tag; or (2) if a child under the age of 18 is applying for the mountain lion tag, the child or the parent or guardian of the child.

Existing law authorizes the Commission to limit the number of tags to be used in a management area. (NRS 502.130) Existing law requires the Department to designate the electronic and paper forms of the tag and requires each tag to show the game for which it may be used, the year and, whenever necessary, the management area in which it may be used. (NRS 502.160, as amended by section 4 of Senate Bill No. 406, chapter 304, Statutes of Nevada 2021, at page 1757) Existing regulations authorize the use of mountain lion tags in any management unit or group of management units in Nevada during the open season for mountain lions. (NAC 502.370) **Section 6** provides that the mountain lion tag may be used in any management unit or group of management units in Nevada that are open for the hunting of mountain lions.

Existing regulations require a person who harvests a mountain lion to, within 72 hours after harvesting it, personally present the skull and hide to a representative of the Department for inspection. (NAC 502.370) **Section 6** requires a person who harvests a mountain lion to, within 5 business days after harvesting it, personally present the unfrozen skull with the jaws propped open and the unfrozen pelt in its entirety to a representative of the Department for inspection. **Sections 1 and 8** of this regulation make a conforming change by referencing the pelt of a mountain lion instead of the hide of a mountain lion. **Section 6** additionally requires a person who harvests a mountain lion to, within 5 business days after harvesting it, provide certain records to the Department, as specified by the Department.

Existing law prohibits a person from willfully possessing any mountain lion that was unlawfully killed if: (1) the person knows the animal was killed unlawfully; or (2) the circumstances should have caused a reasonable person to know that the animal was killed unlawfully. (NRS 501.376) Existing regulations provide additional actions that are unlawful for any person to perform in regards to mountain lions. (NAC 502.370) **Section 6** provides that it is unlawful for any person to possess, capture, injure, drug, rope, trap, snare or otherwise harm or transport a live mountain lion unless authorized by statute or regulation. **Section 6** additionally provides that it is unlawful to: (1) provide a false statement in reporting the harvesting of a mountain lion; (2) participate in a canned hunt; and (3) release a mountain lion for the purpose of a canned hunt after previously capturing and confining the mountain lion for a period of time.

Existing law provides that, unless otherwise specified by the Commission in regulation, it is unlawful to hunt big game mammals in any manner other than with a rifle or with a longbow and arrow. (NRS 503.150) Existing regulations define “big game mammal” to include mountain lions. (NAC 502.020) Existing regulations authorize a person to hunt big game mammals with a firearm, crossbow or bow and arrow. (NAC 503.142, 503.143, 503.144) Existing regulations require that if a mountain lion is accidentally trapped or killed, the person trapping or killing the mountain lion must report the trapping or killing within 48 hours to a representative of the Department. (NAC 503.370) **Section 6** clarifies that a mountain lion may not be taken with a trap, snare or other trapping device unless authorized by the Department. **Section 6** sets forth the manner in which a mountain lion must be released if it is trapped and is alive and requires that a mountain lion be disposed of in accordance with the instructions of the representative of the Department if it is killed.

Section 6 provides that the provisions of **section 6** do not apply to a person who: (1) is acting within the scope of his or her official duties and who is an employee of certain governmental entities; or (2) holds a scientific permit for the collection or possession of a mountain lion and is complying with the terms and conditions of the scientific permit.

Existing law authorizes the Commission to adopt any regulations necessary relating to the manner of attaching tags. (NRS 502.160) Existing regulations require the owner of a tag or

permit to firmly attach the tag to the carcass of an animal killed by the owner, at or before the time he or she first reaches his or her means of transportation or camp. (NAC 502.400) **Section 7** of this regulation clarifies that the tag or permit must be firmly attached to the carcass at or before the time he or she reaches his or her means of transportation or camp, whichever he or she reaches first.

Existing regulations require the Department to reject an application to obtain a tag, permit or bonus point if the applicant fails to specify or incorrectly specifies the number of his or her hunting license or his or her combination hunting and fishing license, unless the number exists in the records of the Department. (NAC 502.418) **Section 9** of this regulation removes this requirement for the rejection of such an application.

Existing law requires a person who wishes to apply for a restricted nonresident deer tag to complete an application, pay certain fees and meet certain other requirements. Existing law authorizes a licensed master guide to complete the application for an applicant. (NRS 502.148) Existing regulations require the Department to reject an application for a restricted nonresident deer tag or to prohibit a person from submitting the application in certain situations, including if the applicant and the master guide named in the application are the same person. (NAC 502.4235) **Section 10** of this regulation requires the Department to reject an application for a restricted nonresident deer tag or to prohibit a person from submitting the application if the applicant and the licensed master guide or the applicant and a subguide associated with the deer hunt are immediate family members.

Existing regulations authorize the holder of a restricted nonresident deer tag to apply to the Department for a refund or to retain a new master guide if the original master guide of the holder of the tag: (1) dies; (2) is no longer able to provide guide services due to medical reasons; (3) is no longer able to provide guide services because he or she has failed to renew his or her master guide license; or (4) is no longer able to provide guide services due to his or her master guide license being revoked. (NAC 502.4238) **Section 11** of this regulation additionally allows for such an application for a refund or retention of a new master guide if the original master guide of the holder of the tag is no longer able to provide guide services due to: (1) his or her master guide license being revoked, suspended or denied; or (2) the master guide not possessing a valid special use permit required by the federal land management agency having jurisdiction within the wildlife management area or unit in which the master guide seeks to provide guide services.

Existing law authorizes an owner, lessee or manager of private land in this State to apply to the Department for the issuance to him or her of one or more deer or antelope tags as compensation for damage caused by deer or antelope to the private land of the person or to any improvements on the private land. Existing law requires the Department to review the application and authorizes the Department to conduct any investigation it deems appropriate. (NRS 502.145) Existing regulations require a separate application to be made, and a separate cooperative agreement to be entered into, for each request for deer or antelope compensation tags with regard to each separate location on the property. (NAC 502.4246) **Section 12** of this regulation provides that if the Department is able to conduct an investigation at each separate location on the same day or consecutive days, an applicant is authorized to submit a request for damage compensation tags for multiple locations on the same application and one cooperative agreement may be entered into for the multiple locations.

Existing law requires a license to practice taxidermy before any person may perform taxidermy services. Existing law requires the Department to issue annual taxidermy licenses to

applicants who: (1) satisfy the requirements established by the Department; and (2) pay a fee. (NRS 502.370) Existing regulations provide that an annual taxidermist license expires on June 30 of each year and requires an application for the renewal of a taxidermist license to be received by the Department on or before June 30. (NAC 502.440) Existing regulations require a licensed taxidermist to maintain certain records for each licensing year, which ends on June 30, and further requires a licensed taxidermist to submit a copy of the taxidermist's records for the previous licensing year to the Department at the end of each licensing year if the Department requires such records to be submitted. (NAC 502.455) **Section 14** of this regulation requires a licensed taxidermist to submit such records on the earlier of the date that the taxidermist submits his or her application for the renewal of his or her taxidermist license or June 30. **Section 13** of this regulation makes a conforming change.

Section 1. NAC 501.200 is hereby amended to read as follows:

501.200 1. A person who is convicted of a wildlife violation will be assessed demerit points pursuant to the following schedule:

HUNTING AND TAKING

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Unlawfully shooting at a game mammal or game bird from an aircraft, helicopter or motor-driven vehicle or using such a vehicle to molest, rally, stir up or drive game mammals or game birds	503.010	-----	12
Spotting or locating game mammals or game birds from an aircraft or helicopter and communicating that information to a person on the ground for the purpose of hunting	503.010	-----	12

HUNTING AND TAKING

Classification of Violations	NRS Section	NAC Section	Demerits
Unlawfully using information obtained in violation of subsection 3 of NRS 503.010 to hunt or kill game mammals or game birds	503.010	-----	12
Unlawfully using a helicopter to transport game, hunters or hunting equipment	503.010	-----	12
Unlawfully killing or attempting to kill birds or animals from an aircraft	503.005	-----	12
Unlawfully using an aircraft, balloon, unmanned aerial vehicle or satellite to locate or observe big game mammals, game birds or fur-bearing mammals for the purpose of hunting	501.385	503.148	12
Hunting or taking an endangered species without a special permit	503.585	503.093	12
Unlawfully killing, destroying, wounding, trapping or injuring bald eagles or golden eagles	503.610	-----	12
Unlawfully taking bald eagles or golden eagles	503.620	-----	12
Taking twice the legal limit or more of big game mammals	501.385	-----	12

HUNTING AND TAKING

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Hunting or taking a threatened species	501.385	503.093	9
Unlawfully killing a fur-bearing mammal during the closed season	503.440	-----	9
Unlawfully hunting migratory waterfowl by aid of baiting	501.385	503.180	6
Hunting big game mammals during the closed season	503.090	-----	6
Hunting fur-bearing mammals during the closed season	501.015	-----	6
Hunting big game mammals in closed areas	501.385	504.340	6
Hunting fur-bearing mammals in closed areas	501.385	504.340	6
Unlawfully hunting in a privately owned wildlife management area	504.140	-----	6
Unlawfully hunting in a state-owned wildlife management area	504.143	-----	6
Hunting big game mammals or migratory waterfowl during prohibited hours	503.140	-----	6
Unlawfully hunting game birds or game mammals with the aid of artificial light	503.150	-----	6

HUNTING AND TAKING

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Hunting or taking a sensitive species	501.385	503.093	6
Hunting, trapping, possessing or selling birds of prey or raptors without a permit	503.582	503.205	6
Hunting alternative livestock	503.242	-----	6
Taking a game mammal of a prohibited age or with prohibited physical characteristics	501.385	-----	6

UNLAWFUL POSSESSION

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Unlawfully possessing live wildlife that is classified as prohibited	504.295	503.110	12
Unlawfully possessing big game mammals during the closed season	503.030	-----	12

UNLAWFUL POSSESSION

Classification of Violations	NRS Section	NAC Section	Demerits
Possessing a big game mammal or parts thereof without the correct tag attached thereto <i>the correct tag attached thereto</i>	502.150, as amended by section 3 of Senate Bill No. 406, chapter 304, Statutes of Nevada 2021, at page 1757	-----	9
Possessing twice the legal limit or more of game birds or game mammals, other than big game	501.385	-----	9
Possessing twice the legal limit or more of game fish	501.385	-----	9
Unlawfully possessing a fur-bearing mammal during the closed season	503.030	-----	9
Possessing game birds or game mammals, other than big game, during the closed season	503.030	-----	6
Possessing fish during the closed season	503.030	-----	6

UNLAWFUL POSSESSION

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Possessing game birds or game mammals, other than big game, in excess of the legal limit but less than twice the legal limit	501.385	-----	6
Possessing game fish in excess of the legal limit but less than twice the legal limit	501.385	-----	6
Possessing a species that may not legally be possessed without a license or permit	501.385	-----	6

TAGS AND SEALS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Hunting big game or wild turkey without a tag	502.130	-----	9
Unlawfully transferring a tag to another person	502.140	502.385	9
Possessing or using a tag legally issued to another person	502.140	502.385	9

TAGS AND SEALS

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Obtaining tags in excess of the legal limit	502.140	502.331	9
Possessing used tags or tags in excess of the legal limit			
	502.150	-----	9
Unlawfully using a tag	502.200	-----	9
Using a tag in an improper area	502.160	502.385	6
Failing to punch a tag properly	502.160	502.390	6
Failing to attach a tag to a big game mammal in the manner prescribed by regulation	502.160	502.400	6
Hunting by a Native American off an Indian reservation without a tag	502.280	-----	6
Possessing fur-bearing mammals, other than a bobcat, without a seal	501.385	-----	6
Possessing the pelt of a bobcat without a seal	501.385	502.347	6
Possessing the hide pelt of a mountain lion without a seal	501.385	502.370	6
Possessing the horns of a ram bighorn sheep without a seal or brand	501.385	502.345	6

PERMITS

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Unlawfully importing or transporting a prohibited species of wildlife without a permit or license	503.597	503.110	12
Collecting unprotected wildlife for commercial purposes without a permit	501.385	503.095	12
Collecting live bait fish or live aquatic bait for commercial purposes without a permit	501.385	503.513	12
Collecting unprotected fish for commercial purposes without a permit	501.385	503.545	12
Selling live bait without a permit	501.379	503.513	6
Conducting a field trial without a permit	503.200	503.610	6
Conducting a dredging operation without a permit	503.425	503.810	6
Possessing a raptor without a permit	503.582	503.205	6
Furnishing false information to obtain a permit	502.060	-----	6
Hunting swan without a swan hunt permit	-----	502.380	6
Transferring or giving a swan hunt permit to any other person	-----	502.380	6

PERMITS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Using or possessing a swan hunt permit issued to another person	-----	502.380	6

FISHING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Fishing at a fish hatchery or other waters used for the purpose of rearing or growing fish	503.360	-----	6

MISCELLANEOUS FISH AND GAME

	NRS	NAC	
Classification of Violations	Section	Section	Demerits

MISCELLANEOUS FISH AND GAME

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Obstructing, hindering or otherwise interfering with an officer, employee or agent of the Department	501.385	-----	12
Unlawfully selling big game mammals	501.379	-----	12
Unlawfully selling an endangered species	501.379	-----	12
Needless waste of big game mammals	503.050	-----	12
Hunting, fishing in nonnavigable waters or trapping on private property without permission	503.240	-----	9
Needless waste of game birds or game mammals, other than big game	503.050	-----	9
Unlawfully selling a threatened species	501.379	-----	9
Unlawfully selling game other than big game mammals	501.379	-----	6
Unlawfully selling a sensitive or protected species	501.379	-----	6
Unlawfully selling game fish	501.381	-----	6
Needless waste of game fish	503.050	-----	6
Unlawfully carrying a loaded rifle or shotgun in vehicle	503.165	-----	6
Unlawfully discharging a firearm	503.175	-----	6

MISCELLANEOUS FISH AND GAME

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Failing to retain the cape or scalp and any antlers or horns of wildlife	501.385	503.173	6
Destroying or mutilating signs of the Department	501.383	-----	6
Polluting water	503.430	-----	6
Removing, altering or tampering with a tag placed on wildlife or on seized equipment	501.377	-----	6
Commercial taking of crayfish, except in accordance with a permit issued pursuant to NAC 503.540	501.385	503.540	6
Intentionally interfering with a person lawfully hunting or trapping	503.015	-----	6
Failing to make a reasonable effort to retrieve dead or crippled migratory waterfowl	501.385	503.180	6

CATEGORY E FELONIES AND

GROSS MISDEMEANORS

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Conviction of a felony for intentionally killing a big game mammal, including aiding and abetting a person in the commission of the killing	501.376	-----	12
Conviction of a gross misdemeanor for intentionally killing a big game mammal, including aiding and abetting a person in the commission of the killing	501.376	-----	12
Conviction of a gross misdemeanor for willfully possessing an unlawfully killed big game mammal	501.376	-----	12
Acting as a master guide or subguide without a license	504.395	-----	12
Furnishing false information to obtain a big game tag	502.060	-----	12

TRAPPING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits

TRAPPING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Unlawfully capturing a raptor with a steel leghold trap placed, set or maintained within 30 feet of exposed bait	501.385	503.157	6
Trapping in a closed area	501.385	504.340	6
Unlawfully removing or disturbing a trap, snare or similar device lawfully being used by another person	503.454	-----	6
Trapping fur-bearing mammals during closed season	503.440	-----	6
Trapping birds of prey or raptors without a permit or by unlawful means	503.582	503.205	6
Failing to visit traps, snares or similar devices 48 or more hours after the required period for visitation	503.570	503.152	6

LICENSES

	NRS	NAC	
Classification of Violations	Section	Section	Demerits

LICENSES

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Refusing to exhibit a license, wildlife, weapon, ammunition, device or apparatus	502.120	-----	12
Hunting without having procured a license	502.010	-----	6
Fishing without having procured a license	502.010	-----	6
Hunting without a license in possession	502.120	-----	6
Fishing without a license in possession	502.120	-----	6
Furnishing false information to obtain a license	502.060	-----	6
Furnishing of false information by a person serving in the Armed Forces of the United States to obtain a specialty combination hunting and fishing license	502.290	502.220	6
Unlawfully transferring a license to another person	502.100	-----	6
Unlawfully using a license of another person	502.100	-----	6
Obtaining more than one license of each class	502.110	-----	6
Altering a license	502.105	-----	6
Practicing falconry without a license	503.583	503.235	6
Operating as a fur dealer without a license	505.010	-----	6
Trapping without having procured a license	502.010	-----	6

LICENSES

Classification of Violations	NRS	NAC	Demerits
	Section	Section	
Taking fur-bearing mammals, trapping unprotected mammals or selling raw furs for profit without having procured a license	503.454	-----	6
Trapping without a license in possession	502.120	-----	6
Hunting, fishing or trapping using a license that is invalid by reason of expiration or a false statement made to obtain the license	502.060	-----	6
Operating a shooting preserve without a license	504.310	-----	6
Performing taxidermal services without a license	502.370	502.435	6
Obtaining a hunting license without obtaining certification as a responsible hunter	502.360	-----	6

2. A person who is convicted of committing a wildlife violation that does not appear in the schedule set forth in subsection 1 will be assessed 3 demerit points.

3. A person who is convicted of committing a wildlife violation within 60 months after a conviction for the same violation will be assessed double the amount of demerit points listed in the schedule set forth in subsection 1.

4. A person who is convicted of committing any four wildlife violations arising out of separate events within a 60-month period will be assessed an extra 12 demerit points.

Sec. 2. NAC 502.199 is hereby amended to read as follows:

502.199 1. For each application for the initial issuance of a license, tag, permit or other licensing document, the applicant or license agent shall correctly enter the information required on the application for the license, tag, permit or other licensing document.

2. The information required pursuant to subsection 1 must include:

(a) The applicant's:

- (1) Legal name;
- (2) Physical and mailing address;
- (3) City, county and state of residence; and
- (4) Zip code.

(b) The applicant's social security number or, if the applicant is a citizen of a country other than the United States, the *valid* passport number issued to the applicant by that country. If the applicant has not been issued a social security number, the application must include a notarized affidavit on a form provided by the Department indicating that the applicant has not been issued a social security number.

(c) If the applicant was born after January 1, 1960, and is applying for a hunting license or permit or combination hunting and fishing license, a statement indicating that the applicant has presented proof of successful completion of a course in the responsibilities of hunters pursuant to NRS 502.330.

(d) If the applicant is a resident of this State, an attestation by the applicant indicating that he or she is eligible for a resident license, tag or permit pursuant to NRS 502.015.

(e) A description of the applicant, including his or her height, weight, gender, hair color, eye color and date of birth.

(f) The applicant's electronic mail address, if any.

3. In addition to the information required pursuant to subsection 2, the applicant must include in his or her application the statement required pursuant to NRS 502.060 indicating whether the applicant is entitled to the license, tag, permit or other licensing document. If the applicant is at least 12 years of age but less than 18 years of age, the parent or legal guardian of the applicant must, pursuant to NRS 502.060, acknowledge an attached statement indicating that the parent or legal guardian has been advised of the provisions of NRS 41.472.

Sec. 3. NAC 502.321 is hereby amended to read as follows:

502.321 1. The Department shall issue a replacement tag at no charge to the holder of a big game tag who has tagged an animal which is diseased and unfit for human consumption if:

(a) A biologist or game warden of the Department or a veterinarian who is licensed to practice in this State avers on the affidavit of diseased big game that the animal is diseased ~~and~~ *and unfit for human consumption;* and

(b) The holder of the tag completes the portion of the affidavit of diseased big game required to apply for a replacement tag, including the selection of a season for which the replacement tag will be issued.

2. Upon receipt of a completed affidavit of diseased big game, the Department shall, during normal business hours, issue a replacement tag for the appropriate season pursuant to NRS 502.215 , *as amended by section 5 of Senate Bill No. 406, chapter 304, Statutes of Nevada 2021, at page 1758,* at any office of the Department that issues replacement tags for that purpose.

3. If the holder of the big game tag requests a replacement tag for the next similar season, he or she must possess a valid hunting license and provide the number of the hunting license to the Department in order to obtain the replacement tag.

4. The Department may determine if a replacement tag will be issued from the tags remaining in the quota for that hunt or from tags issued in excess of the quota as an oversubscription for that hunt.

5. As used in this section, “affidavit of diseased big game” means a form provided by the Department which must be used by a person who has tagged an animal which is diseased and unfit for human consumption to apply for a replacement tag.

Sec. 4. NAC 502.345 is hereby amended to read as follows:

502.345 1. Unless his or her privilege is limited or revoked pursuant to law, any resident of Nevada or nonresident is eligible to apply for a tag to hunt for a ram from one or more of the following subspecies of bighorn sheep:

- (a) Nelson bighorn sheep;
- (b) California bighorn sheep; or
- (c) Rocky Mountain bighorn sheep,

↪ if, in the immediately preceding 10 years, he or she did not receive a tag or replacement tag to hunt for a ram from that subspecies of bighorn sheep.

2. Unless his or her privilege is limited or revoked pursuant to law, any resident of Nevada or nonresident is eligible to apply for a tag to hunt for a ewe from one or more of the following subspecies of bighorn sheep:

- (a) Nelson bighorn sheep;
- (b) California bighorn sheep; or

(c) Rocky Mountain bighorn sheep,

↳ if, in the immediately preceding 2 years, he or she did not receive a tag or replacement tag to hunt for a ewe from that subspecies of bighorn sheep.

3. A person whose application for a tag to hunt for a ewe is successfully drawn must complete an online course provided by the Department in the gender identification of bighorn sheep before the Department may issue the tag.

4. A person who kills a ram, regardless of subspecies, shall, within 5 *business* days after killing it, personally present the skull and horns of the ram to a representative of the Department for inspection. The inspector shall permanently attach a seal to one of the horns by plugging the seal into the horn or permanently brand an identification number on one of the horns. It is unlawful for any person to alter or remove the seal after the seal is permanently attached to a horn or to alter or remove the permanently branded identification number. It is unlawful to possess or sell the horns of a ram without a seal having been so attached or number so branded.

5. As used in this section, “ewe” means any female bighorn sheep having a horn or horns of at least 5 inches in length each as measured on the outside curve of the horn from the skull to the tip.

Sec. 5. NAC 502.347 is hereby amended to read as follows:

502.347 1. Any person who kills a bobcat shall, within 10 days after the close of the season, personally:

- (a) Present its pelt for inspection by and give its lower jaw to a representative of the Department;
- (b) Have the Department’s seal affixed to the pelt; and
- (c) Complete a report of the killing in accordance with the Department’s instructions.

2. A person shall not sell, offer for sale, barter, trade, purchase, transfer ownership, tan, offer for out-of-state shipment by a common carrier or, except as otherwise provided in subsection 3, transport from this State any pelt of a bobcat unless the Department has affixed its seal to the pelt.

3. During the season designated by the Commission for the taking of bobcats, a person who holds a valid resident trapping license may transport from this State, for not more than 2 hours:

(a) The pelt of a bobcat that has not been stretched, dried or cured; or

(b) The entire unskinned carcass of a bobcat,

↳ lawfully taken by the person in this State, without the seal being affixed to the pelt pursuant to subsection 2, for the purpose of returning to the person's residence within this State by the most expedient route or checking any additional trap set by the person that is located in an area of this State which is most readily accessed from any state. The provisions of this subsection do not authorize a person to import, transport, export or possess an unsealed pelt in violation of a law or regulation of any state.

4. A person shall not possess a pelt of a bobcat 10 days or more after the close of the season unless the Department's seal is permanently attached to the pelt.

5. A resident of Nevada must pay the Department \$5 for such a seal.

6. It is unlawful for a person to present for sealing or to have sealed in this State the pelt of any bobcat ~~taken~~:

(a) *Taken* in another state ~~+~~; or

(b) *Taken or possessed unlawfully by any person.*

7. As used in this section, "pelt" means the hide or skin of a bobcat that is not permanently tanned or has not been processed to a finished form or product beyond initial fleshing, cleaning,

temporary tanning, curing, stretching, salting or drying. The term includes, without limitation, any green pelt or raw pelt.

Sec. 6. NAC 502.370 is hereby amended to read as follows:

502.370 1. Unless otherwise specified by a regulation of the Commission or title 45 of NRS, any resident of Nevada or nonresident is eligible to obtain not more than two mountain lion tags in any year. A mountain lion tag:

(a) May be purchased from the Department or a license agent;

Remove
(b) ~~Except as otherwise provided by section 1 of Assembly Bill No. 89, chapter 109, Statutes of Nevada 2021, at page 471, and NRS 502.103, as amended by section 4.5 of Assembly Bill No. 89, chapter 109, Statutes of Nevada 2021, at page 473, must be purchased by the person who will be the holder of the mountain lion tag or, if a child under the age of 18 years is applying for the mountain lion tag pursuant to NRS 502.060, must be purchased by the child who will be the holder of the mountain lion tag or by the parent or legal guardian of the child;~~

(c) May be used in any management unit or group of management units *that are open for the hunting of mountain lions* in Nevada during any open season established for the management unit or group of management units pursuant to subsection 2; and

~~(e)~~ (d) Expires upon the termination of all the open seasons established pursuant to subsection 2 for the year for which the tag is issued.

2. The Commission will annually specify the number of mountain lions it determines to be appropriate for harvesting in a management unit or group of management units. The open season for mountain lions in each such management unit or group of management units begins on March 1 and ends on:

(a) The last day of the next succeeding February; or

(b) The day the Department determines that the number of mountain lions harvested in that management unit or group of management units is equal to or greater than the number specified by the Commission pursuant to this subsection,

↳ whichever occurs earlier. The Department shall maintain and annually publish a toll-free telephone number for ascertaining whether the Department has determined that the number of mountain lions harvested in a management unit or group of management units is equal to or greater than the number specified by the Commission pursuant to this subsection. The Department is not required to provide any other notice of the termination of an open season for mountain lions in a management unit or group of management units.

3. A person who harvests a mountain lion shall, within ~~{72 hours}~~ *5 business days* after harvesting it, personally present ~~{the}~~ :

(a) *The unfrozen skull with the jaws propped open and ~~{hide}~~ the unfrozen pelt in its entirety to a representative of the Department for inspection ~~{+}~~ ; and*

(b) *Any records regarding the mountain lion, as specified by the Department, including, without limitation:*

(1) Records concerning the sex of the mountain lion;

(2) Records concerning the removal of the premolar tooth of the mountain lion;

(3) A tissue sample from the mountain lion; and

(4) The location where the mountain lion was killed, including, without limitation, the unit or units of the management area and the coordinates of the location as identified by latitude and longitude using decimal degrees or by using coordinates of the Universal Transverse Mercator system.

↪ The representative shall affix the seal of the Department permanently to the ~~hide~~ pelt.

4. ~~H~~ *Except as otherwise provided in subsection 6, it is unlawful for any person to:*

(a) Transport the ~~hide~~ pelt of a mountain lion from this State without the seal required pursuant to this section permanently affixed to the ~~hide~~ pelt.

(b) Except as otherwise provided in subsection 3, possess the ~~hide~~ pelt of a mountain lion without a seal permanently attached to it.

(c) Kill a female mountain lion which is accompanied by a spotted kitten.

(d) Kill or possess a spotted mountain lion kitten.

(e) *Possess, capture, injure, drug, rope, trap, snare or otherwise harm or transport a live mountain lion unless authorized by statute or regulation.*

(f) *Make a false statement or furnish false information in reporting the harvesting of a mountain lion.*

(g) *Participate in a canned hunt.*

(h) *Release a mountain lion for the purpose of a canned hunt after previously capturing and confining the mountain lion for a period of time.*

5. *Unless authorized by the Department, a mountain lion may not be taken with a trap, snare or other trapping device.* If a mountain lion is accidentally trapped or killed, the person trapping or killing it shall report the trapping or killing within 48 hours to a representative of the Department ~~{The animal}~~ and:

(a) *If the mountain lion is trapped and is alive, the mountain lion must be released unharmed or as directed by the Department and must not be knowingly pursued or taken for at least 24 hours after being released; or*

(b) If the mountain lion is killed, the mountain lion must be disposed of in accordance with the instructions of the representative.

6. The provisions of this section do not apply to a person who:

(a) Is acting within the scope of his or her official duties and who is:

(1) An employee or authorized agent of this State;

(2) An employee of a municipal or county government of this State; or

(3) An employee of the Federal Government; or

(b) Holds a scientific permit issued by the Department pursuant to NAC 503.094 for the collection or possession of a mountain lion and who is acting in compliance with the terms and conditions of the permit.

7. As used in this section, "canned hunt" means a hunt wherein the ability for a mountain lion to escape is restricted by any means, including, without limitation, forcing the mountain lion into a tree, cornering the mountain lion or holding the mountain lion at bay, for the purpose of allowing a person who is not a member of the initial hunting party to arrive and take the mountain lion.

Sec. 7. NAC 502.400 is hereby amended to read as follows:

502.400 1. Except as otherwise provided in subsection 2 and NAC 502.42905, the owner of a tag or permit must firmly attach it to the carcass of an animal killed by the owner, at or before the time he or she first reaches his or her means of transportation or camp ~~H~~, *whichever he or she reaches first*. The tag or permit must remain with the major portion of the meat until it is consumed.

2. If the animal killed is a mountain lion or fur-bearing mammal for which a tag or permit is required, the owner of the tag or permit or a designated licensed assistant pursuant to NAC

502.42905 must firmly attach it to the hide or pelt of the animal. The tag or permit must remain attached to the hide *or pelt* while it is transported and until it is processed.

Sec. 8. NAC 502.405 is hereby amended to read as follows:

502.405 1. The properly completed questionnaire issued as part of a big game tag or the information required by the questionnaire must be received by the Department not later than the deadline established in an annual regulation of the Commission.

2. A person who fails to return the questionnaire or the information required by the questionnaire on or before the deadline or who submits incomplete or false information on the questionnaire will be denied all big game tags for 1 year. A person who is ineligible for a big game tag pursuant to this subsection may have those privileges reinstated if the person:

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

(b) Submits to the Department the properly completed questionnaire issued as part of the big game tag or the information required by the questionnaire, all of which must be received on or before the deadline for the application for the main drawing.

3. A person who presents the skull and horns of a ram bighorn sheep, the skull, hide and any edible portion of a mountain goat or its carcass, the skull and ~~hide~~ *pelt* of a mountain lion or the skull and hide of a black bear to a representative of the Department for inspection pursuant to NAC 502.345, 502.364, 502.370 or 502.373, as applicable, may provide the information required by the questionnaire to the Department at the time of inspection. If a person provides such information at the time of inspection, he or she is not required to submit the completed questionnaire issued as part of the big game tag.

Sec. 9. NAC 502.418 is hereby amended to read as follows:

502.418 The Department shall reject an application to obtain a tag, permit or bonus point if any of the following occurs:

1. The applicant fails to provide the information required pursuant to NAC 502.199, unless that information exists in the records of the Department.

2. ~~The applicant fails to specify or incorrectly specifies the number of his or her hunting license or combination hunting and fishing license, unless that information exists in the records of the Department.~~

~~3.~~ The applicant fails to specify his or her social security number pursuant to NAC 502.199, unless that information exists in the records of the Department.

~~4.~~ 3. The parent or legal guardian of an applicant who is:

(a) At least 12 years of age but less than 18 years of age; or

(b) Under 12 years of age and applying for a bonus point pursuant to NAC 502.4177,

↪ fails to provide the acknowledgment required pursuant to NRS 502.060.

~~5.~~ 4. The applicant fails to specify on the application the species or the category of the species for which the application was submitted and, if the application is for a tag, a valid hunter choice number for that type of hunt. If the applicant specifies valid and invalid numbers, the Department shall accept the application for the valid numbers only.

~~6.~~ 5. The applicant fails to provide the acknowledgment required pursuant to NRS 502.030.

~~7.~~ 6. The applicant fails to submit the fees required pursuant to NAC 502.4175.

~~8.~~ 7. The applicant fails to comply with the provisions of NAC 502.405, unless, on or before the deadline set forth in an annual regulation of the Commission for the year in which the application is submitted, he or she pays the applicable administrative fine and submits the

properly completed questionnaire issued as part of the tag or permit or the information required by the questionnaire.

~~19.1~~ **8.** Except as otherwise provided in NAC 502.4183, the applicant submits more than one application to hunt for the same species or category of species of wildlife during the same year, unless such an application is specifically authorized by the Commission. If such an application is not specifically authorized by the Commission, all applications submitted by the applicant to hunt for the same species must be rejected.

~~10.1~~ **9.** Except as otherwise provided in NAC 502.4183 and 502.41895, the application is received after the deadline set by the Commission or by the Director pursuant to NAC 502.4196.

~~11.1~~ **10.** The applicant fails to comply with the provisions of NRS 502.330.

~~12.1~~ **11.** The applicant is otherwise ineligible to apply for the tag or bonus point.

Sec. 10. NAC 502.4235 is hereby amended to read as follows:

502.4235 In addition to the provisions of NAC 502.199, 502.4175 and 502.418, the Department shall reject an application for a restricted nonresident deer tag or prohibit a person from submitting the application if:

1. The applicant or the master guide fails to acknowledge a statement indicating that the applicant is entitled to the issuance of the restricted nonresident deer tag under the laws of this State.

2. The applicant or the master guide fails to submit the fees required pursuant to NAC 502.4175.

3. The master guide named in the application:

(a) Is not licensed for each wildlife management area or unit named in the application;

(b) Fails to specify or incorrectly specifies on the application the number of his or her current master guide license; or

(c) If applicable, does not possess a valid special use permit required by the federal land management agency having jurisdiction within the wildlife management area or unit for which the applicant is applying.

4. The applicant and the master guide named in the application are the same person.

5. The applicant holds a license as a subguide issued by the Department which authorizes the applicant to guide for deer in the wildlife management area or unit for which he or she is applying for a restricted nonresident deer tag.

6. *The applicant and the master guide or the applicant and any subguide associated with the deer hunt are immediate family members. As used in this subsection, “immediate family member” means:*

(a) A spouse of the master guide or subguide;

(b) A person who is related to the master guide or subguide within the first degree of consanguinity; or

(c) A stepchild of the master guide or subguide.

Sec. 11. NAC 502.4238 is hereby amended to read as follows:

502.4238 1. If a master guide of a holder of a restricted nonresident deer tag dies or is no longer able to provide guide services due to medical reasons, because he or she has failed to renew his or her master guide license, ~~or~~ the license has been revoked, *suspended or denied, or, if applicable, because he or she does not possess a valid special use permit required by the federal land management agency having jurisdiction within the wildlife management area or unit in which the master guide seeks to provide guide services*, the holder of the tag for whom

guide service was to be performed by the master guide may apply to the Department for a refund or may retain another master guide who is licensed for the area or unit specified on the tag. Before another master guide may render services as a master guide for the holder of the tag, and before the holder may participate in the restricted nonresident deer hunt for which the tag was issued, the holder of the tag must provide written notification to the Department that he or she has retained another master guide. The written notification must include:

- (a) The reasons for retaining the services of another master guide;
 - (b) The signatures of the holder of the tag and the new master guide and the date on which the written notification was signed; and
 - (c) The number of the master guide license of the newly retained master guide.
2. If the Department provides a refund pursuant to this section, the Department shall return all the fees submitted with the application for the tag.
 3. Except as otherwise provided in subsection 4, in awarding restricted nonresident deer tags from an alternate list, the Department shall issue the tag to the eligible applicant on the list:
 - (a) Whose master guide designated on the application for the restricted nonresident deer tag is not named on more than 30 successfully drawn applications pursuant to NAC 502.4237 and is able to accompany the applicant in the field;
 - (b) Who has the drawing number with the highest priority; and
 - (c) Who has indicated as the applicant's first choice the area and season for which the quota for the restricted nonresident deer hunt is being filled.
 4. If the Department is unable to collect any fee that is required to be submitted with an application for a hunting license or restricted nonresident deer tag because the method of payment is rejected during the processing of the fee for the license or restricted nonresident deer

tag, the Department shall, if more than 14 business days remain until the opening day for the restricted nonresident deer hunt and if the master guide designated on the application for the restricted nonresident deer tag is not named on more than 30 successfully drawn applications pursuant to NAC 502.4237, select an eligible applicant from the alternate list for the restricted nonresident deer hunt who:

- (a) Has the drawing number with the highest priority; and
- (b) Indicated as his or her first choice the area and season for which the quota for the restricted nonresident deer hunt is being filled.

5. The Department shall maintain a record of each applicant selected from an alternate list pursuant to this section.

Sec. 12. NAC 502.4246 is hereby amended to read as follows:

502.4246 1. To be eligible for the issuance of a damage compensation tag, an owner applicant must:

- (a) Have sustained damage to his or her private property caused by deer or antelope;
- (b) In accordance with the requirements set forth in NAC 502.4252, notify the Department of any damage within 10 days after discovering it;
- (c) Enter into a cooperative agreement with the Department which complies with the requirements set forth in NAC 502.4248;
- (d) Submit an application for a damage compensation tag which includes, without limitation:
 - (1) A form which sets forth any proof of the damage claimed by the owner applicant;
 - (2) A map which identifies the location on the private land at which the owner applicant will provide access to public land, if applicable; and

(3) The cooperative agreement entered into with the Department which is signed by the owner applicant and the Department;

(e) Cooperate with the Department in inspecting the damage and formulating a plan to prevent or mitigate the damage;

(f) Mitigate damages where possible and not feed or bait deer or antelope to attract the animals onto his or her land;

(g) Comply with the requirements of NAC 502.424 to 502.4268, inclusive.

2. ~~1A~~ *Except as otherwise provided in this subsection, a separate application must be made, and a separate cooperative agreement must be entered into, for each request for one or more damage compensation tags made with regard to each separate location on the property of the owner applicant at which damage was sustained. If the Department is able to conduct an investigation at each separate location on the property of the owner applicant at which the damage was sustained on the same day or consecutive days, a request for one or more damage compensation tags for multiple locations may be submitted on the same application and one cooperative agreement may be entered into for the multiple locations.*

Sec. 13. NAC 502.440 is hereby amended to read as follows:

502.440 1. An application for a taxidermist license may be obtained from any office of the Department. The applicant shall include on his or her application:

(a) The applicant's name, physical and mailing addresses, and telephone number;

(b) The name and telephone number of the applicant's taxidermic business and, if different from the applicant's physical address, the address from which taxidermic services will be provided;

(c) Whether or not the taxidermic services are provided for compensation;

(d) If the applicant must possess a federal taxidermist permit, a copy of the permit or proof satisfactory to the Department that federal approval of such a permit is pending;

(e) The name of each state in which the applicant holds or has held a taxidermist license or permit to perform taxidermic services;

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

(g) Whether, at the time of the application, the privileges granted to the applicant by another state or the United States Fish and Wildlife Service relating to taxidermy are suspended or revoked; and

(h) The applicant's signature and the date on which he or she signed the application.

2. A taxidermist license issued by the Department pending the issuance of a federal permit to perform taxidermic services on:

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

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

↪ is not valid for the purposes of performing taxidermic services on the migratory bird or the endangered or threatened species until the federal permit has been issued by the United States Fish and Wildlife Service to the licensee.

3. A completed application and required fees must be submitted to the Department.

4. An annual taxidermist license expires on June 30 of each year. *On the earlier of the date that the taxidermist submits his or her application for the renewal of a taxidermist license or June 30, the taxidermist shall, pursuant to NAC 502.455, submit to the Department the taxidermist's records for the previous licensing year.* If an application for the renewal of a taxidermist license is not received by the Department on or before June 30, taxidermic items in the possession of a taxidermist shall be deemed to be unlawfully possessed and are subject to seizure by the Department, and the taxidermist will be considered to be practicing taxidermy without a license. If an application for the renewal of a taxidermist license is received by the Department on or before June 30, the license will remain in effect until the Department completes its review of the application and renews or denies the application to renew the taxidermist license.

Sec. 14. NAC 502.455 is hereby amended to read as follows:

502.455 1. A person licensed as a taxidermist in Nevada shall maintain accurate written or computerized records, on a form provided by the Department or in a format which is substantially similar to that form, for each licensing year which show:

(a) The name, telephone number and physical and mailing address of each person from whom wildlife or parts, nests or eggs of wildlife, upon which taxidermic services were performed, were received.

(b) The name, telephone number and physical and mailing address of each person to whom wildlife or parts, nests or eggs of wildlife, upon which taxidermic services were performed, were delivered.

(c) An accurate description of the taxidermic item, including the species and parts thereof received.

(d) Except as otherwise provided in subsection 3 and if required for the species of wildlife received, the number of the tag, seal or permit.

(e) The date on which the taxidermist receives the taxidermic item and the date on which that item is returned to its owner.

→ The taxidermist shall record the required information immediately upon receipt and delivery of a taxidermic item, as appropriate.

2. A taxidermist shall:

(a) Immediately upon receipt, label each taxidermic item with a tag that clearly identifies the owner of the item. The tag may be removed from the item only during the actual performance of taxidermic services on the item. The tag must be reattached to the item when the taxidermic service is not being performed. Once the taxidermic services are completed on the taxidermic item, the tag must be reattached and remain attached to the item until the item is delivered to or claimed by the owner of the item.

(b) ~~If required by the Department, submit~~ *Submit* a copy of the taxidermist's records for the previous licensing year to the Department ~~[at the end of each licensing year.]~~ *on the earlier of the date that the taxidermist submits his or her application for the renewal of his or her taxidermist license pursuant to NAC 502.440 or June 30.* If the records are computerized, the taxidermist shall submit a hard copy of the computerized records to the Department.

(c) Retain the taxidermist's records for a licensing year for at least 2 years after the end of the licensing year to which those records pertain.

(d) During any reasonable hour, upon the request of any agent of the Department authorized to enforce the provisions of title 45 of NRS, present the taxidermist's records kept in accordance

with this section and any taxidermic item which the taxidermist is keeping at his or her place of business.

3. In lieu of maintaining a record of a tag, seal or permit pursuant to paragraph (d) of subsection 1, a taxidermist who receives a taxidermic item from another taxidermist may maintain a record setting forth the name and physical and mailing address of the taxidermist from whom the taxidermic item was received and the punch number or other identification number assigned to that taxidermist by the taxidermist who received the taxidermic item. The punch number or other identification number must be attached to the taxidermic item during the entire period in which the taxidermist who received the taxidermic item remains in possession of the taxidermic item.

4. As used in this section:

(a) "Licensing year" means a period beginning on July 1 and ending on June 30 of the following calendar year.

(b) "Punch number" means a number which is assigned to a taxidermist for the purpose of identification and which is punched into or otherwise attached to a taxidermic item.



STATE OF NEVADA

DEPARTMENT OF
WILDLIFE

Wildlife Diversity Division

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MEMORANDUM**December 29, 2021**

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

From: Kailey Musso, Management Analyst, Director's Office and Megan Manfredi, Management Analyst, DATS

Title: **Commission General Regulation 496, LCB File No. R009-21**

Description: The Commission will hold an Adoption Hearing to consider a regulation relating to amending Chapter 503 of the Nevada Administrative Code (NAC). This regulation is an effort to simplify portions of NAC 503.

Summary

This regulation comes after much discussion from the Regulation Simplification Committee. This Committee was formed after former Chairman Brad Johnston expressed his desire to clean up the wildlife chapters of the Nevada Administrative Code (NAC). State agencies are also required to review their NAC chapters every 10 years. The Nevada Department of Wildlife would have been required to review NAC in 2021. The Regulation Simplification Committee discussed the changes to NAC 503 and simple changes were made to remove contradictory language and clarify existing language. The Commission heard this regulation at the January and October 2020 meetings.

Recommendation:

The recommendation is to adopt the proposed changes to NAC 503 by adopting CGR 496.

**PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R009-21

December 6, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§ 1, 4, 22 and 24-28, NRS 501.105 and 501.181; § 2, NRS 501.105, 501.181 and 503.450; §§ 3, 5-15 and 32, NRS 501.105, 501.110 and 501.181; § 16, NRS 501.105, 501.181 and 503.380; § 17, NRS 501.105, 501.181, 503.597, 503.650 and 504.295; § 18, NRS 501.105, 501.181 and 503.597; § 19, NRS 501.105, 501.181, 503.597 and 504.295; §§ 20 and 21, NRS 501.105, 501.181 and 503.150; § 23, NRS 501.105, 501.181 and 503.570; § 29, NRS 501.105, 501.181 and 502.010; § 30, NRS 501.105, 501.181 and 503.200; § 31, NRS 501.105, 501.181 and 503.425.

A REGULATION relating to wildlife; authorizing a person who holds a valid hunting license to hunt fur-bearing mammals with a gun or a bow and arrow; providing which species of mollusks are protected; making various changes to certain wildlife classifications; revising provisions related to a permit to collect unprotected wildlife for commercial purposes; expanding which species a person is prohibited from importing, transporting or possessing in this State unless an exception applies; revising provisions related to a permit to release wildlife; revising provisions relating to aquarium fish that may be possessed, transported, imported or exported without a permit or license; providing when a person may hunt, chase or pursue a fur-bearing mammal with a dog; prohibiting certain persons from using aircraft, hot air balloons, unmanned aerial vehicles, satellites and other devices to hunt or trap certain animals; providing that the use of manned or unmanned aircraft is not deemed as visiting a trap, snare or similar device; revising provisions relating to the type of steel leghold traps that a person may use in this State; revising provisions relating to the use of certain bait in certain snares and traps; providing that certain unlawful acts concerning bait apply to snares and body gripping traps; authorizing certain persons to trap in a waterway with a suitcase-style trap in certain areas; revising what federal regulations the Board of Wildlife Commissioners adopts by reference; updating the names of certain species of grouse; requiring an application and fee for a competitive field trials permit or training permit to be submitted to the Department of Wildlife at least 30 days before the trials or training activity begin; revising provisions governing dredging operations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Wildlife Commissioners to adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat. (NRS 501.105) Existing law further requires the Commission to establish regulations necessary to carry out the provisions of law governing wildlife. (NRS 501.181)

Existing law prohibits hunting any fur-bearing mammal in any manner other than by trap, gun or bow and arrow. (NRS 503.450) **Section 2** of this regulation authorizes a person who holds a valid hunting license to hunt fur-bearing mammals with a gun or a bow and arrow during the open season to hunt fur-bearing mammals. **Section 20** of this regulation makes a conforming change to indicate where **section 2** is to be placed in existing regulations. **Section 29** of this regulation provides that a person who holds a valid trapping license is not required to obtain a hunting license to hunt certain mammals, including fur-bearing mammals, during the open season to hunt those mammals.

Existing law requires that wildlife be classified in certain categories and further requires each species of wildlife to be placed in a classification by regulation of the Commission. (NRS 501.110)

Existing law requires mollusks to be classified as either protected mollusks or unprotected mollusks. (NRS 501.110) Existing regulations lists certain species of mollusks as injurious aquatic species and as aquatic invasive species. (NAC 503.072, 503.074) **Section 3** of this regulation provides that California Floater, Western Pearlshell Mussel and Western Ridged Mussel are protected mollusks. **Section 3** further provides that all species of mollusks which are not classified as protected, sensitive, threatened, endangered, injurious aquatic species or aquatic invasive species are unprotected. **Section 4** of this regulation makes a conforming change to indicate where **section 3** is to be placed in existing regulations.

Existing regulations set forth the classifications for various animals, including game mammals; fur-bearing mammals; protected, threatened and sensitive mammals; upland and migratory game birds; protected, endangered and sensitive birds; unprotected birds; game fish; protected, endangered or threatened fish; injurious aquatic species; amphibians; and reptiles. (NAC 503.020, 503.025, 503.030, 503.045, 503.050, 503.055, 503.060, 503.065, 503.072, 503.075, 503.080) **Sections 5-15** of this regulation makes various changes, including removing certain animals and adding certain other animals, to these classifications.

Existing regulations set forth the classification for sensitive fish. (NAC 503.067) **Section 32** of this regulation repeals this classification.

Existing law authorizes the Department of Wildlife to take or permit the commercial taking of unprotected wildlife in any manner approved by the Commission. (NRS 503.380) Existing regulations provide that it is unlawful for a person to collect unprotected wildlife for commercial purposes without a permit and further provides how a person may apply for such a permit. (NAC 503.095) **Section 16** of this regulation provides that it is unlawful for a person to collect unprotected wildlife, including any unprotected species of reptile, for commercial purposes without a permit. **Section 16** further provides that the Department will not issue such a permit for any species of unprotected reptile. **Section 16** additionally requires an applicant for such a permit to include on the application: (1) a cellular phone number or certain other telephone numbers; (2) a driver's license number, driver authorization card number or instruction permit number; and (3) the social security number or tax identification number, as applicable, of the applicant. Existing regulations authorize the Department to require, within 30 days after the expiration of a permit for the collection of unprotected wildlife, the person to whom the permit was issued to report to the Department the number and disposition of the unprotected species he

or she has taken. (NAC 503.095) **Section 16** requires the person to submit this report to the Department within 30 days after the expiration of the permit for the collection of unprotected wildlife.

Existing regulations prohibit the importation, transportation or possession of certain species of live wildlife or hybrids thereof, including viable embryos or gametes, unless: (1) a scientific permit or commercial license for the collection or possession of wildlife is issued by the Department; (2) the person has an exhibitor's license issued by the Animal and Plant Health Inspection Service of the United States Department of Agriculture; or (3) the wildlife is being shipped through this State and the species is in Nevada for less than 48 hours. (NAC 503.110, 504.486) **Section 17** of this regulation expands the list of wildlife that this importation, transportation or possession prohibition applies to.

Existing regulations require a person to obtain a permit to release wildlife. Existing regulations require a person to apply for a permit and to include certain information on his or her application. (NAC 503.135) **Section 18** of this regulation requires an applicant to include on the application: (1) a cellular phone number or certain other telephone numbers; (2) a driver's license number, driver authorization card number or instruction permit number; and (3) the social security number or tax identification number, as applicable, of the applicant.

Existing regulations provide that certain animals may be possessed, transported, imported and exported without a permit or license by the Department. Among such animals are aquarium fish, which are certain fish that are: (1) not used as bait or for human consumption; and (2) maintained for personal or pet industry purposes in a closed system that does not allow the species of fish to exit an aquarium or pond and does not allow any other live aquatic species to enter the aquarium or pond. (NAC 503.140) **Section 19** of this regulation provides that "aquarium fish" does not include fish that are injurious aquatic species, game fish or fish that are protected, threatened or endangered. **Section 19** further provides that aquarium fish must be maintained for personal or pet industry purposes in a closed system that: (1) is located wholly on private property; (2) is not connected to a state water system by means of a natural watercourse; and (3) does not allow live aquatic species to exit or enter the aquarium or pond.

Existing law provides that, unless otherwise specified by the Commission in regulation, it is unlawful to hunt any big game mammal, except mountain lions, with a dog of any breed. Existing law further clarifies that a person may use dogs in the hunting of game birds or small game mammals. (NRS 503.150) Existing regulations provide that it is unlawful to hunt, chase or pursue any fur-bearing mammal with a dog except during the open season and under the authority of a trapping license. (NAC 503.147) **Section 21** of this regulation additionally permits such activities under the authority of a valid hunting license.

Existing law provides that it is unlawful to spot or locate game mammals or game birds with any kind of manned or unmanned aircraft or helicopter and communicate that information, within 24 hours after landing, by any means to a person on the ground for the purpose of hunting or trapping. Existing law further provides that it is unlawful to use any information obtained by use of an aircraft or helicopter to hunt or kill game mammals or game birds. (NRS 503.010) Existing law authorizes the Commission to promulgate regulations whereby the Department may issue permits authorizing the hunting, killing or nonlethal control of coyotes, bobcats or ravens from an aircraft. (NRS 503.005) Existing regulations prohibit a person, for the purpose of hunting, from locating or observing, or assisting a person in locating or observing, any big game mammal, game bird or fur-bearing mammal in certain areas during certain periods of time by use of aircraft, hot air balloon, unmanned aerial vehicle, satellite or other device. Existing regulations

exempt from this prohibition a person who: (1) holds a scientific permit issued by the Department for the collection of wildlife and who is acting in compliance with the terms and conditions of the permit; or (2) holds a permit issued by the Department to control bobcats, coyotes or ravens from an aircraft and who is acting in compliance with the terms and conditions of the permit. (NAC 503.148) **Section 22** of this regulation applies this prohibition to a person who seeks to trap a big game mammal, game bird or fur-bearing mammal. **Section 22** additionally provides that a person who is exempt due to holding a permit and who uses an aircraft or other device must not use such aircraft or other device to, for the purpose of hunting or trapping, locate or observe or assist a person in locating or observing any big game mammal, game bird or fur-bearing mammal in certain areas during certain periods of time.

Existing law requires a person using a trap, snare or similar device to take mammals to visit or cause to be visited each trap, snare or similar device at least once each 96 hours. (NRS 503.570) Existing regulations establish the requirements a person must comply with regarding the minimum visitation of such traps, snares and similar devices. (NAC 503.152) **Section 23** of this regulation clarifies that a person is not deemed to have visited a trap, snare or similar device if the person used a manned or unmanned aircraft to visit the trap, snare or similar device.

Existing regulations require all steel leghold traps of a certain size or with a certain spread of the outside jaw to have lugs, spacers or similar devices permanently attached so as to maintain a minimum trap opening of three-sixteenths of an inch. (NAC 503.155) **Section 24** of this regulation clarifies that the steel leghold trap must maintain a minimum trap opening of three-sixteenths of an inch along the entire surface of the outside jaw that is used to catch wildlife.

Existing regulations provide that it is unlawful for a person to: (1) place, set or maintain a steel leghold trap within 30 feet of exposed bait; (2) capture a mammal or raptor with a steel leghold trap that is placed, set or maintained within 30 feet of exposed bait; or (3) use any part of a game mammal, game bird, game fish, game amphibian or protected species of wildlife for bait. (NAC 503.157) **Section 25** of this regulation applies these provisions to snares and body gripping traps in addition to steel leghold traps.

Existing regulations prohibit a person from trapping, other than with a box or cage trap, within one-half mile of a residence if the residence is located within a congested area of a county whose population is 100,000 or more. Existing regulations provide certain exemptions to this prohibition. (NAC 503.165) **Section 26** of this regulation provides that this prohibition does not apply to a person trapping in a waterway with the use of a suitcase-style trap when under written authority from a state agency, the Federal Government or a local governmental agency.

Existing regulations provide that the Commission adopts by reference certain federal regulations that are applicable to hunting migratory game birds as those federal regulations existed on October 1, 1990. (NAC 503.180) **Section 27** of this regulation removes the condition that the Commission adopts such federal regulations as they existed on October 1, 1990, thereby causing the Commission to adopt the most recent version of these federal regulations. **Section 27** additionally updates how a person may access these federal regulations.

Existing regulations provide how a person is to transport a blue or ruffed grouse within this State. (NAC 503.185) **Section 28** of this regulation applies these transportation requirements to the transport of dusky, sooty or ruffed grouse to account for the redesignation of the blue grouse as the dusky grouse or sooty grouse.

Existing law provides that the Department is empowered to authorize, under permit and with the payment of a fee, competitive field trials for hunting dogs or competitive field trials for

falconry. (NRS 503.200) Existing regulations require a person to have a competitive field trials permit or a training permit to conduct such competitive fields trials or to train hunting dogs or raptors. Existing regulations require the person to submit an application and fee for such permits to the Department at least 15 days before the trials or training activity. (NAC 503.610) **Section 30** of this regulation requires a person to submit an application and fee for such permits to the Department at least 30 days before the trials or training activity.

Existing law requires a person to obtain a permit before the person may use any vacuum or suction dredge equipment in any river, stream or lake of this State. (NRS 503.425) Existing regulations provide certain periods during which a person may dredge a body of water. (NAC 503.820) **Section 31** of this regulation removes these certain periods and instead provides that the period authorized for dredging on each body of water will be determined by the Department based upon the spawning season of the species of fish present in that body of water. Existing regulations provide that the Department will not authorize dredging in a body of water or any portion of a body of water which contains certain species of fish. (NAC 503.820) **Section 31** provides that the Department will not authorize dredging in a body of water or any portion of a body of water which contains certain species of fish or other aquatic organisms.

Section 1. Chapter 503 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *Notwithstanding the provisions of subsection 3 of NAC 503.193, a person who holds a valid hunting license issued by the Department may hunt fur-bearing mammals by use of a gun or a bow and arrow during the open season to hunt fur-bearing mammals.*

Sec. 3. 1. *The following species of mollusks are classified as protected:*

	<u>Common Name</u>	<u>Scientific Name</u>
(a) Floater	California	<u>Anodonta californiensis</u>
(b) Mussel	Western Pearlshell	<u>Margaritifera falcata</u>
	Western Ridged	<u>Gonidea angulata</u>

2. All species of mollusks which are not classified as protected, sensitive, threatened, endangered, injurious aquatic species or aquatic invasive species are unprotected.

Sec. 4. NAC 503.005 is hereby amended to read as follows:

503.005 The provisions of NAC 503.005 to 503.104, inclusive, *and section 3 of this regulation* do not apply to any species or subspecies of wildlife that was classified before June 1, 1992, unless that species or subspecies is being reclassified pursuant to a regulation of the Commission.

Sec. 5. NAC 503.020 is hereby amended to read as follows:

503.020 The following wild mammals are further classified as game mammals:

	Common Name	Scientific Name
1. Antelope	Pronghorn	<i>Antilocapra americana</i>
2. Bear	Black.....	<i>Ursus americanus</i>
3. Deer	Mule.....	<i>Odocoileus hemionus</i>
4. Goat	Mountain.....	<i>Oreamnos americanus</i>
5. Lion	Mountain (Cougar)	<i>Felis concolor</i>
6. Moose		<i>Alces alces</i>
7. Peccary		<i>Pecari angulatus</i>
8. Rabbit	Cottontail (Audubon).....	<i>Sylvilagus audubonii</i>
	Cottontail (Nuttall).....	<i>Sylvilagus nuttallii</i>
	Pygmy	<i>Sylvilagus idahoensis</i>
	Snowshoe.....	<i>Lepus americanus</i>
	White-tailed Jack	<i>Lepus townsendii</i>

	Common Name	Scientific Name
9. Sheep	Bighorn	<i>Ovis canadensis canadensis</i> <i>Ovis canadensis nelsoni</i> <i>Ovis canadensis californiana</i>
10. Elk	Rocky Mountain	<i>Cervus elaphus nelsoni</i>
11. Wolf	Gray	<i>Canis lupus</i>

Sec. 6. NAC 503.025 is hereby amended to read as follows:

503.025 Fur-bearing mammals include:

	Common Name	Scientific Name
1. Beaver		<i>Castor canadensis</i>
2. Bobcat		<i>Lynx rufus</i>
3. Fox	Gray	<i>Urocyon cinereoargenteus</i>
	Kit (Swift).....	<i>Vulpes velox</i>
	Red.....	<i>Vulpes vulpes</i>
4. Marten	American.....	<i>Martes americana</i>
5. Mink		<i>Mustela vison</i>
6. 5. Muskrat		<i>Ondatra zibethica</i>
7. 6. Otter	River	<i>Lontra canadensis</i>

Sec. 7. NAC 503.030 is hereby amended to read as follows:

503.030 1. Protected mammals include ~~(f)~~ *all bats in the order Chiroptera and the following mammals:*

	Common Name	Scientific Name
(a) Chipmunk	<i>Hidden Forest Uinta</i>	<u><i>Neotamias umbrinus nevadensis</i></u>
	<i>Palmer's</i>	<u><i>Neotamias palmeri</i></u>
	<i>Humboldt Yellow-pine</i>	<u><i>Neotamias amoenus celeris</i></u>
(b) Hare	<i>Sierra Nevada Snowshoe</i>	<u><i>Lepus americanus tahoensis</i></u>
(c) Marten	<i>Pacific</i>	<u><i>Martes caurina</i></u>
(d) Mountain Beaver	<i>Sierra Nevada</i>	<u><i>Aplodontia rufa californica</i></u>
(e) Mouse	<i>Dark Kangaroo</i>	<u><i>Microdipodops megacephalus</i></u>
	<i>Pale Kangaroo</i>	<u><i>Microdipodops pallidus</i></u>
	<i>Western Jumping</i>	<u><i>Zapus princeps</i></u>
(a) (f) Pika		<i>Ochotona princeps</i>
(b) (g) Squirrel	(Chickaree (Douglas))	<i>Tamiasciurus douglasi</i>
	Northern <i>Humboldt's</i>	
	<i>Flying</i>	<i>Glaucomys</i> (sabinus) <u><i>oregonensis</i></u>
	<i>Western Gray</i>	<i>Sciurus griseus</i>
(c) Bat	Fringed	<i>Myotis thysanoides</i>
	Pallid	<i>Antrozous pallidus</i>

	Common Name	Scientific Name
	Allen's Lappet-eared	<i>Idionycteris phyllotis</i>
	Brazilian Free-tailed	<i>Tadarida brasiliensis</i>
—(d) Mouse	Dark Kangaroo.....	<i>Microdipodops megacephalus</i>
—	Pale Kangaroo.....	<i>Microdipodops pallidus</i>
—(e)] (h) Wolverine		<i>Gulo gulo</i>
(i) Vole	Ash Meadows Montane	<u><i>Microtus montanus nevadensis</i></u>
	Pahranagat Valley Montane ...	<u><i>Microtus montanus fucosus</i></u>

2. The following species of protected mammal is further classified as threatened:

	Common Name	Scientific Name
{Bat	Spotted.....	<i>Euderma maculatum</i>
<i>Pika</i>		<u><i>Ochotona princeps</i></u>

3. The following species of protected mammals are further classified as sensitive:

	Common Name	Scientific Name
(a) {Bat	California Leaf-nosed	<i>Macrotus californicus</i>
	Western Red.....	<i>Lasiurus blossevillii</i>
	Townsend's Big-eared	<i>Corynorhinus townsendii</i>

	Western Mastiff	<i>Eumops perotis</i>
(b) Beaver	Sierra Mountain	<i>Aplodontia rufa californica</i>
(e) Chipmunk	Hidden Forest Uinta.....	{<i>Tamias</i>} <u><i>Neotamias umbrinus nevadensis</i></u>
	Palmer's	{<i>Tamias</i>} <u><i>Neotamias palmeri</i></u>
	<i>Humboldt Yellow-pine</i>	<u><i>Neotamias amoenus celeris</i></u>
 <i>(b) Mountain</i>		
<i>Beaver</i>	<i>Sierra Nevada</i>	<u><i>Aplodontia rufa californica</i></u>
<i>(c) Mouse</i>	<i>Dark Kangaroo</i>	<u><i>Microdipodops megacephalus</i></u>
	<i>Pale Kangaroo</i>	<u><i>Microdipodops pallidus</i></u>
<i>(d) Vole</i>	Ash Meadows Montane	<i>Microtus montanus nevadensis</i>
	Pahranagat Valley Montane.....	<i>Microtus montanus fucosus</i>

Sec. 8. NAC 503.045 is hereby amended to read as follows:

503.045 Game birds are classified as:

1. Upland game birds, which include:

	Common Name	Scientific Name
(a) Grouse	{<i>Blue</i>} <i>Dusky</i>	<i>Dendragapus obscurus</i>
	<i>Sooty</i>	<u><i>Dendragapus fuliginosus</i></u>
	Ruffed	<i>Bonasa umbellus</i>
	Sage.....	<i>Centrocercus urophasianus</i>

	Common Name	Scientific Name
	Sharp-tailed.....	<i>Tympanuchus phasianellus</i>
(b) Partridge	Chukar.....	<i>Alectoris chukar</i>
	Gray (Hungarian).....	<i>Perdix perdix</i>
	Snow	<i>Tetrogallus himalayensis</i>
(c) Pheasant	Ring-necked.....	<i>Phasianus colchicus</i>
	White-wing	<i>Phasianus colchicus</i>
(d) Quail	Northern Bobwhite	<i>Colinus virginianus</i>
	California	<i>Callipepla californicus</i>
	Gambel's.....	<i>Callipepla gambelii</i>
	Mountain.....	<i>Oreortyx pictus</i>
	Scaled.....	<i>Callipepla squamata</i>
(e) Turkey	Wild	<i>Meleagris gallopavo</i>
(f) Crow	American.....	<i>Corvus brachyrhynchos</i>

2. Migratory game birds, which include all species of game birds listed in the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq., including the families Anatidae (wild ducks, geese, brants and swans), Columbidae (wild doves and pigeons), Gruidae (sandhill cranes), Rallidae (rails, coots and gallinules) and Scolopacidae (woodcocks and snipes).

Sec. 9. NAC 503.050 is hereby amended to read as follows:

503.050 Protected birds:

1. Are all species of wild birds protected by the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq., and listed in 50 C.F.R. § 10.13, unless such wild birds are migratory game birds as described in subsection 2 of NAC 503.045.

2. Include the following species which are further classified as endangered:

	Common Name	Scientific Name
(a) Eagle	Bald	<i>Haliaeetus leucocephalus</i>
(b) Falcon	Peregrine	<i>Falco peregrinus</i>
(c) Rail	Yuma Clapper Ridgway's	<i>Rallus</i> <i>longirostris</i> <u>obsoletus</u> <i>yumanensis</i>
(d) (b) Flycatcher	Southwestern Willow	<i>Empidonax traillii extimus</i>
(c) Owl	California Spotted	<u><i>Strix occidentalis occidentalis</i></u>

Applicable federal law is the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq., ~~[the Bald Eagle Protection Act, as amended, 16 U.S.C. §§ 668 et seq.,]~~ and federal regulations adopted pursuant thereto.

3. Include the following species which are further classified as sensitive:

	Common Name	Scientific Name
(a) Eagle	Bald	<u><i>Haliaeetus leucocephalus</i></u>
	Golden	<u><i>Aquila chrysaetos</i></u>

(b) Falcon	Peregrine.....	<u>Falco peregrinus</u>
(c) Goshawk	Northern	<i>Accipiter gentilis</i>
{(b)} Cuckoo	Yellow-billed.....	<i>Coccyzus americanus</i>
{(e)} (d) Owl	Short-eared.....	<u>Asio flammeus</u>
{(e)} (e) Shrike	Loggerhead.....	<i>Lanius ludovicianus</i>
{(d)} (f) Thrasher	Sage.....	<i>Oreoscoptes montanus</i>
{(e)} (g) Sparrow	Brewer's	<i>Spizella breweri</i>

Applicable federal law is the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq., the Bald and Golden Eagle Protection Act, as amended, 16 U.S.C. §§ 668 et seq., and federal regulations adopted pursuant thereto.

4. *Include the following species which are further classified as threatened:*

	<u>Common Name</u>	<u>Scientific Name</u>
Cuckoo	Yellow-billed	<u>Coccyzus americanus</u>

Applicable federal law is the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq., and federal regulations adopted pursuant thereto.

Sec. 10. NAC 503.055 is hereby amended to read as follows:

503.055 Unprotected birds:

1. Are all species of birds which are not classified as game, protected, *sensitive*, threatened or endangered birds.

2. Include:

Common Name	Scientific Name
House Sparrow	<i>Passer domesticus</i>
<i>European</i> Starling	<i>Sturnus vulgaris</i>
<i>Eurasian Collared Dove</i>	<u><i>Streptopelia decaocto</i></u>
<i>Rock (Common) Pigeon</i>	<u><i>Columba livia</i></u>

Sec. 11. NAC 503.060 is hereby amended to read as follows:

503.060 The following species of fish and all hybrids thereof are classified as game fish:

1. Cold-water game fish are:

Common Name	Scientific Name
(a) Cutthroat trout	
Bonneville	<i>Oncorhynchus</i> <i>clarkii</i> <u><i>clarkii</i></u> <i>utah</i>
Lahontan	<i>Oncorhynchus</i> <i>clarkii</i> <u><i>clarkii</i></u> <i>henshawi</i>
	<i>Snake River (Yellowstone)</i>
<i>Yellowstone</i>	<i>Oncorhynchus</i> <i>clarkii</i> <u><i>clarkii</i></u> <i>bouvieri</i>
(b) Salmon	<i>Oncorhynchus ssp.</i>
<i>Atlantic</i>	<i>Salmo salar</i>

	Common Name	Scientific Name
	<i>Kokanee</i>	<u><i>Oncorhynchus nerka</i></u>
	<i>Chinook (King)</i>	<u><i>Oncorhynchus tshawytscha</i></u>
(c) Trout	Brook.....	<i>Salvelinus fontinalis</i>
	Brown.....	<i>Salmo trutta</i>
	Bull.....	<i>Salvelinus confluentis</i>
	Lake.....	<i>Salvelinus</i> <i>{namaycush}</i>
		<u><i>namaycush</i></u>
	Rainbow	<i>Oncorhynchus mykiss</i>
	Redband	<i>Oncorhynchus mykiss</i> <i>{gibbsi}</i>
		<u><i>gairdneri</i></u>
		<u><i>Oncorhynchus mykiss newberrii</i></u>
(d) Whitefish	Mountain.....	<i>Prosopium williamsoni</i>

2. Warm-water game fish are:

	Common Name	Scientific Name
(a) Bullhead	Black	<i>Ameiurus melas</i>
	Brown.....	<i>Ameiurus nebulosus</i>
(b) Catfish	Channel	<i>Ictalurus punctatus</i>
	White.....	<i>Ameiurus catus</i>

	Common Name	Scientific Name
(c) Bass	Striped.....	<i>Morone saxatilis</i>
	White.....	<i>Morone chrysops</i>
	Largemouth Black.....	<i>Micropterus salmoides</i>
	Smallmouth Black.....	<i>Micropterus dolomieu</i>
	Spotted Black	<i>Micropterus punctulatus</i>
(d) Crappie	Black	<i>Pomoxis nigromaculatus</i>
	White.....	<i>Pomoxis annularis</i>
(e) Perch	Sacramento.....	<i>Archoplites interruptus</i>
	Yellow.....	<i>Perca flavescens</i>
(f) Sunfish	Bluegill.....	<i>Lepomis macrochirus</i>
	Green.....	<i>Lepomis cyanellus</i>
	Redear	<i>Lepomis microlophus</i>
	Pumpkinseed	<u><i>Lepomis gibbous</i></u>
(g) Walleye		<i>Stizostedion vitreum</i> <u>Sander</u> <u>vitreus</u>
(h) Muskie	Tiger	<u><i>Esox masquinongy x Esox Lucius</i></u>

Sec. 12. NAC 503.065 is hereby amended to read as follows:

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

Minnows (Cyprinidae)

Common Name	Scientific Name
(a) Chub	Alvord Tui..... {Gila} <u>Siphateles</u> <i>alvordensis</i>
	<i>Big Smoky Valley Tui</i> <u><i>Siphateles bicolor ssp. 8</i></u>
	Fish Creek Springs Tui {Gila} <u><i>Siphateles bicolor euchila</i></u>
	<i>Fish Lake Valley Tui</i> <u><i>Siphateles bicolor ssp. 4</i></u>
	<i>Hot Creek Valley Tui</i> <u><i>Siphateles bicolor ssp. 5</i></u>
	<i>Independence Valley Tui</i> <u><i>Siphateles bicolor isolata</i></u>
	<i>Newark Valley Tui</i> <u><i>Siphateles bicolor newarkensis</i></u>
	<i>Railroad Valley Tui</i> <u><i>Siphateles bicolor ssp. 7</i></u>
	Sheldon Tui..... {Gila} <u><i>Siphateles bicolor</i></u> <i>eurysoma</i>
	<i>Virgin River (Muddy River</i> <i>Population)</i> <u><i>Gila seminuda</i></u>
(b) Dace	<i>Big Smoky Valley Speckled</i> <u><i>Rhinichthys osculus lariversi</i></u>
	<i>Diamond Valley Speckled</i> <u><i>Rhinichthys osculus ssp. 10</i></u>
	<i>Monitor Valley Speckled</i> <u><i>Rhinichthys osculus ssp. 5</i></u>
	<i>Moapa Speckled</i> <u><i>Rhinichthys osculus moapae</i></u>
	Oasis Valley Speckled <i>Rhinichthys osculus ssp.</i>
	<i>Relict</i> <u><i>Relictus solitarius</i></u>
	<i>White River Speckled</i> <u><i>Rhinichthys osculus ssp. 7</i></u>
(c) Spinedace	Virgin <i>Lepidomeda mollispinis mollispinis</i>

Suckers (Catostomidae)

	Common Name	Scientific Name
(d) Sucker	<i>Meadow Valley Wash Desert...</i>	<i><u>Catostomus clarki ssp. 2</u></i>
	Wall Canyon	<i>Catostomus ssp.</i>
	Warner	<i>Catostomus warnerensis</i>
	White River Desert	<i>Catostomus clarki intermedius</i>

Killifishes (Cyprinodontidae)

	Common Name	Scientific Name
(e) Springfish	Moorman White River	<i>Crenichthys baileyi</i> <i>thermophilus</i>
		<i><u>thermophilus</u></i>
	Preston White River	<i>Crenichthys baileyi albivallis</i>

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

Minnows (Cyprinidae)

Common Name	Scientific Name
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(a) Chub	Bonytail.....	<i>Gila elegans</i>
	Independence Valley Tui.....	<i>Gila bicolor isolata</i>
	Pahrnagat Roundtail	<i>Gila robusta jordani</i>
	Virgin River	<i>Gila robusta seminuda</i>
(b) Dace	Moapa	<i>Moapa coriacea</i>
	Ash Meadows Speckled	<i>Rhinichthys osculus nevadensis</i>
	Clover Valley Speckled	<i>Rhinichthys osculus oligoporus</i>
	Independence Valley Speckled.....	<i>Rhinichthys osculus lethoporus</i>
(c) Spinedace	White River.....	<i>Lepidomeda albivalis</i>
(d) Squawfish		
<i>Pikeminnow</i>	Colorado.....	<i>Ptychocheilus lucius</i>
(e) Woundfin		<i>Plagopterus argentissimus</i>

Suckers (Catostomidae)

	Common Name	Scientific Name
(f) Sucker	Cui-ui	<i>Chasmistes cujus</i>
	Razorback	<i>Xyrauchen texanus</i>

Killifishes (Cyprinodontidae)

	Common Name	Scientific Name
(g) Poolfish	Pahrump	<i>Empetrichthys latos</i>
(h) Pupfish	Devil's Devils Hole	<i>Cyprinodon diabolis</i>
	Warm Springs	<i>Cyprinodon nevadensis pectoralis</i>
	<i>Ash Meadows Amargosa</i>	<u><i>Cyprinodon nevadensis mionectes</i></u>
(i) Springfish	Hiko White River	<i>Crenichthys baileyi grandis</i>
	White River	<i>Crenichthys baileyi baileyi</i>

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

Minnows (Cyprinidae)

	Common Name	Scientific Name
(a) Dace	Desert	<i>Eremichthys acros</i>
(b) Spinedace	Big Spring	<i>Lepidomeda mollispinis pratensis</i>

Killifishes (Cyprinodontidae)

Common Name	Scientific Name
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	Common Name	Scientific Name
(c) Pupfish	Ash Meadows Amargosa	<i>Cyprinodon nevadensis mionectes</i>
(d) Springfish	Railroad Valley	<i>Crenichthys nevadae</i>

Suckers (Catostomidae)

	<u>Common Name</u>	<u>Scientific Name</u>
(d) Sucker	Warner.....	<u><i>Catostomus warnerensis</i></u>

Sec. 13. NAC 503.072 is hereby amended to read as follows:

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

1. Fish:

Common Name	Scientific Classification
(a) Asian swamp eel.....	All species in the genus <i>Monopterus</i>
(b) Bighead carp.....	<i>Hypophthalmichthys nobilis</i>
(c) Flathead catfish.....	<i>Pylodictus olivaris</i>
(d) Gars.....	All species in the family Lepisosteidae

- (e) Nile perch..... All species in the genera *Lates* and *Luciolates*,
except for *Lates calcarifer*
- (f) Northern pike *Esox lucius*
- (g) Piranhas All species in the genera *Serrasalmus*,
Serrasalmo, *Pygocentrus*, *Pristobrycon*,
Hydrolycus, *Rooseveltiella* and *Pygopristis*
- (h) Round goby *Neogobius melanostomus*
- (i) Silver carp..... *Hypophthalmichthys molitrix*
- (j) Snakeheads All species in the genera ~~*Ophicephalus*~~,
Channa and *Parachanna*
- (k) South American parasitic catfish..... All species in the families Cetopsidae and
Trichomycteridae
- (l) Tiger fish *Hoplias malabaricus*

2. Mollusks:

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

3. Amphibians:

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

4. Crustaceans:

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

Sec. 14. NAC 503.075 is hereby amended to read as follows:

503.075 1. Amphibians are classified as game, protected, threatened, sensitive, endangered or unprotected amphibians.

2. The following amphibians are classified as protected:

	Common Name	Scientific Name
(a) Frog	Northern leopard {frog}	{Rana} <u><i>Lithobates pipiens</i></u>

Common Name	Scientific Name
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	Relict leopard..... Rana <u>Lithobates</u> <i>onca</i>
	<i>Columbia</i> Spotted..... <i>Rana luteiventris</i>
(b) Toad	Amargosa..... Bufo <u>Anaxyrus</u> <i>nelsoni</i>
	<i>Dixie Valley</i> <u>Anaxyrus</u> <i>williamsi</i>
	<i>Hot Creek</i> <u>Anaxyrus</u> <i>monfontanus</i>
	<i>Railroad Valley</i> <u>Anaxyrus</u> <i>nevadensis</i>

3. Unprotected amphibians are all species of amphibians which are not classified as game, protected, threatened, sensitive or endangered amphibians.

Sec. 15. NAC 503.080 is hereby amended to read as follows:

503.080 1. The following reptiles are classified as protected:

Common Name	Scientific Name
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(a) Lizard	Gila Monster..... <i>Heloderma suspectum</i>
	Sierra Alligator..... <i>Elgaria coerulea palmeri</i>
	Shasta Alligator..... <i>Elgaria coerulea shastaensis</i>
	<i>Northern Alligator</i> <u><i>Elgaria coerulea</i></u>
	<i>Mojave Fringe-toed</i> <u><i>Uma scoparia</i></u>
(b) Snake	Rosy boa <i>Boa</i> <i>Lichanura trivirgata</i>
	Sonoran Mountain King..... <i>Lampropeltis pyromelana</i>

Common Name

Scientific Name

(c) Turtle

Western Pond..... Actinemys marmorata

2. The following protected reptile is further classified as threatened:

Common Name

Scientific Name

Tortoise

Desert..... Gopherus agassizi

3. All species of reptiles which are not classified as protected, sensitive, threatened or endangered are unprotected.

Sec. 16. NAC 503.095 is hereby amended to read as follows:

species of reptile,

503.095 1. It is unlawful for a person to collect unprotected wildlife, *including,* ~~without limitation, any unprotected species of reptile,~~ for commercial purposes without a permit.

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

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

4. An applicant for a permit issued pursuant to this section must include on the application:
 - (a) The name of the applicant;
 - (b) The physical and mailing addresses of the applicant's residence and place of employment;
 - (c) The *cellular phone number of the applicant, if any, or the* telephone numbers of the applicant's residence and place of employment;
 - (d) The driver's license number of the applicant, if he or she has been issued a driver's license ~~(h)~~, *or a driver authorization card number or instruction permit number obtained in accordance with NRS 483.291;*
 - (e) *The social security number, or the tax identification number if the application is made under a business name, of the applicant;*
 - (f) The date of birth of the applicant;
 - ~~(g)~~ (g) The methods and equipment to be used in the collection of the wildlife;
 - ~~(g)~~ (h) The location, by county or region, where the wildlife is to be collected;
 - ~~(h)~~ (i) The address of the location where the wildlife will be held while it is in the possession of the applicant;
 - ~~(i)~~ (j) If the applicant has been convicted of violating the laws or regulations of any state or the United States Fish and Wildlife Service relating to the commercialization of wildlife within the 5 years immediately preceding the date of the application, a description of each violation, a description of the penalty imposed for each violation and the name of the state in which each conviction occurred; and
 - ~~(j)~~ (k) The applicant's signature and the date on which the application is signed.
5. Such a permit is not transferable and may be cancelled by the Department for a violation of its conditions or if operation of the permit is found to be detrimental to wildlife.

6. Within 30 days after the expiration of a permit for the collection of unprotected wildlife, ~~{the Department may require}~~ the person to whom it was issued ~~{to}~~ *shall submit a* report to the Department *with* the number and disposition of the unprotected species he or she has taken. Any failure to submit the report is a cause for denial of a future application for a similar permit.

Sec. 17. NAC 503.110 is hereby amended to read as follows:

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

(a) Fish:

Common Name	Scientific Classification
(1) Lampreys	All species in the family Petromyzontidae
(2) Freshwater stingray.....	All species in the family Potamotrygonidae
(3) Freshwater shark.....	All species in the genus <i>Carcharhinus</i>
(4) Bowfin	<i>Amia calva</i>
(5) Gars.....	All species in the family Lepisosteidae
(6) Herring and shad, except threadfin shad and gizzard shad	All species in the family Clupeidae, except <i>Dorosoma petenense</i> and <i>Dorosoma cepedianum</i>
(7) European Whitefish	All species in the genus <i>Leuciscus</i>

Common Name	Scientific Classification
(8) Mexican banded tetra.....	<i>Astyanax mexicanus</i>
(9) Piranhas	All species in the genera <i>Serrasalmus</i> , <i>Serrasalmo</i> , <i>Pygocentrus</i> , <i>Teddyella</i> , <u><i>Pristobrycon</i></u> , <u><i>Hydrolycus</i></u> , <i>Rooseveltiella</i> and <i>Pygopristis</i>
(10) South American Parasitic Catfish...	All species in the families Cetopsidae and Trichomycteridae
(11) White perch.....	<i>Morone americana</i>
(12) Freshwater drum	<i>Aplodinotus grunniens</i>
(13) Grass carp, except certified triploids as authorized by a special permit.....	<i>Ctenopharyngodon idella</i>
(14) Pike top minnow	<i>Belonesox belizanus</i>
(15) Snakehead.....	All species in the genera <i>Ophiephatus</i> <u><i>Parachanna</i></u> and <i>Channa</i>
(16) Walking catfish.....	All species in the genera <i>Clarias</i> , <i>Heteropneustes</i> and <i>Dinotopterus</i>
(17) Tiger fish , <i>Tigerfish and Wolf fish</i>	All species in the genera <u><i>Hydrocynus</i></u> and <i>Hoplias</i> <i>malabaricus</i>

Common Name	Scientific Classification
(18) Sticklebacks	All species in the genera <i>Apeltes</i> , <i>Eucalia</i> , <i>Gasterosteus</i> and <i>Pungitius</i>
(19) Tilapia.....	All species in the genera <u><i>Coelotilapia</i></u> , <u><i>Coptodon</i></u> , <u><i>Heterotilapia</i></u> , <u><i>Oreochromis</i></u> , <u><i>Pelmatolapia</i></u> , <i>Tilapia</i> and <i>Sarotherodon</i>
(20) Nile perch	All species in the genera <i>Lates</i> and <i>Luciolates</i>
(21) Goldeye.....	All species in the genus <i>Hiodon</i>
(22) Carp:	
(I) Bighead.....	<i>Hypophthalmichthys nobilis</i>
(II) Black {(snail)}	<i>Mylopharyngodon piceus</i>
(III) Crucian.....	<i>Carassius carassius</i>
(IV) Indian.....	<i>Catla catla</i> , <i>Cirrhina mrigala</i> and <i>Labeo rohita</i>
(V) Silver.....	<i>Hypophthalmichthys molitrix</i>
(23) Rudd.....	<i>Scardinius erythrophthalmus</i>
(24) Northern Pike.....	<i>Esox lucius</i>
(25) {Asian-swamp} <i>Swamp</i> eel	<i>All species in the genus Monopterus</i> {albus}
(26) <i>Round goby</i>	<u><i>Neogobius melanostomus</i></u>
(27) <i>Flathead catfish</i>	<u><i>Pylodictis olivaris</i></u>
(28) <i>Peacock bass</i>	<i>All species in the genus</i> <u><i>Cichla</i></u>

(b) Reptiles:

Common Name

Scientific Classification

- (1) ~~{Alligators and caimans~~ ~~All species in the family Alligatoridae~~
- (2) ~~Crocodiles~~ ~~All species in the family Crocodylidae~~
- (3) ~~Gharial (gavial).....~~ ~~All species in the family Gavialidae}~~
- Alligators, crocodiles and gharials* *All species in the order Crocrodilia*
- ~~{(4)}~~ (2) Bird snake..... All species in the genus *Thelotornis*
- ~~{(5)}~~ (3) Boomslang..... *Dispholidus typus*
- ~~{(6)}~~ (4) Keelbacks All species in the genus *Rhabdophis*
- ~~{(7)}~~ (5) Burrowing Asps..... All species in the family Atractaspidae
- ~~{(8)}~~ (6) Coral snakes, cobras, kraits,
mambas , ~~{and}~~ Australian
elapids *and sea snakes*..... All species in the family Elapidae ~~{, except~~ ^{keep}
species in the subfamily Hydrophiinae}
- ~~{(9)}~~ (7) Pit vipers and true vipers, except
species indigenous to this
State..... All species in the family Viperidae, except
species indigenous to this State
- ~~{(10)}~~ (8) Snapping Turtles..... All species in the family Chelydridae
- 9) *Helodermatidae Gila monsters and bearded lizards*

(c) Amphibians:

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

(d) Mammals:

Common Name	Scientific Classification
(1) <i>Deer, elk, wapiti, moose and caribou</i>	<i>All species in the family Cervidae</i>
(2) Wild Dogs or Dhole.....	<i>Cuon alpinus</i>
(2) (3) Raccoon Dog	<i>Nyctereutes procyonoides</i>
(3) (4) Mongooses and Meerkats	All species in the genera <i>Atilax</i> , <i>Cynictis</i> , <i>Helogale</i> , <i>Mungos</i> , <i>Suricate</i> , <i>Ichneumia</i> and <i>Herpestes</i>
(4) (5) Wild European Rabbit.....	<i>Oryctolagus cuniculus</i>
(5) (6) Multimammate Rat or Mouse.....	All species in the genus <i>Mastomys</i> (= <i>Praomys</i>)
(6) (7) Bats.....	All species in the order Chiroptera
(7) (8) Nutria.....	<i>Myocastor coypus</i>
(8) (9) Coyote	<i>Canis latrans</i>

Common Name	Scientific Classification
{(9)} (10) Foxes	All species in the genera <i>Vulpes</i> , <i>Fennecus</i> , <i>Urocyon</i> , <i>Alopex</i> , <i>Lycalopex</i> and <i>Pseudalopex</i>
{(10)} (11) Raccoon.....	<i>Procyon lotor</i>
{(11)} (12) Skunk.....	All species in the genera <i>Spilogale</i> , <i>Mephitis</i> and <i>Conepatus</i>
{(12)} (13) Wild pigs and hogs.....	All species in the family Suidae, except domestic breeds of <i>Sus scrofa</i>
{(13)} Axis deer	<i>Cervus (=Axis) axis</i> , <i>C. porcinus</i> , <i>C. kuhli</i> and <i>C.</i> <i>calamianensis</i>
(14) Red deer, elk and wapiti	All subspecies of <i>Cervus elaphus</i>
(15) Rusa deer	<i>Cervus timorensis</i>
(16) Sambar deer	<i>Cervus unicolor</i>
(17) Sika deer	<i>Cervus nippon</i>
(18) Roe deer.....	<i>Capreolus capreolus</i> and <i>C. pygargus</i>
(19) White-tailed deer.....	<i>Odocoileus virginianus</i>
(20) Moose	<i>Alces alces</i>
{(21)} (14) Reedbucks	All species in the genus <i>Redunca</i>
{(22)} (15) Oryx and Gemsbok.....	All species in the genus <i>Oryx</i>
{(23)} (16) Addax	<i>Addax nasomaculatus</i>
{(24)} (17) Blesbok, Topi and Bontebok.....	All species in the genus <i>Damaliscus</i>

Common Name	Scientific Classification
{25} (18) Hartebeests	All species in the genera <i>Alcelaphus</i> and <i>Sigmoceros</i>
{26} (19) Wildebeest and Gnus.....	All species in the genus <i>Connochaetes</i>
{27} (20) Chamois.....	<i>Rupicapra rupicapra</i> and <i>R. pyrenaica</i>
{28} (21) Tahr	All species in the genus <i>Hemitragus</i>
{29} (22) Ibex, Wild Goats, Tur and Markhor	All species in the genus <i>Capra</i> , except domestic goats, <i>Capra hircus</i>
{30} (23) Barbary (Aoudad) Sheep	<i>Ammotragus lervia</i>
{31} (24) Mouflon sheep, Urial, Bighorn and Argali	All species in the genus <i>Ovis</i> , except domestic sheep, <i>Ovis aries</i>

(e) Birds:

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

(f) Crustaceans:

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

(g) Mollusks:

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

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

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

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

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

(1) Is accompanied by evidence of lawful possession;

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

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

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

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

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

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

The amount of the bond will be determined by the Department after considering the degree of potential hazard to wildlife.

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

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

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

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

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

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

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

Sec. 18. NAC 503.135 is hereby amended to read as follows:

503.135 1. An application for a permit to release wildlife must be made on a form provided by and available from the Department at its office in Reno, Fallon, Elko or Las Vegas.

2. An applicant for a permit to release wildlife must include on the application:

(a) The name of the applicant;

(b) The physical and mailing address of his or her residence;

(c) The *cellular phone number of the applicant, if any, or the* telephone number of his or her residence;

(d) The applicant's driver's license number, if he or she has been issued a driver's license ~~(f)~~, *or a driver authorization card number or instruction permit number obtained in accordance with NRS 483.291;*

(e) *The social security number, or the tax identification number if the application is made under a business name, of the applicant;*

~~(f)~~ (f) The name of the owner of the property where the wildlife is to be released;

~~(g)~~ (g) The address and legal description of the property where the wildlife is to be released;

~~(g)~~ (h) The species of each type of wildlife and the number of each such type of species to be released.

~~(h)~~ (i) The purpose for the release;

~~(i)~~ (j) The date on which the wildlife is to be released;

~~(j)~~ (k) The location or source from which the applicant has acquired, or will acquire, the wildlife to be released; and

~~(k)~~ (l) The applicant's signature and the date on which he or she signed the application.

3. If the Department determines, based on its evaluation of the application, that the condition of the wildlife to be released could pose potential harm to the existing wildlife of this State if released, the Department will require the applicant to submit to the Department a certificate of health issued by a licensed veterinarian or a fish pathologist approved by the Department, as appropriate, attesting to the health of the wildlife to be released.

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

Sec. 19. NAC 503.140 is hereby amended to read as follows:

503.140 1. Except as otherwise provided in subsection 4 and NAC 503.500 to 503.535, inclusive, the following animals may be possessed, transported, imported and exported without a permit or license issued by the Department:

- (a) Canaries;
- (b) Toucans;
- (c) Lovebirds;
- (d) Nonindigenous house finches;
- (e) Parakeets;
- (f) Cockatiels;
- (g) Mynah birds;
- (h) Parrots;
- (i) Hamsters;
- (j) Domesticated races of rats and mice;
- (k) Gerbils;
- (l) Guinea pigs;
- (m) Monkeys and other primates;
- (n) Aquarium fish;
- (o) Marsupials;

- (p) Elephants;
- (q) All felines, except mountain lions and bobcats;
- (r) Wolves that are lawfully acquired and bred in captivity;
- (s) Camels (*Camelus* spp.);
- (t) European ferret (*Mustela putorius*);
- (u) Llamas (*Lama glama*);
- (v) American Bison;
- (w) Marine mammals;
- (x) Ostrich (*Struthio* spp.);
- (y) Emus (*Dromiceius* spp.);
- (z) Rheas (*Rhea* spp.);
- (aa) Nonvenomous, nonindigenous reptile species and subspecies;
- (bb) Albino forms of indigenous reptile species;
- (cc) Alpaca (*Lama pacos*);
- (dd) Guinea fowl (*Numida meleagris*);
- (ee) Old World species of pheasants, partridges, quails, francolin, peafowl and jungle fowl (nonendemic species of the subfamily *Phasianae*), except:
 - (1) Chukar partridge;
 - (2) Hungarian (gray) partridge;
 - (3) Snow cock; and
 - (4) Ring-necked and ~~white-winged~~ *white-winged* pheasant;
- (ff) Domesticated races of turkey (*Meleagris gallopavo*), distinguished morphologically from wild birds;

(gg) Domesticated races of ducks and geese (*Anatidae*), distinguished morphologically from wild birds;

(hh) Domesticated races of chinchillas;

(ii) Domesticated races of mink;

(jj) Waterfowl reared in captivity that are lawfully acquired pursuant to the regulations adopted by the United States Fish and Wildlife Service;

(kk) Those species of ducks, geese and swans not listed as protected pursuant to the Migratory Bird Treaty Act, 16 U.S.C. §§ 703 et seq.;

(ll) Yak (*Bos grunniens*);

(mm) Cassowary;

(nn) Coturnix quail (*Coturnix coturnix*);

(oo) Zebra (*Equus* spp.);

(pp) Salt water fish, crustaceans and mollusks;

(qq) Nonindigenous species of amphibians, except:

(1) Bullfrogs (*Rana catesbeiana*); and

(2) Species listed in NAC 503.110;

(rr) African pygmy hedgehogs (*Atelerix albiventris*); and

(ss) California kingsnakes (*Lampropeltis ~~getulus~~ californiae*) that do not have between their head and vent a continuous pattern of bands or rings regardless of whether the bands or rings are opened or closed.

2. Species listed in this section must not be released into the wild, except as otherwise authorized by the Department in writing.

3. Except as otherwise provided in subsection 4, lawfully acquired species listed in this section may be sold in Nevada.

4. This section does not authorize the sale, possession, transportation, importation or exportation of animals in violation of any applicable federal or state law, county or city ordinance, or any regulation adopted pursuant thereto.

5. As used in this section:

(a) “Aquarium fish” includes any species of fish, except the species listed in NAC *503.060, 503.065, 503.072 or* 503.110, which is:

(1) Not used as bait or for human consumption; and

(2) Maintained for personal or pet industry purposes in a closed system that ~~does~~ :

(I) Is located wholly on private property;

(II) Is not connected to a state water system by means of a natural watercourse; and

*(III) Does not allow ~~the species of fish to exit an aquarium or pond and does not allow any other~~ live aquatic species to *exit or* enter the aquarium or pond.*

(b) “Wolves” includes any wolf or hybrid of a wolf. As used in this paragraph, “hybrid” means any canid hybrid resulting from the mating of a wolf and a dog.

Sec. 20. NAC 503.141 is hereby amended to read as follows:

503.141 As used in NAC 503.141 to 503.195, inclusive, *and section 2 of this act*, “bow” includes any longbow, recurved bow or compound bow.

Sec. 21. NAC 503.147 is hereby amended to read as follows:

503.147 It is unlawful to hunt, chase or pursue:

1. Any black bear or mountain lion with a dog except during the open season, in an open management area and under the authority of a hunting license and:

- (a) A black bear tag, if the person is hunting, chasing or pursuing a black bear; or
 - (b) A mountain lion tag, if the person is hunting, chasing or pursuing a mountain lion.
2. Any fur-bearing mammal with a dog except during the open season and under the authority of a *valid hunting or* trapping license.
3. Any wild turkey with a dog from March 1 through June 30 of any year.

Sec. 22. NAC 503.148 is hereby amended to read as follows:

503.148 1. Except as otherwise provided in this section, a person shall not, for the purpose of hunting ~~H~~ *or trapping*, locate or observe, or assist a person in locating or observing, any big game mammal, game bird or fur-bearing mammal in a management unit described in NAC 504.210 during the period beginning on July 1 and ending on the last day of February of each calendar year with the use of:

- (a) An aircraft, including, without limitation, any device that is used for navigation of, or flight in, the air;
 - (b) A hot air balloon or any other device that is lighter than air;
 - (c) An unmanned aerial vehicle; or
 - (d) A satellite or any other device that orbits the earth and is equipped to produce real-time images.
2. Evidence of an act constituting a violation of subsection 1 includes, without limitation:
- (a) Flying slowly at low altitudes;
 - (b) Hovering;
 - (c) Circling; or
 - (d) Repeatedly flying,

→ over a forest, marsh, field, woodland or rangeland where a big game mammal, game bird or fur-bearing mammal is likely to be found.

3. The provisions of this section do not apply to a person who:

(a) Is acting within the scope of his or her official duties and who is:

(1) An employee or authorized agent of this State;

(2) An employee of a municipal or county government of this State; or

(3) An employee of the Federal Government;

(b) Holds a scientific permit issued by the Department for the collection of wildlife and who

~~is~~ :

(1) *Is acting in compliance with the terms and conditions of the permit; and*

(2) *If the person is using an aircraft or other device listed in subsection 1, is using such aircraft or other device only to carry out the activities authorized under the permit and is not using the aircraft or other device to, for the purpose of hunting or trapping, locate or observe or assist a person in locating or observing any big game mammal, game bird or fur-bearing mammal in a management unit described in NAC 504.210 during the period beginning on July 1 and ending on the last day of February of each calendar year; or*

(c) Holds a permit issued by the Department *pursuant to NAC 503.760* which authorizes the control of bobcats, coyotes or ravens from an aircraft and who ~~is~~ :

(1) *Is acting in compliance with the terms and conditions of the permit ~~is~~ ; and*

(2) *If the person is using an aircraft or other device listed in subsection 1, is using such aircraft or other device only to carry out the activities authorized under the permit and is not using the aircraft or other device to, for the purpose of hunting or trapping, locate or observe or assist a person in locating or observing any big game mammal, game bird or fur-bearing*

mammal in a management unit described in NAC 504.210 during the period beginning on July 1 and ending on the last day of February of each calendar year.

4. The provisions of this section do not authorize any act that is prohibited by NRS 503.010.

5. As used in this section:

(a) “Real-time images” means any images that are transmitted continuously or are otherwise updated more than once per day.

(b) “Unmanned aerial vehicle” has the meaning ascribed to it in NRS 493.020.

Sec. 23. NAC 503.152 is hereby amended to read as follows:

503.152 *1.* A person who is required pursuant to NRS 503.570 to visit or cause to be visited a trap, snare or similar device shall ensure that the trap, snare or similar device is visited:

~~(1)~~ *(a)* At least once every other calendar day in the following units for wildlife, as designated in NAC 504.210, or portions of those units specified in this subsection other than any private property located within those units or if a box or cage trap is used:

~~(a)~~ *(1)* All of Unit 194;

~~(b)~~ *(2)* The following portions of Unit 195:

~~(1)~~ *(I)* West of Lagomarsino Canyon-Lousetown Road from its intersection with Interstate Highway No. 80 to its intersection with State Route No. 341; and

~~(2)~~ *(II)* West of State Route No. 341 from its intersection with Lousetown Road to its intersection with U.S. Highway No. 50;

~~(c)~~ *(3)* All of Unit 196; and

~~(d)~~ *(4)* The portion within the Clark County Illegal Firearms Discharge Area created by the Clark County Geographic Information Systems Management Office on September 11, 2013;

~~2.~~ (b) At least once each 96 hours in all other units for wildlife, as designated in NAC 504.210, or portions of those units not specified in ~~subsection 1,~~ *paragraph (a)*, including any private property located within those units;

~~3.~~ (c) At least once each 96 hours if a box or cage trap is used;

~~4.~~ (d) By a person who is a holder of a trapping license issued by the Department; and

~~5.~~ (e) In a manner which ensures that any mammal caught in the trap, snare or similar device is removed from the trap, snare or similar device.

2. A person who is required pursuant to NRS 503.570 to visit or cause to be visited a trap, snare or similar device and who uses a manned or unmanned aircraft to visit the trap, snare or similar device shall be deemed to have not visited the trap, snare or similar device for the purposes of this section and NRS 503.570.

Sec. 24. NAC 503.155 is hereby amended to read as follows:

503.155 All steel leghold traps of size number 2 or larger or with an outside jaw spread of 5 1/2 inches or larger used in the taking of any wildlife must have lugs, spacers or similar devices permanently attached so as to maintain a minimum trap opening of three-sixteenths of an inch ~~+~~ *along the entire surface of the outside jaw that is used to catch wildlife.*

Sec. 25. NAC 503.157 is hereby amended to read as follows:

503.157 1. It is unlawful for a person to:

(a) Place, set or maintain a *snare, body gripping trap or* steel leghold trap within 30 feet of exposed bait;

(b) Capture a mammal or raptor with a *snare, body gripping trap or* steel leghold trap that is placed, set or maintained within 30 feet of exposed bait; or

(c) Use *, for any method of trapping*, any part of a game mammal, game bird, game fish, game amphibian or protected species of wildlife for bait.

2. A person using bait is responsible if it becomes exposed for any reason.

3. As used in this section, “raptor” means any species of bird of the order *Falconiformes* or *Strigiformes* that is protected by the Migratory Bird Treaty Act of July 3, 1918, as amended, 16 U.S.C. §§ 703 et seq.

Sec. 26. NAC 503.165 is hereby amended to read as follows:

503.165 1. Except as otherwise provided in subsection 2, a person shall not trap, other than with a box or cage trap, within one-half mile of a residence, if the residence is located within a congested area of a county whose population is 100,000 or more.

2. The provisions of this section do not apply to:

(a) An officer, employee or agent of any state agency, the Federal Government or a local government acting in his or her official capacity for the purpose of animal control or control of depredating wildlife;

(b) A person acting under written authority from a state agency, the Federal Government or a local government for the purpose of animal control or control of depredating wildlife;

(c) A person trapping on private property; or

(d) A person trapping in a waterway that is not within an incorporated city.

(e) A person trapping in a waterway with the use of a suitcase-style trap, under written authority from a state agency, the Federal Government or a local governmental agency.

3. As used in this section:

(a) “Congested area of a county” means:

(1) An area of a county in which the discharge of firearms is prohibited by a county ordinance; or

(2) The area within the boundaries of an incorporated city in a county.

(b) “Residence” means any house, room, apartment, tenement or other building designed or intended for occupancy as a residence.

(c) *“Suitcase-style trap” means a device that is composed of:*

(1) Two opposing metal frames which are spring-loaded and surrounded on one or both sides by wire mesh; and

(2) A trigger mechanism located in the middle of the trap which, when triggered, causes the two opposing metal frames to close together and encase the animal within the device.

↪ The term includes, without limitation, a “Bailey Beaver Live Trap,” “Bailey Beaver Trap,” “Hancock Live Trap” and “KORO Live Beaver Trap.”

(d) “Waterway” means any river, stream, canal or channel that contains water, including, without limitation, the banks and bed of any such river, stream, canal or channel.

Sec. 27. NAC 503.180 is hereby amended to read as follows:

503.180 The Commission adopts by reference the regulations of the United States Fish and Wildlife Service which are published in 50 C.F.R. §§ 20.21, 20.25, 20.35, 20.36, 20.37, 20.38, 20.39, 20.40, 20.42, 20.43, 20.44, 20.61, 20.81, 20.82 and 20.83 . ~~as these regulations exist on October 1, 1990.~~ Those regulations apply to all hunting of migratory game birds within the boundaries of the State of Nevada. Title 50 of C.F.R. may be *found online at www.govinfo.gov by searching “Code of Federal Regulations Title 50”* or purchased ~~for \$20 by mail from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 979050, St. Louis, Missouri 63197-9000, or~~ by toll-free telephone at (866) 512-1800.

Sec. 28. NAC 503.185 is hereby amended to read as follows:

503.185 A person shall not transport a ~~blue~~ *dusky, sooty* or ruffed grouse within this State unless the head or one fully feathered wing remains attached to the grouse from the time it is removed from the place where it was taken until it arrives at the person's residence or a commercial facility for its preservation.

Sec. 29. NAC 503.193 is hereby amended to read as follows:

503.193 1. A person is not required to obtain a hunting license or permit to hunt unprotected wild birds or mammals.

2. A person is not required to obtain a hunting license or permit or a trapping license to hunt or trap wildlife which are authorized to be taken in accordance with a permit issued pursuant to NAC 503.710 to 503.740, inclusive.

3. A person who holds a *valid* trapping license issued by the Department is not required to obtain a hunting license to hunt coyotes, badgers, skunks, raccoons, weasels, ring-tailed cats or fur-bearing mammals ~~+~~ *during the open season to hunt to those mammals.*

Sec. 30. NAC 503.610 is hereby amended to read as follows:

503.610 1. Any person may conduct competitive field trials for hunting dogs or competitive field trials for raptors under a competitive field trials permit, or train hunting dogs or raptors under a training permit issued by the Department.

2. The person must submit an application, accompanied by the fee established in subsection 6 of NRS 502.240, to the Department at least ~~15~~ *30* days before the trials or training activity. The application must set forth the date, time and location of the trials or training activity and the number of each species of upland game birds which will be released. An applicant for a training permit may request any number of dates for training during a specific 2-month period.

3. A competitive field trials permit is valid for only one field trial. The permittee or his or her designated representative shall have the permit in his or her possession and be present at the event.

4. A training permit is valid only for the person whose name appears thereon. The permittee shall have the permit in his or her possession while training hunting dogs or raptors with upland game birds that were bred in captivity.

5. An upland game bird bred in captivity and used for training that is not taken or recaptured on the date or dates specified on a permit issued pursuant to this section must not be taken or recaptured thereafter except during the appropriate season and according to any applicable rules or regulations adopted by the Commission.

Sec. 31. NAC 503.820 is hereby amended to read as follows:

503.820 1. A dredging permit:

(a) Expires on December 31 of the year in which it was issued;

(b) May authorize the use of not more than three separate dredges; and

(c) Will only authorize the operation of a dredge which has ~~{a maximum}~~ an intake that is 4 inches or less in diameter.

2. A dredging permit may include authorization to operate a dredge in not more than 10 different bodies of waters.

3. The period authorized for dredging on each body of water will be determined by the Department ~~{within the following dates,}~~ based upon the spawning season of the species of fish present in that body of water. †

~~(a) If there are no species of fish present in the body of water, between January 1 and December 31.~~

~~—(b) If the body of water contains species of fish that spawn in both spring and fall, between June 1 and September 30.~~

~~—(c) If the body of water contains species of fish that spawn only in the spring, between June 1 and December 31.~~

~~—(d) If the body of water contains species of fish that spawn only in the fall, between March 1 and September 30.~~

4. The Department will not authorize dredging in a body of water or any portion of a body of water which contains species of fish *or other aquatic organisms* classified by the Federal Government as endangered, threatened or sensitive, or classified by the Department as protected, if the Department determines that the dredging may be deleterious to ~~the~~ *those* species. ~~of fish.~~

5. A holder of a dredging permit shall immediately return substrata gravel and sands removed during the dredging to the streambed from which the gravel or sand was removed and restore, as closely as possible, the original contour of the streambed.

6. A dredging permit:

(a) Is not transferable; and

(b) May be cancelled at any time by the Department for a violation of any term, condition or restriction of the permit.

Sec. 32. NAC 503.067 is hereby repealed.

TEXT OF REPEALED SECTION

503.067 Sensitive fish. (NRS 501.105, 501.110, 501.181) The following species of protected fish are further classified as sensitive:

Minnows (Cyprinidae)

	Common Name	Scientific Name
1. Chub	Big Smoky Valley Tui	<i>Gila bicolor</i> ssp.
	Fish Lake Valley Tui	<i>Gila bicolor</i> ssp.
	Hot Creek Valley Tui.....	<i>Gila robusta</i> ssp.
	Newark Valley Tui.....	<i>Gila bicolor newarkensis</i>
	Virgin River (Muddy River Population)	<i>Gila seminuda</i>
	Railroad Valley Tui.....	<i>Gila bicolor</i> ssp.
	2. Dace	Big Smoky Valley Speckled
Monitor Valley Speckled		<i>Rhinichthys osculus</i> ssp.
Moapa Speckled.....		<i>Rhinichthys osculus moapae</i>
Relict		<i>Relictus solitarus</i>
White River Speckled		<i>Rhinichthys osculus velifer</i>

Suckers (Catostomidae)

Common Name

Scientific Name

3. Sucker

Meadow Valley Wash Desert *Catostomus clarki* ssp.



STATE OF NEVADA

DEPARTMENT OF
WILDLIFE

Wildlife Diversity Division

6980 Sierra Center Parkway, Ste 120 • Reno, NV 89511
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MEMORANDUM

December 29, 2021

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

From: Kailey Musso, Management Analyst, Director's Office and Megan Manfredi, Management Analyst, DATS.

Title: **Commission General Regulation 497, LCB File No. R006-21**

Description: The Commission will hold an Adoption Hearing to consider a regulation relating to amending Chapter 504 of the Nevada Administrative Code (NAC). This regulation is an effort to simplify portions of NAC 504.

Summary

This regulation comes after much discussion from the Regulation Simplification Committee. This Committee was formed after former Chairman Brad Johnston expressed his desire to clean up the wildlife chapters of the Nevada Administrative Code (NAC). State agencies are also required to review their NAC chapters every 10 years. The Nevada Department of Wildlife would be required to review NAC in 2021. The Regulation Simplification Committee discussed the changes to NAC 504 and simple changes were made to remove contradictory language and clarify existing language. The Commission heard CGR 497 at the January 2021 Commission Meeting.

Recommendation:

The recommendation is to adopt CGR 497, updating NAC 504.

**PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R006-21

October 9, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: § 1, NRS 501.105, 501.181 and 504.143; § 2, NRS 501.105, 501.181, 504.140 and 504.143; §§ 3 and 29, NRS 501.105 and 501.181; §§ 4-7, NRS 504.165; §§ 8, 9, 11, 13, 17 and 21-24, NRS 501.105, 501.181 and 504.295; §§ 10, 12 and 14-16, NRS 501.105, 501.181, 503.597 and 504.295; §§ 18-20, NRS 501.105, 501.181, 503.590 and 504.295; §§ 25-28, NRS 501.105, 501.181 and 504.390.

A REGULATION relating to wildlife; prohibiting certain actions on certain described and posted portions of certain wildlife management areas during certain periods of time; revising provisions relating to trapping on wildlife management areas; updating certain provisions relating to the Fort Churchill Cooling Pond Cooperative Wildlife Management Area; repealing provisions that create the Crittenden-Dake Reservoir Cooperative Wildlife Management Area; requiring certain notices for the prevention and mitigation of damage caused by certain game mammals to be provided in writing within 5 business days of the discovery of the damage; requiring certain persons to maintain detailed records of ongoing damage caused by certain game mammals; requiring an application for a commercial or noncommercial license to possess wildlife to include certain information; revising provisions related to the possession and propagation of certain species of fish; revising provisions governing the collection of unprotected reptiles and amphibians; revising provisions related to the importation of live wildlife into this State; requiring certain persons to disclose to the Department of Wildlife the location of certain animals before such animals are imported into this State; clarifying that certain persons importing ungulates into this State must comply with certain provisions of existing law relating to chronic wasting disease; requiring additional enclosure requirements and additional testing of certain animals that are susceptible to chronic wasting disease; requiring a person to be issued a permit before exporting unprotected reptiles or amphibians from this State; requiring certain persons to tag and mark certain animals in a manner acceptable to the Department; removing the requirement that certain persons comply with certain requirements regarding cages if the person holds or is issued certain licenses or permits on or after February 28, 1994; reducing the period of time certain persons can operate without a license or permit issued by the Department from 90 days to 45 days; authorizing certain persons to possess live animals and their progeny without a license for such possession if the progeny is born before January 1, 2022; prohibiting the issuance of a rehabilitation permit for certain animals; requiring an application for a permit to rehabilitate wildlife to include certain information; revising certain information related to a license as a

master guide; requiring master guides and subguides to keep certain contracts readily available in the field; requiring certain guides to keep certain client records in the primary

#9C

method of transportation used by the guide during certain periods when with the client; 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 the preservation, protection, management and restoration of wildlife and its habitat. (NRS 501.105) Existing law further requires the Commission to establish regulations that are necessary to carry out the provisions of existing law governing wildlife. (NRS 504.181)

Existing law authorizes the Commission to, by regulation, establish certain policies concerning state-owned wildlife management areas and other cooperative wildlife management areas created and by maintained by the Commission in cooperation with the United States Fish and Wildlife Service, the Department of the Interior and other federal agencies to effectuate a coordinated and balanced program resulting in the maximum revival of wildlife in the State and in the maximum recreational advantages to the people of the State. (NRS 504.143) Existing regulations prohibit certain persons from entering, occupying, using or being upon certain described portions of certain wildlife management areas during certain periods of time. (NAC 504.120) **Section 1** of this regulation prohibits such actions upon certain described and posted portions of such areas during such periods of time.

Existing regulations prohibits a person from trapping on certain wildlife management areas, including the Railroad Valley Wildlife Management Area, unless the person has a permit to do so. Existing regulations provide that the Commission will issue permits to trap on certain wildlife management areas through a drawing process. (NAC 504.170) **Section 2** of this regulation removes the Railroad Valley Wildlife Management Area from the list of wildlife management areas on which a person may trap. **Section 2** additionally provides that the Commission will issue permits to trap on wildlife management areas on a first-come, first-served basis.

Existing regulations establish, in cooperation with the Sierra Pacific Power Company, the Fort Churchill Cooling Pond as a wildlife management area. Except for employees of the Sierra Pacific Power Company in the performance of their official duties, persons are prohibited from performing certain actions in this wildlife management area. (NAC 504.310) The Sierra Pacific Power Company merged with Nevada Power and Sierra Pacific Resources in 1999 and began doing business as NV Energy in 2008. (*Company History*, NV ENERGY, <https://www.nvenergy.com/about-nvenergy/our-company/history> (last visited June 7, 2021)) **Section 3** of this regulation makes a conforming change by replacing references to "Sierra Pacific Power Company" with "NV Energy."

Existing regulations create the Crittenden-Dake Reservoir Cooperative Wildlife Management Area. This Area includes the Crittenden and Dake Reservoirs and an area 100 feet wide surrounding these reservoirs. Certain activities are prohibited in this Area. (NAC 504.320) **Section 29** of this regulation repeals these regulations and, as a result, the Crittenden and Dake Reservoirs and an area 100 feet wide surrounding these reservoirs are no longer the Crittenden-Dake Reservoir Cooperative Wildlife Management Area.

Existing law requires the Commission to adopt regulations governing the disbursement of money to prevent or mitigate damage caused by elk or game mammals not native to this State. (NRS 504.165) For a person to receive such money, existing regulations require the claimant to notify the Department of Wildlife in writing of any damage within 5 days after he or she discovers it. Existing regulations require such a notice to contain certain information. (NAC 504.365) Existing regulations authorize the Department to accept a late claim that is filed more than 5 days after the claimant discovers the damage if the claimant gives verbal notice of the damage to the Department within the 5 days after he or she discovers the damage and if certain other conditions are satisfied. (NAC 504.370) **Sections 4 and 5** of this regulation require such notices to be filed within 5 business days after the claimant discovers the damage. **Section 5** additionally authorizes the Department to accept a late claim if the claimant gives written notice of the damage to the Department within the 5 business days after he or she discovers the damage and if certain other conditions are satisfied.

Existing regulations require a claimant to enter into a cooperative agreement with the Director of the Department to receive money or materials to prevent or mitigate damage caused by elk or game animals not native to this State. Existing regulations require such a cooperative agreement to state that the claimant agrees to notify the Department in writing of any damage within 5 days after he or she discovers it. (NAC 504.375) **Section 6** of this regulation requires that, while the claimant is subject to the cooperative agreement, this notice to be provided within 5 business days after he or she discovers any damage that is in addition to the original damage that was disclosed to the Department. Existing regulations also require the claimant to periodically inform the Department of the status of the damage if the damage is ongoing. The claimant is required to notify the Department in writing when the damage ends not later than 30 days after it ends. Such a notice must state: (1) the total extent of the damage; and (2) when the damage began and ended. (NAC 504.405) **Section 7** of this regulation removes this requirement and instead requires the claimant to maintain a record of when the damage began and ended. **Section 7** requires the claimant to: (1) keep this record for 1 year after the damage ends; and (2) during this one-year period, provide this record to the Department if the Department requests this record.

Existing law prohibits a person from: (1) possessing any live wildlife, unless the person is licensed by the Department to do so; (2) capturing live wildlife in this State to stock a commercial or noncommercial wildlife facility; and (3) possessing or releasing from confinement any mammal for the purpose of hunting. Existing law requires the Commission to adopt regulations for the possession of live wildlife. (NRS 504.295) Existing law further prohibits a person from introducing to this State or removing from any stream or body of water in this State to any other, or from one portion of this State to any other, aquatic life or wildlife unless the person has the written consent and approval of the Department. (NRS 503.597) Existing regulations establish how a person may apply for a commercial or noncommercial license to possess wildlife in this State and set forth certain items of information that a person must include with his or her application. (NAC 504.451, 504.452) **Sections 8 and 9** of this regulation additionally require an applicant to submit: (1) a cellular phone number or certain other telephone numbers; (2) an electronic mail address; and (3) an identification number from a driver's license, a driver authorization card or an instruction permit. **Section 8** additionally requires an applicant for a commercial license to submit: (1) a license issued by the United States Department of Agriculture in compliance with the Animal Welfare Act; and (2) any permit issued by the United States Fish and Wildlife Service concerning migratory birds or raptors.

Existing regulations provide that a person does not need to obtain a license to possess, propagate, breed or otherwise maintain certain species of privately planted live fish, including hybrids thereof, in certain ponds or lakes on private property. (NAC 504.4595) **Section 10** of this regulation

removes cutthroat trout and brook trout from the list of species and replaces black bullhead with bullhead catfish. Existing regulations prohibit these species from being transported, alive or dead, from the private property where the fish are being held unless the fish are accompanied by an itemized statement which lists certain information. (NAC 504.4595) **Section 10** additionally prohibits such transportation of live fish unless the Department has provided its written authorization. #9C

Existing regulations provide that the Department may authorize only certain species of wildlife to be possessed and propagated under the authority of a commercial license, including: (1) fish, crustaceans and mollusks; (2) certain native and nonnative endemic species of fish; and (3) certain other species of wildlife if certain conditions are satisfied. (NAC 504.460) **Section 11** of this regulation revises and limits this authority.

Existing regulations authorize a person to collect an unprotected reptile or amphibian at any hour of the day or night through certain means, excluding by the use of any type of pit trap or can trap. (NAC 504.4615) **Section 13** of this regulation restricts the means through which a person may collect an unprotected reptile or amphibian by prohibiting a person from using any type of trap, including a pit trap or a can trap. **Section 13** additionally exempts employees of the Department who are carrying out the duties of their employment or who are acting in their official capacities from the requirement that a person has to use certain means to collect an unprotected reptile or amphibian.

Existing regulations authorize a person who holds a commercial or noncommercial license to import a shipment of live wildlife into this State if he or she complies with certain requirements, including, if the shipment comprises birds, fish or mammals, providing a certificate of health issued by a fish pathologist or veterinarian who meets certain criteria. (NAC 504.464) **Section 14** of this regulation requires such a certificate of health be provided with the shipment if the shipment is comprised of birds, fish, mammals, reptiles or amphibians. Existing regulations prohibit a person who holds a commercial or noncommercial license from importing ungulates into this State unless certain conditions are met. (NAC 504.466) **Sections 14 and 15** of this regulation require, at least 30 days before any live wildlife or ungulate is imported into this State, a person to disclose to the Department the location where the live wildlife or ungulate is held and any other location where the live wildlife or ungulate will be held during the 30 days before the live wildlife or ungulate is imported into this State.

To prevent the spread of chronic wasting disease in this State, existing law prohibits a person from knowingly bringing into this State certain live animals or the carcass or any part of the carcass of certain animals. (NRS 501.3845, 571.210) Existing regulations prohibit a person who holds a commercial or noncommercial license from importing ungulates into this State unless certain conditions, including requiring the animal to test negative for certain diseases, are met. (NAC 504.466) **Section 15** clarifies that a person who holds a commercial or noncommercial license and who imports ungulates into this State must comply with existing law regarding chronic wasting disease. **Section 19** of this regulation requires an enclosure for certain animals, including for ungulates that are of the family Cervidae, to have an additional perimeter fence around the enclosure for the animal. **Section 20** of this regulation requires a person who holds a commercial or noncommercial license to submit the carcass of an ungulate that is of the family Cervidae to the Department for a postmortem examination to test the ungulate for chronic wasting disease.

Existing regulations prohibit a person from shipping, transporting or exporting wildlife from this State unless the wildlife to be transported is an unprotected reptile or amphibian. (NAC 504.471) **Section 16** of this regulation prohibits a person from shipping, transporting or exporting wildlife from this State unless the wildlife to be transported is an unprotected reptile or amphibian and the person possesses a permit issued by the Department which specifically authorizes the export of the unprotected reptile or

amphibian. **Section 12** of this regulation makes a conforming change by adding an exception for which a person may transport unprotected reptiles and amphibians without a license or permit. #9C

Existing regulations require a person who holds a commercial or noncommercial license for ungulates, bobcats, mountain lions or black bears or the progeny of these species to mark and tag the animals in a manner set forth in existing regulations. (NAC 504.472) **Section 17** of this regulation requires a person who holds a commercial or noncommercial license for an animal that is not an ungulate, bobcat, mountain lion or black bear or the progeny of those species to permanently tag and mark the animal in a manner acceptable to the Department.

Existing regulations require a person to maintain a cage or open-top enclosure for certain species that meets certain minimum requirements if the person, on or after February 28, 1994: (1) is granted an initial commercial or noncommercial license for bobcats, mountain lions or black bears; (2) is granted an initial commercial or noncommercial license for ungulates; or (3) holds any permit or license from the Department to possess a live ungulate. (NAC 504.476, 504.478) **Sections 18 and 19** of this regulation remove the reference to February 28, 1994, and, as a result, applies these minimum requirements to any person.

Existing regulations authorize a person who holds an exhibitor's license issued by the Animal and Plant Health Inspection Service of the United States Department of Agriculture to exhibit in this State wildlife listed in the exhibitor's license for not more than 90 days without obtaining a license or permit from the Department for the possession, transportation, importation or exportation of that wildlife. (NAC 504.486) **Section 21** of this regulation reduces the period of time a person can operate without a license or permit issued by the Department from 90 days to 45 days.

Existing regulations authorize a person who held any permit or license issued by the Department on February 28, 1994, to continue to possess his or her live animal and its progeny for the life of that animal and its progeny. (NAC 504.488) **Section 22** of this regulation authorizes such a person to continue to possess such progeny if it is born before January 1, 2022. If the progeny is born after January 1, 2022, the person must obtain a license to possess the live animal.

Existing regulations authorize the Department to issue a permit to rehabilitate wildlife. Existing regulations prohibit the Department from issuing a permit to rehabilitate wildlife for certain types of wildlife. (NAC 504.490) **Section 23** of this regulation prohibits the Department from issuing a permit to rehabilitate wildlife for the rehabilitation of any species of wildlife belonging to the family Cervidae.

Existing regulations establish how a person may apply for a permit to rehabilitate wildlife. Existing regulations set forth certain items of information that a person must include with his or her application for such a permit. (NAC 504.492) **Section 24** of this regulation revises this list so that an applicant must submit: (1) a cellular phone number or certain other telephone numbers; (2) an electronic mail address; and (3) an identification number from a driver's license, a driver authorization card or an instruction permit.

Existing law requires each person who provides guide services for compensation or who provides guide services as an incidental service to customers of any commercial enterprise to obtain a master guide license from the Department. Existing law authorizes the Commission to adopt regulations covering the conduct and operation of a guide service. (NRS 504.390) Existing regulations provide the general requirements a person must comply with to be issued a license as a master guide, including a requirement to provide proof of his or her United States Coast Guard license, if applicable. Existing regulations provide that, if a boat will be used to provide a service to a client and a United States Coast Guard license is not required, the applicant must provide proof that he or she has obtained a minimum

score on the boating safety examination in *Boat Nevada*. Existing regulations provide that *Boat Nevada* may be obtained free of charge from the Department and list the address of the Department. (NAC 504.600) **Section 25** of this regulation removes the listing of the Department's address. #9C

Existing regulations require a licensed master guide to furnish the client with a contract that contains certain information and require the master guide, if requested, to provide any contracts to an agent of the Department authorized to enforce existing regulations governing master guides and subguides. (NAC 504.685) **Section 26** of this regulation requires a master guide or a subguide, at all times while transporting, providing a service to or otherwise in the company of a client, to carry on his or her person or to otherwise have readily available in the field a copy of the contract. If the master guide or subguide is not transporting, providing a service to or otherwise in the company of a client, **section 26** requires the master guide, if requested, to provide within 24 hours of receiving the request any contracts to an agent of the Department authorized to enforce existing regulations governing master guides and subguides. Existing regulations require that, whenever guiding in this State, a nonresident master guide must keep copies of all contracts for clients guided in the State during the current calendar year readily available for inspection by any agent of the Department. (NAC 504.685) **Section 26** requires a nonresident master guide or nonresident subguide, at all times while transporting, providing a service to or otherwise in the company of a client in this State, to carry on his or her person or to otherwise have readily available in the field a copy of the contract.

Existing regulations require licensed master guides and subguides to keep and have available complete, current and accurate records regarding their clients that contain certain information. (NAC 504.688) **Section 27** of this regulation requires a guide to keep such records in the primary method of transportation used by the guide at all times while transporting, providing a service to or otherwise in the company of a client. **Section 27** further requires the master guide or subguide to, upon request, present the client's records to an agent of the Department while the master guide or subguide is transporting, providing a service to or otherwise in the company of a client.

Existing regulations require a master guide or subguide, at all times while transporting, providing a service to or otherwise in the company of a client, to carry on his or her person or otherwise have readily available certain licenses, special use permits and annual letters of authorization. (NAC 504.693) **Section 28** of this regulation makes a conforming change by referencing how a master guide or subguide, while transporting, providing a service to or otherwise in the company of a client, must carry on his or her person or otherwise have readily available the contracts and records discussed in **sections 26 and 27**.

Section 1. NAC 504.120 is hereby amended to read as follows:

504.120 1. Except as otherwise provided in subsection ~~{6,}~~ **3**, a person shall not enter, occupy, use or be upon the following described ~~{portion}~~ **and posted portions** of the ~~{Scripps}~~ **following** Wildlife Management ~~{Area}~~ **Areas** from February 15 through August 15:

(a) Scripps Wildlife Management Area:

~~—That portion of the Scripps Wildlife Management Area which lies south of Little Washoe Lake, as posted, and further described as including all or portions of Sections 1 and 2, T. 16 N., R. 19 E., M.D.B. & M. and Sections 25, 26, 35 and 36, T. 17 N., R. 19 E., M.D.B. & M.~~

(b) Key Pittman Wildlife Management Area:

The portion of Nesbitt Lake north of the old fence line.

(c) Wayne E. Kirch Wildlife Management Area:

The upper portion of Adams-McGill, Cold Springs, Dacey and Haymeadow Reservoirs, and all of the Tule Reservoir.

(d) Mason Valley Wildlife Management Area:

The eastern portion of the main developed pond area, ~~as posted.~~

2. ~~[Except as otherwise provided in subsection 6, a person shall not enter, occupy, use or be upon the following described portion of the Key Pittman Wildlife Management Area from February 15 through August 15:~~

~~—The portion of Nesbitt Lake north of the old fence line.~~

3. ~~Except as otherwise provided in subsection 6, a person shall not enter, occupy, use or be upon the following described portion of the Wayne E. Kirch Wildlife Management Area from February 15 through August 15:~~

~~—The upper portion of Adams-McGill, Cold Springs, Dacey and Haymeadow Reservoirs, as posted, and all of the Tule Reservoir.~~

4. ~~Except as otherwise provided in subsection 6, a person shall not enter, occupy, use or be upon the following described portion of the Mason Valley Wildlife Management Area from February 15 through August 15:~~

~~—The eastern portion of the main developed pond area, as posted.~~

—~~5.~~ Except as otherwise provided in subsection ~~[6.]~~ **3**, a person shall not enter, occupy, use or be upon the following described **and posted** portion of the Overton Wildlife Management Area from March 1 through August 1:

The Honey Bee Pond and the Center Pond.

~~[6.]~~ **3**. The provisions of subsections 1 ~~[to 5, inclusive,]~~ **and 2** do not apply to authorized personnel in the performance of their official duties.

Sec. 2. 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 having permits to do so may trap on the Overton, Key Pittman, Wayne E. Kirch, ~~[Railroad Valley,]~~ Humboldt, Fernley, Scripps, Mason Valley, Steptoe Valley, Franklin Lake and Alkali Lake Wildlife Management Areas.

3. Permits to trap on wildlife management areas will be issued ~~[through]~~ **on a [drawing process] first-come, first-served basis** and may contain designations of specific trapping areas, dates or other restrictions to ensure compatibility with other public activities.

Sec. 3. NAC 504.310 is hereby amended to read as follows:

504.310 1. The Fort Churchill Cooling Pond is a wildlife management area established in cooperation with ~~[Sierra Pacific Power Company.]~~ **NV Energy.**

2. Except as otherwise provided in subsection 3, a person shall not:

- (a) Trespass in or upon the waters of the Pond.
- (b) Camp overnight or have a campfire in the Wildlife Management Area.
- (c) Park in the Wildlife Management Area except that a person may park in the portion of the Wildlife Management Area designated for parking.
- (d) Discharge any firearm in the Wildlife Management Area.

3. The provisions of subsection 2 do not apply to employees of ~~[the Sierra Pacific Power Company]~~ **NV Energy** in the performance of their official duties.

Sec. 4. NAC 504.365 is hereby amended to read as follows:

504.365 Except as otherwise provided in NAC 504.370, to receive money or materials from the Department pursuant to the provisions of NAC 504.350 to 504.440, inclusive, a claimant must notify the Department in writing of any damage within 5 **business** days after he or she discovers it. The notice must include the:

- 1. Dates on which the damage occurred or an estimate of the dates;
- 2. Estimated number of elk or game animals not native to this State that are causing the damage;

- 3. Type of damage;
- 4. Date on which the damage was discovered;
- 5. Estimated extent of the damage; and
- 6. Location of the damage.

Sec. 5. NAC 504.370 is hereby amended to read as follows:

504.370 The Department may accept a claim that is filed more than 5 *business* days after the claimant discovers the damage if:

- 1. The claimant gives ~~[verbal]~~ *written* notice of the damage to the Department within the 5 *business* days; and
- 2. The claimant shows that his or her failure to give timely notice was:
 - (a) For good cause;
 - (b) Not caused by his or her lack of diligence; or
 - (c) Caused by the Department.

Sec. 6. NAC 504.375 is hereby amended to read as follows:

504.375 1. To receive money or materials from the Department pursuant to the provisions of NAC 504.350 to 504.440, inclusive, a claimant must enter into a cooperative agreement with the Director of the Department.

2. The cooperative agreement must state that:

- (a) If the Department and the claimant agree that the hunting of elk is necessary to control damage, the parties agree to negotiate the circumstances under which access to the land of the claimant will be allowed.
- (b) The Department agrees to:
 - (1) Act expeditiously when it receives a complaint.
 - (2) Assess the problem and recommend a course of action to the claimant.
 - (3) Carry out an orderly progression of action to alleviate the damage as agreed to by both parties.
 - (4) Compensate the claimant for damage if a preponderance of the evidence proves that the loss was caused solely by elk or game animals not native to this State.

(c) The claimant agrees to:

(1) Consult with the Department and consider its technical advice regarding:

- (I) Damage which occurs because of the placement of stored crops; and
- (II) The relocation of stored crops and development of new agricultural fields.

(2) Allow the Department to enter his or her property to:

- (I) Remove elk or game animals not native to this State when the Department so requests ~~it~~; **and**
- (II) Prevent further damage by any method necessary, including, but not limited to, hazing, hunting, shooting and scaring.

(3) Allow hunters to whom the Department has issued a wildlife depredation tag, to hunt on his or her property if the hunters will not constitute an undue safety hazard to persons or property.

(4) ~~Notify~~ **While he or she is subject to the cooperative agreement, notify** the Department in writing of any damage **that is in addition to the damage disclosed to the Department pursuant to NAC 504.365 or 504.370** within 5 **business** days after he or she discovers it. The notice must include the information and documentation required by the provisions of NAC 504.365.

Sec. 7. NAC 504.405 is hereby amended to read as follows:

504.405 1. If damage is ongoing, the claimant shall periodically inform the Department of the status of the damage.

2. The claimant shall ~~notify the Department in writing when the damage ends not later than 30 days after it ends. The notice must state:~~

~~(a) The total extent of the damage; and~~

~~(b) When~~ **maintain a record of when** the damage began and ended. **The claimant shall:**

(a) Keep this record for 1 year after the damage ends; and

(b) During the period described in paragraph (a), provide this record to the Department upon request.

3. For the purposes of subsection 1, ongoing means not more than 20 days have passed since the property of the complainant was damaged.

Sec. 8. NAC 504.451 is hereby amended to read as follows:

504.451 1. An application for a commercial license may be obtained from:

- (a) The headquarters of the Department; or
- (b) The regional offices of the Department in Fallon, Elko or Las Vegas.

2. The applicant must include on the application for a commercial license:

- (a) The name of the applicant;
- (b) The physical and mailing addresses of the applicant’s residence and place of employment;
- (c) The **cellular phone number of the applicant, if any, or the** telephone numbers of the applicant’s residence and place of employment;

(d) *The electronic mail address of the applicant, if any;*

(e) The driver’s license number , *driver authorization card number or instruction permit number* of the applicant, *as applicable*, if he or she has been issued a driver’s license ~~;~~

~~(e)~~ *or obtained a driver authorization card or an instruction permit in accordance with NRS 483.291;*

(f) The date of birth of the applicant;

~~(f)~~ *(g)* The name, address and telephone number of the company or institution which the applicant is representing, if any;

~~(g)~~ *(h)* A description of the purpose for which the wildlife is to be held;

~~(h)~~ *(i)* The common and scientific name and the number of each species of wildlife:

(1) To be obtained; and

(2) Presently being held by the applicant, if the application is for the renewal of a license,

↳ for which the applicant is requesting the commercial license;

~~(i)~~ *(j)* If the applicant is applying for the license for the first time, the name, address and *cellular phone number, if any, or other* telephone number of the person from whom the wildlife will be obtained;

~~(j)~~ *(k)* If the applicant resides in this State, the location at which the wildlife will be permanently maintained;

~~(k)~~ *(l)* If the applicant is not a resident of this State and he or she will be importing and displaying or exhibiting the wildlife in this State, a description of each location at which the wildlife will be displayed or exhibited and the approximate length of time that the wildlife will be displayed or exhibited at each location;

~~(l)~~ *(m)* A complete description, including a diagram, of the holding facilities, cages or aquaria, as appropriate, that will be used to hold or confine the wildlife;

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

~~and~~

~~(n)~~ *(o)* *A copy of the applicant’s license issued pursuant to 7 U.S.C. §§ 2131 et. seq.;*

(p) *A copy of the applicant’s permit issued pursuant to 50 C.F.R. §§ 21.1 et. seq., if any;*
and

(q) The applicant’s signature and the date on which the application is signed.

3. In addition to the requirements of subsection 2, an application for a commercial license for a species of wildlife which is listed in NAC 503.110 must ~~contain~~ :

(a) Include on the application:

(1) Evidence that the applicant is an accredited institutional member of the Zoological Association of America or the Association of Zoos and Aquariums, or a successor organization; or

(2) Evidence that the person is engaged in commercial aquaculture and in compliance with paragraph (e) of subsection 3 of NAC 503.110; and

(b) Contain a description of:

~~[(a)]~~ **(1)** The measures that will be used to prevent the wildlife from escaping; and

~~[(b)]~~ **(2)** The methods and equipment that will be used to recapture or destroy the wildlife if it does escape.

Sec. 9. NAC 504.452 is hereby amended to read as follows:

504.452 1. An application for a noncommercial license may be obtained from:

- (a) The headquarters of the Department; or
- (b) The regional offices of the Department in Fallon, Elko or Las Vegas.

2. An applicant for a noncommercial license must include on the application:

- (a) The name of the applicant;
- (b) The physical and mailing addresses of the applicant’s place of employment and residence;
- (c) The **cellular phone number of the applicant, if any, or the** telephone numbers of the applicant’s place of employment and residence;
- (d) **The electronic mail address of the applicant, if any;**
- (e) The driver’s license number , **driver authorization card number or instruction permit number** of the applicant, **as applicable**, if he or she has been issued a driver’s license ~~†~~

~~-(e)-~~ **or obtained a driver authorization card or an instruction permit in accordance with NRS 483.291;**

(f) The date of birth of the applicant;

~~[(f)]~~ **(g)** A description of the purpose for which the wildlife is to be held;

~~[(g)]~~ **(h)** The common and scientific name and number of:

- (1) Each species of wildlife to be obtained; and
- (2) If the application is for the renewal of a license, each species presently in captivity,

↳ for which the applicant is requesting a license;

~~[(h)]~~ (i) If the application is an initial application, the name, address and *cellular phone number, if any, or other* telephone number of the source where the wildlife will be obtained;

~~[(j)]~~ (j) The locations at which the wildlife will be permanently maintained;

~~[(k)]~~ (k) A complete description, including a diagram, of the holding facilities, cages or aquaria that will be used to confine the wildlife;

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

~~[(m)]~~ (m) The signature of the applicant and the date of the application.

Sec. 10. NAC 504.4595 is hereby amended to read as follows:

504.4595 1. A person does not need to obtain a license to possess, propagate, breed or otherwise maintain the following species of privately planted live fish, including hybrids thereof, in a pond or lake which is not connected to a state water system by means of a natural water course and which is located wholly on private property:

(a) Rainbow trout;

(b) Brown trout;

(c) ~~Cutthroat trout;~~

~~(d) Brook trout;~~

~~(e) Largemouth bass;~~

~~[(f)]~~ (d) Smallmouth bass;

~~[(g)]~~ (e) Bluegill sunfish;

~~[(h)]~~ (f) Redear sunfish;

~~[(i)]~~ (g) Channel catfish;

~~[(j) Black bullhead;]~~ (h) Bullhead catfish; or

~~[(k)]~~ (i) Crappie.

2. Species of fish, and any parts and progeny thereof, authorized to be held pursuant to subsection 1 must not be:

(a) Sold, bartered or traded;

(b) Released into the waters of this State which are not located on the same private property, unless the other water is located wholly on private property and is not part of or connected to the state water system by means of a natural water course;

(c) Captured or removed from the wild to stock the water on the private property;

(d) Imported into this State, except upon the written authorization of the Department; or

(e) Placed on public display or maintained as a part or as an adjunct to a commercial establishment.

3. A person who possesses fish in accordance with this section may not charge another person a fee for the privilege of fishing for or otherwise capturing those fish.

4. A species of fish authorized to be possessed pursuant to this section may not be transported ~~alive~~:

(a) Alive, from the private property where the fish are being held without the written authorization of the Department; and

(b) Alive or dead, from the private property where the fish are being held, unless the fish are accompanied by an itemized statement which lists:

~~(a)~~ (1) The species and number of each fish to be transported;

~~(b)~~ (2) The date on which the fish to be transported were acquired by the person possessing the fish pursuant to this section;

~~(c)~~ (3) The name and address of the person transporting the fish and the name and address of the person who will receive the fish, if different from the transporter;

~~(d)~~ (4) The name and address of the person who owns or controls the property from which the fish are being transported; and

~~(e)~~ (5) The signature of the person who owns or controls the property where the fish were being held, or of the person's designee.

5. The owner, or if applicable, lessee, of a private pond or lake which is stocked with fish in accordance with this section, his or her family and guests may take fish from that pond or lake:

(a) At any time;

(b) In any manner which is not deleterious or dangerous to the residents, the wildlife other than the fish to be taken, and the habitat of the wildlife in this State; and

(c) Without regard for limits and required fishing licenses, permits or stamps.

➔ For the purposes of this subsection, manners of taking fish which are deleterious or dangerous to the residents, the wildlife other than the fish to be taken, and the habitat of the wildlife include, but are not limited to, the use of poisons and the use of explosives.

Sec. 11. NAC 504.460 is hereby amended to read as follows:

504.460 1. Except as otherwise provided in subsection 2 and NAC 504.459 and 504.461, the Department may authorize only the following species of wildlife to be possessed and propagated under the authority of a commercial license:

(a) Chukar.

(b) Hungarian (gray) partridge.

(c) California quail. (d) Gambel's quail.

- (e) Scaled quail.
- (f) Bobwhite quail.
- (g) Ring-necked and white-winged pheasant.
- (h) ~~Indigenous reptiles and amphibians.~~
- (i) Mountain quail.

2. Subject to the limitations set forth in NAC 503.110, the Department may authorize the possession and propagation of:

(a) Fish, ***other than those species of fish possessed pursuant to NAC 504.4595,*** crustaceans and mollusks under the authority of a commercial license.

~~(b) *Native and nonnative endemic species of fish, other than those species of fish listed in NAC 504.4595, under the authority of a noncommercial license.*~~

~~(c)~~ Other species of wildlife under the authority of a commercial or noncommercial license, if the Department is satisfied, based upon an investigation conducted pursuant to NRS 503.597, that the importation and possession of that species will not be detrimental to the wildlife or the habitat of wildlife in this State.

Sec. 12. NAC 504.461 is hereby amended to read as follows:

504.461 1. ~~{A}~~ ***Except as otherwise provided in NAC 504.471, a*** natural person may without a license or permit issued by the Department capture, possess, transport and breed reptiles and amphibians which are classified by the Department as unprotected if:

(a) The capture, possession, transportation and breeding is for strictly personal and noncommercial purposes; and

(b) The number of reptiles and amphibians possessed by the person does not exceed the possession limits established by the Commission for each such reptile and amphibian.

2. If, while in the possession of a natural person pursuant to this section, an unprotected reptile or amphibian produces progeny and the number of the progeny exceeds the possession limits established by the Commission for that reptile or amphibian, the natural person may hold the excess number of progeny in captivity for not more than 45 days after the date on which the progeny hatched or was born. On or before the expiration of the 45-day period, such progeny must be given as a gift to another natural person or a scientific or educational institution located in this State, or disposed of as directed by the Department. Such progeny must not be released into the wild.

3. Except as otherwise provided in chapters 501 to 504, inclusive, of NAC, unprotected reptiles and amphibians, and any parts and progeny thereof, which are possessed in accordance with this section may not be:

- (a) Sold, bartered or traded;
- (b) Released into the wild if the reptile or amphibian has been removed from the site where it was captured; or

(c) Maintained for public display or as a part of or adjunct to any commercial establishment. #9C

4. This section does not authorize the possession, transportation or exportation of unprotected reptiles or amphibians in violation of any applicable federal, state, county or city law, regulation or ordinance.

Sec. 13. NAC 504.4615 is hereby amended to read as follows:

504.4615 1. A person may collect an unprotected reptile pursuant to NAC 504.461 at any hour of the day or night and only by hand or by use of a noose, set of tongs or snake hook.

2. A person may collect an unprotected amphibian pursuant to NAC 504.461 at any hour of the day or night only by hand or by the use of a dip net.

3. In collecting an unprotected reptile or amphibian in accordance with this section, a person shall not use:

(a) A crowbar, tire iron, jackhammer, winch, explosive device, chemical substance or any other method or means of collection that involves the removal or breaking apart of rocks, a natural shelter or the habitat in or around which the reptile or amphibian may be found; or

(b) Any type of ~~pit~~ trap ~~or~~, **including, without limitation, a pit trap or a** can trap.

4. The provisions of subsections 1 and 2 do not apply to employees of the Department while carrying out the duties of their employment or while acting in their official capacities.

Sec. 14. NAC 504.464 is hereby amended to read as follows:

504.464 1. Except as otherwise provided in subsection 2 and NAC 504.466, a person who holds a commercial or noncommercial license may import a shipment of live wildlife into this State if he or she complies with the following requirements:

(a) The person's license must authorize the possession of the species to be imported;

(b) The person must first obtain an importation permit from the Department unless his or her commercial or noncommercial license specifically authorizes the importation of the species; ~~and~~

(c) If the shipment is comprised of birds, fish, ~~or~~ mammals, **reptiles or amphibians**, it must be accompanied by a certificate of health issued by a fish pathologist approved by the Department or a veterinarian who is:

(1) Licensed to practice in the state in which the shipment originated; and

(2) Accredited by the Federal Government ~~or~~; **and**

(d) At least 30 days before the live wildlife is imported into this State, the person discloses to the Department the location where the live wildlife is held and any other location where the live wildlife will be held during the 30 days before the live wildlife is imported into this State.

2. A person who holds a commercial or noncommercial license may import live fish into this State if:

(a) The person's license authorizes the possession of the species to be imported; and

(b) The person complies with the provisions of NRS 503.597 and NAC 503.560.

504.466 1. A person who holds a commercial or noncommercial license must not import ungulates into this State unless:

- (a) The person's license authorizes the possession of the species to be imported;
- (b) The person first obtains:
 - (1) An importation permit from the Department; and
 - (2) An importation permit from the State Department of Agriculture; ~~and~~
- (c) ***At least 30 days before the ungulate is imported into this State, the person discloses to the Department of Wildlife the location where the ungulate is held and any other location where the ungulate will be held during the 30 days before the ungulate is imported into this State; and***
- (d) The person submits to the Department of Wildlife and the State Department of Agriculture a health certificate and certificate of examination of the ungulates issued by a licensed veterinarian who is accredited by the Federal Government. The certificate of examination must include:
 - (1) A statement that all animals in the shipment tested negative for tuberculosis, brucellosis and such other diseases as prescribed by the Department of Wildlife and the State Department of Agriculture; and
 - (2) The following statement signed by the veterinarian in the state, province or country where the ungulates originated:

To the best of my knowledge, animals listed in this certificate are not infected with paratuberculosis (Johne's Disease) and have not been exposed to animals infected with paratuberculosis. To the best of my knowledge, the premises of origin have not been the site of a significant outbreak of disease in the previous 24 months that was not contained and extirpated using recognized standards for the control of diseases.

2. ***A person who holds a commercial or noncommercial license and who imports ungulates into this State pursuant to subsection 1 must comply with NRS 501.3845 and 571.210 regarding chronic wasting disease.***

3. Additional examinations of the animals may be required by the Department of Wildlife or the State Department of Agriculture if:

- (a) Written notice is given to the licensee; and
- (b) There is reason to believe that other diseases, parasites or health risks are present.

~~3.~~ 4. Imported ungulates must be isolated from other animals, for at least 30 consecutive days after entry into the State, at the quarantine facility of the importing licensee which is approved pursuant to NAC 504.480.

Sec. 16. NAC 504.471 is hereby amended to read as follows:

#9C

- 504.471 A person shall not ship, transport or export wildlife from the State of Nevada unless:
1. The person first obtains an exportation permit from the Department;
 2. The person possesses a valid license or permit issued by the Department which specifically authorizes the export of the species listed on the license or permit;
 3. The person lawfully obtains the wildlife from a person authorized to possess and export live wildlife without an export permit and the shipment is accompanied by a receipt which includes:
 - (a) The species of wildlife and the number of each species being shipped or transported;
 - (b) The date that the wildlife is being shipped or transported; and
 - (c) The name, address and signature of the person from whom the wildlife was obtained;
 4. The person ships or transports species possessed pursuant to NAC 504.459, 504.4595 or 504.4597; or
 5. The wildlife to be transported is an unprotected reptile or amphibian possessed pursuant to NAC 504.461 ~~and~~ **and the person possesses a permit issued by the Department which specifically authorizes the export of the unprotected reptile or amphibian.**

Sec. 17. NAC 504.472 is hereby amended to read as follows:

- 504.472 1. A person who holds a commercial or noncommercial license for:
- (a) Ungulates shall cause any ungulates the person possesses under the authority of that license to be:
 - (1) Marked with an official eartag approved by the United States Department of Agriculture;
 - (2) Marked with an eartag supplied or approved by the Department; or
 - (3) Otherwise permanently marked in a manner acceptable to the Department.
 - (b) Bobcats, mountain lions or black bears shall cause any of those species the person possesses under the authority of that license to be:
 - (1) Tattooed in the left ear with a number assigned by the Department; or
 - (2) Otherwise permanently marked in a manner acceptable to the Department.
 - (c) Ungulates, bobcats, mountain lions or black bears shall cause any of the progeny of those species the person possesses under the authority of that license to be tagged or marked:
 - (1) By December 31 of its year of birth; or
 - (2) Before leaving the facility,
- ↳ whichever is earlier.

2. *A person who holds a commercial or noncommercial license for an animal not mentioned in subsection 1 shall cause the animal the person possesses under the authority of that license to be permanently tagged or marked in a manner acceptable to the Department.*

3. Any identification attached to or implanted in a captive ungulate, bobcat, mountain lion or black bear must not be removed or transferred to any other animal.

Sec. 18. NAC 504.476 is hereby amended to read as follows:

504.476 1. Any person who ~~[, on or after February 28, 1994,]~~ applies for and is granted an initial commercial or noncommercial license for bobcats, mountain lions or black bears shall maintain, on the premises where the species is most often kept, a cage or open-top enclosure for the species that meets or exceeds the minimum requirements set forth in this section.

2. Any cage for bobcats, mountain lions or black bears must have:

(a) Sides constructed of:

(1) Woven wire or chain link which is no smaller than 11 gauge for bobcats and 9 gauge for mountain lions or black bears; or

(2) A solid material that cannot be destroyed by the species contained therein;

(b) A top constructed of woven wire or chain link which is no smaller than 11 gauge;

(c) A floor:

(1) Constructed of cement or concrete at least 3 inches thick into which metal fence posts are permanently secured; or

(2) Made of dirt with buried chain link or a similar material that will preclude the species from digging through the floor and escaping; and

(d) Double doors constructed in such a manner that the exterior door must be closed before the interior door can be opened. Each door must be secured by a lock.

3. Any open-top enclosure for bobcats, mountain lions or black bears must comply with the following minimum requirements:

(a) The enclosure must have a perimeter fence which is: (1)

At least 8 feet high for its entire length;

(2) Constructed of:

(I) Woven wire or chain link which is no smaller than 11 gauge for bobcats and 9 gauge for mountain lions or black bears; or

(II) A solid material that cannot be destroyed by the species contained therein; and

(3) Supported by posts or stays located at intervals of not more than 10 feet.

(b) A double overhang (Y-cantilever) of barbed or electrified wire, or smooth wire which is no smaller than 9 gauge, must be installed at the top of the perimeter fence with one cantilever tilted in

at a 45-degree angle and the other tilted out at a 45-degree angle. The cantilevers must be not less than 12 inches in length.

(c) For:

(1) Bobcats and mountain lions, the bottom of the perimeter fence must be secured to the ground in such a manner as to prevent the ingress and egress of the species; and

(2) Black bears, buried mesh wire which is no smaller than 11 gauge must extend laterally 3 feet to the inside of the enclosure for the length of the perimeter fence in such a manner as to prevent the species from digging under the fence and escaping.

(d) Any trees or obstacles that would allow bobcats, mountain lions or black bears to exit or enter the enclosure must be removed.

(e) Any gate in the perimeter fence must be:

(1) Designed to close by itself; and

(2) Equipped with two locking devices.

4. Any cage or open-top enclosure for bobcats, mountain lions or black bears must be maintained in a condition that prevents the ingress and egress of the species. If any bobcats, mountain lions or black bears pass through, under or over the cage or open-top enclosure, the licensee shall immediately repair or alter the cage or open-top enclosure to prevent the continued passage.

Sec. 19. NAC 504.478 is hereby amended to read as follows:

504.478 1. Any person:

(a) Who ~~[, on or after February 28, 1994,]~~ applies for and is granted an initial commercial or noncommercial license for ungulates; or

(b) Who:

(1) ~~[On February 28, 1994, holds]~~ **Holds** any permit or license issued by the Department which authorizes the possession of live ungulates; and

(2) Adds to or rebuilds any existing enclosures for ungulates on the premises where the ungulates are most often kept, except for the performance of necessary repairs or maintenance,

➤ shall maintain, on the premises where the ungulates are most often kept, an enclosure for those ungulates that meets or exceeds the minimum requirements set forth in this section.

2. The enclosure must have a conventional perimeter fence which is at least 8 feet high for its entire length. The lower 6 feet of the fence must be constructed of:

(a) Woven wire or chain link which is no smaller than 12 1/2 gauge; or

(b) High-tensile woven wire which is no smaller than 14 1/2 gauge,

➤ of a mesh that is no larger than 6 inches by 8 inches. If the roll of fencing material is less than 6 feet in height it must be overlapped to attain 6 feet, and securely fastened at every other vertical row or woven together with cable, in such a manner as to eliminate gaps. Any supplemental wire used on

the upper 2 feet of the fence to attain the height of 8 feet must be constructed of smooth, ~~barbed~~ ^{#9C} or woven wire which is no smaller than 12 1/2 gauge with strands spaced not more than 6 inches apart.

3. *The enclosure for ungulates listed in NRS 501.3845 or for ungulates that are of the family Cervidae must have an additional perimeter fence that surrounds the conventional perimeter fence described in subsection 2. The distance between the two fences must at least 8 feet apart and not more than 16 feet apart. The additional perimeter fence must comply with the requirements set forth in subsection 2.*

4. The posts used in a perimeter fence must:

(a) Extend at least 8 feet above and 2 1/2 feet below the surface of the ground.

(b) Be spaced not more than 24 feet apart with stays or supports at intervals between the posts of not more than 8 feet, except that no stays or supports are required for properly stretched high-tensile fences.

(c) For corner posts, be:

(1) Constructed of pressure-treated wood which is not less than 5 inches in diameter; and

(2) Braced with wood or a suitable metal properly set in concrete.

(d) For line posts, be constructed of:

(1) Pressure-treated wood which is not less than 4 inches in diameter; or

(2) Metal "T" posts which weigh not less than 1 1/4 pounds per foot.

~~[4.]~~ 5. Any gate in a perimeter fence must be:

(a) Designed to close by itself; and

(b) Equipped with two locking devices.

~~[5.]~~ 6. There must be no gate in any portion of a perimeter fence shared in common with another enclosure for the same species which is maintained by another licensee.

~~[6.]~~ 7. Materials for an electrical fence may be used on a perimeter fence only as a supplement to the materials required by this section.

~~[7.]~~ 8. If a perimeter fence is on uneven terrain, any hollows must be filled with suitable materials such as rock, hard-packed soil or logs.

~~[8.]~~ 9. A perimeter fence must be maintained in a condition that prevents the ingress and egress of ungulates. If any ungulates pass through, under or over the perimeter fence, the licensee shall immediately repair or alter the fence to prevent the continued passage.

Sec. 20. NAC 504.480 is hereby amended to read as follows:

504.480 **1.** A person who holds a commercial or noncommercial license for ungulates shall:

~~[1.]~~ (a) Maintain, on the premises where the ungulates are most often kept, a quarantine facility which is approved by both the Department of Wildlife and the State Department of Agriculture.

~~[2.]~~ (b) Allow agents of the Department of Wildlife or the State Department of Agriculture to inspect at any time that quarantine facility and any animals contained therein.

~~[3.]~~ (c) If a quarantine is imposed, quarantine ungulates in that quarantine facility.

~~[4.]~~ (d) Immediately report to the Department of Wildlife the death of any ungulate the person possesses under the authority of that license. ~~[The]~~ **Except as otherwise provided in subsection 2, the** Department of Wildlife may require the licensee to submit the ungulate to:

~~[(a)]~~ (1) A laboratory approved by the Department of Wildlife; or

~~[(b)]~~ (2) A licensed veterinarian who is accredited by the Federal Government,

→ for a postmortem examination to determine the cause of death.

2. If a person who holds a commercial or noncommercial license for ungulates reports to the Department of Wildlife the death of an ungulate that is of the family Cervidae, the Department of Wildlife shall require the licensee to submit the carcass of the ungulate, not later than 60 days after the death of the ungulate, to:

(a) A laboratory approved by the Department of Wildlife; or

(b) A licensed veterinarian who is accredited by the Federal Government,

→ **for a postmortem examination to test for chronic wasting disease.**

Sec. 21. NAC 504.486 is hereby amended to read as follows:

504.486 A person who holds an exhibitor’s license issued by the Animal and Plant Health Inspection Service of the United States Department of Agriculture may exhibit in this State wildlife listed in that license, for not more than ~~[90]~~ **45** days, without obtaining any license or permit issued by the Department for the possession, transportation, importation or exportation of that wildlife.

Sec. 22. NAC 504.488 is hereby amended to read as follows:

504.488 A person who, on February 28, 1994, holds any permit or license issued by the Department that authorizes the possession of a live animal may, except as otherwise provided in the particular permit or license, continue to possess that animal and its progeny **that is born before January 1, 2022**, for the life of that animal and ~~[its]~~ **such** progeny ~~[.]~~ **without having to obtain a license pursuant to NAC 504.450 to 504.486, inclusive.** The animal and ~~[its]~~ **such** progeny:

1. Must not, if the animal is of a species listed in NAC 503.110, be released, sold, bartered, given away or traded within this State.

2. Must not, if the animal is not of a species listed in NAC 503.110, be:

(a) Released in this State without the prior written authorization of the Department; or

(b) Sold, bartered, given away or traded within this State except:

(1) Pursuant to the conditions set forth in the permit or license under which the animal and ~~[its]~~ **such** progeny are held; and

(2) To a person who holds a commercial or noncommercial license for the same species.

3. May be exported out of this State pursuant to applicable federal and state laws and regulations adopted pursuant thereto. #9C

Sec. 23. NAC 504.490 is hereby amended to read as follows:

504.490 1. The Department may issue a permit to rehabilitate wildlife.

2. Wildlife held pursuant to a permit to rehabilitate wildlife is the property of the people of the State of Nevada and must be turned over to the Department upon its request.
3. The name and telephone number of each facility used by a holder of a permit to rehabilitate wildlife is subject to public disclosure.
4. A permit to rehabilitate wildlife is valid only for the premises or locations described on the permit.
5. The Department will not issue a permit to rehabilitate wildlife for the rehabilitation of:
 - (a) Coyotes, foxes, skunks, raccoons, rats, mice, ground squirrels or bats;
 - (b) Any species of wildlife listed in NAC 503.110, whose possession is prohibited; ~~{or}~~
 - (c) ***Any species of wildlife belonging to the family Cervidae; or***
 - (d) Any species of wildlife whose possession is prohibited by a county or city ordinance that applies to the premises or locations for which the permit is sought.

Sec. 24. NAC 504.492 is hereby amended to read as follows:

504.492 1. An application for a permit to rehabilitate wildlife may be obtained from:

- (a) The headquarters of the Department; or
- (b) The regional office of the Department in Fallon, Elko or Las Vegas.

2. The applicant must include on the application for a permit to rehabilitate wildlife:

- (a) The name of the applicant;
- (b) The physical and mailing addresses of the applicant's residence and place of employment;
- (c) The ***cellular phone number of the applicant, if any, or*** telephone number of the applicant's residence;
- (d) ***The electronic mail address of the applicant, if any;***
- (e) The driver's license number , ***driver authorization card number or instruction permit number*** of the applicant, ***if applicable,*** if he or she has been issued a driver's license ~~{~~

~~{e)}~~ ***or obtained a driver authorization card or an instruction permit in accordance with NRS 483.291;***

- (f) The date of birth of the applicant;

~~{f)}~~ ***(g) The street address or legal description of the premises or locations where the facilities to be used in rehabilitating the wildlife are or will be located;***

~~[(g)]~~ (h) The name, business address and telephone number, and the signature of the practicing veterinarian licensed in this State who will examine, diagnose and perform veterinary services on and, if required, euthanize the injured, ill, orphaned or otherwise debilitated wildlife;

~~[(h)]~~ (i) The name, address and *cellular phone number, if any, or* telephone number of each person who will routinely:

- (1) Transport the wildlife to be rehabilitated; or
- (2) Assist the applicant at the facility where the wildlife will be rehabilitated;

~~[(i)]~~ (j) The specific species or taxa of wildlife to be rehabilitated,

including:

- (1) Amphibians;
- (2) Reptiles;
- (3) Passerine and nonpasserine birds, other than those birds in the order Falconiformes or Strigiformes;
- (4) Raptors and birds in the order Falconiformes or Strigiformes; and
- (5) Mammals;

~~[(j)]~~ (k) A detailed description of the experience which the applicant has in working with the species or taxa identified in the application, including, but not limited to:

- (1) Previous work, which can be verified, in rehabilitating wildlife;
- (2) Assistance to a person who holds a current license or permit to rehabilitate wildlife;
- and (3) Assistance to a licensed veterinarian who has routinely worked on wildlife;

~~[(k)]~~ (l) A complete description, including a diagram, of the holding facilities, cages or aquaria, as appropriate, that will be used to confine the wildlife during its rehabilitation;

~~[(l)]~~ (m) If the applicant currently holds or has previously held a similar license or permit in another state, the name of each state in which such a license or permit is held or has been held;

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

~~[(n)]~~ (o) Whether, at the time of the application, the privileges granted to the applicant by another state or the United States Fish and Wildlife Service relating to the rehabilitation of wildlife are suspended or revoked; and

~~[(o)]~~ (p) The signature of the applicant and the date on which he or she signed the application.

3. The applicant must submit his or her application to the headquarters of the Department. If the applicant intends to rehabilitate wildlife for which he or she is required to obtain a special federal permit

from the United States Fish and Wildlife Service, the applicant must include with his or her application a copy of the permit or evidence satisfactory to the Department that approval for such a permit is pending. A permit to rehabilitate wildlife issued by the Department is not valid for the purposes of the rehabilitation of wildlife for which a federal permit is required until the Department receives a copy of the federal permit.

4. Before the Department will issue an initial permit to rehabilitate wildlife pursuant to this section, the applicant must provide to the Department:

- (a) Documentation which substantiates that the applicant has at least 2 years of practical experience working with a licensed rehabilitator of wildlife; or
- (b) A letter which is written by a licensed veterinarian who is experienced in the care of wildlife and which substantiates the qualifications of the applicant to rehabilitate wildlife.

5. If the applicant applies to rehabilitate bobcats, mountain lions or black bears, the applicant must comply with the standards for facilities established for those species in NAC 504.476.

Sec. 25. NAC 504.600 is hereby amended to read as follows:

504.600 1. An applicant for a license as a master guide must:

- (a) Be a competent person of good moral character.
- (b) Be 21 years of age or older.
- (c) Demonstrate knowledge of the wildlife laws and regulations of the State relevant to the license for which the applicant is applying by passing the examination required pursuant to NAC 504.608.
- (d) Submit proof with his or her application of current certification in:
 - (1) An American Red Cross course in standard first aid;
 - (2) An American Heart Association course in standard first aid; or
 - (3) An equivalent course in standard first aid. The applicant must submit proof with his or her application that this course meets or exceeds the requirements of the American Red Cross or the American Heart Association.
- (e) Provide proof of his or her United States Coast Guard license, if applicable. If a boat will be used to provide a service to a client and a United States Coast Guard license is not required, the applicant must provide proof that he or she has obtained a minimum score of 80 percent on the boating safety examination in *Boat Nevada*, a booklet which may be obtained free of charge from the Department . ~~[of Wildlife, 1100 Valley Road, Reno, Nevada 89512.]~~
- (f) If applying for a license for hunting services, provide proof that the applicant has successfully completed a course in the responsibilities of hunters approved by the Department.

2. Except as otherwise provided in subsection 6, in addition to the requirements of subsection 1, an applicant for a license as a master guide for hunting services or hunting and fishing services:

- (a) Must submit:

- (1) Proof that he or she possessed a valid subguide license in Nevada, or held an equivalent position in another state, Canadian province or foreign country, for at least 3 of the 5 years immediately preceding the date of the application;
 - (2) Four letters of recommendation written by clients whom the applicant personally guided during the period described in subparagraph (1); and
 - (3) Either:
 - (I) A letter of recommendation written by the master guide, registered guide, professional guide or outfitter who employed the applicant as a subguide, or an equivalent position, during the period described in subparagraph (1); or
 - (II) Proof that he or she spent a minimum of 15 days guiding clients in the field during the period described in subparagraph (1); or
 - (b) Must submit proof that he or she held the position of, or was licensed in another state, Canadian province or foreign country as a master guide, registered guide, professional guide or outfitter and has at least 20 days of guiding experience for at least 2 of the 5 years immediately preceding the date of the application.
3. Except as otherwise provided in this subsection, an application for the issuance or renewal of a master guide license must be received by the Department on or before May 31 of the current year. An application for renewal received after May 31 but before July 1 will be processed and a warning letter will be issued for the first occurrence within 3 years. Any subsequent late application for renewal submitted within 3 years after the receipt of a late application will be denied. An application for renewal received on or after July 1 will not be processed, and all fees will be returned. The denial of or refusal to process an application for the issuance or renewal of a master guide license pursuant to this subsection does not preclude the submission of a timely application for the issuance or renewal of such a license in the next ensuing license year.
4. An applicant for a license as a subguide must:
- (a) Satisfy the requirements outlined in paragraphs (a), (c), (d), (e) and (f) of subsection 1; and
 - (b) Be 18 years of age or older.
5. An application for the renewal of a license as a master guide or subguide must include proof of current certification in standard first aid, as described in paragraph (d) of subsection 1.
6. An applicant for a license as a master guide is not required to comply with the provisions of subsection 2 if:
- (a) He or she is applying only to provide fishing services; and
 - (b) His or her license as a subguide or an equivalent position, as applicable, is not currently suspended or revoked.
7. As used in subsection 2, "proof" means a copy of an official record maintained by a state agency or board that issues a license to act as a guide or outfitter.

Sec. 26. NAC 504.685 is hereby amended to read as follows:

504.685 1. Before providing a service to a client, a licensed master guide must furnish the client with a contract:

- (a) Stating:
 - (1) The type of service to be provided, including, without limitation, food, lodging, transportation, capping, field dressing services and the packing out of harvested wildlife.
 - (2) The dates on which guide services are to be provided.
 - (3) The fee schedule for the guide’s services.
 - (4) The maximum number of clients which may accompany a guide on any one occasion.
 - (5) The master guide’s policy regarding the cancellation and amendment of a contract for guide services.
 - (6) The master guide’s policy regarding the return of a deposit if the contract is cancelled.
 - (7) Whether the client can expect to be guided by a person other than the master guide.

(b) Signed by the master guide and the client.

2. A contract must be provided to every client whether or not the master guide does the actual guiding.

3. A master guide shall provide the client with a contract signed by the master guide within 30 days after receipt of a deposit for future guide services.

4. Only the master guide may enter into a contract with a client.

5. A subguide, with authorization from the master guide, may present a contract to a client for the purpose of obtaining the client’s signature. If a subguide presents a contract to a client:

- (a) The contract must contain the original signature of the master guide;
- (b) The subguide shall not alter the provisions of the contract unless he or she receives authorization from the master guide; and
- (c) If applicable, the subguide shall initial and date any alterations made to the contract.

6. The master guide shall retain all original signed contracts for not less than 3 years.

7. ~~[[If requested, the]]~~ ***At all times while transporting, providing a service to or otherwise in the company of a client, the master guide or the subguide shall carry on his or her person or otherwise have readily available in the field a copy of the contract required by this section. If requested:***

(a) The resident master guide or resident or nonresident subguide shall provide the copy of the contract to an agent of the Department authorized to enforce the provisions of NAC 504.590 to 504.711, inclusive, while transporting, providing a service to or otherwise in the company of a client; and

(b) For all other times when the resident master guide or the resident or non resident subguide is not transporting, providing a service to or otherwise in the company of a client,

the master guide shall provide , *within 24 hours of receiving the request*, any contracts to an agent of the Department authorized to enforce the provisions of NAC 504.590 to 504.711, inclusive.

8. *At all times while transporting, providing a service to or otherwise in the company of a client in this State,*

a) a nonresident master guide or resident or nonresident subguide shall carry on his or her person or otherwise have readily available while transporting, providing a service to or otherwise in the company of a client a copy of the contract required by this section for inspection by any agent of the Department; and

b) Whenever guiding in this State, a nonresident master guide shall keep copies of all contracts for clients guided in the State during the current calendar year readily available for inspection by any agent of the Department.

Sec. 27. NAC 504.688 is hereby amended to read as follows:

504.688 1. Licensed master guides and subguides shall keep and have available complete, current and accurate records regarding their clients.

2. Records regarding clients must be written on forms furnished by the Department to all licensed master guides. These forms will include spaces for: (a) The client’s name.

(b) The client’s hunting or fishing license number, whichever is applicable.

(c) The client’s tag or permit number, if a tag or permit is required by the Department.

(d) The dates, specifying the days, months and years, on which the client was guided.

(e) The date, specifying the day, month and year, on which each species of wildlife was harvested, the species harvested and the number of the species harvested.

(f) The point class of the animal harvested if the animal is a deer or elk.

(g) The management unit where each animal was harvested.

(h) The name of each of the guides who guided the client.

3. A guide shall:

(a) Make the initial entry in the records that are required pursuant to subsection 2 on the first day that he or she provides guide services to the client; **[and]**

(b) Make the final entry in the records required pursuant to subsection 2 on the final day guide services are provided to the client **[]**; **and**

(c) ***Keep the records in the primary method of transportation used by the guide at all times while transporting, providing a service to or otherwise in the company of a client.***

4. The master guide shall submit to the Department all original record forms for his or her clients for the immediately preceding license year, including the record forms of any subguides employed by the master guide, by certified mail, return receipt requested, not later than the last day of May of the year for which the guide is currently licensed. If:

(a) No clients were guided during the immediately preceding license year, the master guide shall submit one page from his or her client record book and one page from the client record book of each subguide employed by the master guide, with the notation "no clients" written on the page.

(b) A master guide fails to submit the record forms for his or her clients on or before the last day of May, the Department will give the master guide electronic or written notice of that fact. If the master guide fails to submit the required forms on or before June 30, the Department may deny the master guide's application for renewal for the next ensuing license year.

(c) A master guide fails to submit the record forms for his or her clients on or before the last day of May two or more times within a 3-year period, the Department may deny the master guide's application for renewal for the next ensuing license year.

5. The master guide and subguide shall present his or her clients' records for inspection :

(a) Upon request to an agent of the Department authorized to enforce the provisions of NAC 504.590 to 504.711, inclusive, while the master guide or subguide is transporting, providing a service to or otherwise in the company of a client; and

(b) For all other times when the master guide or subguide is not transporting, providing a service to or otherwise in the company of a client, at any reasonable hour or place to any agent of the Department authorized to enforce the provisions of NAC 504.590 to 504.711, inclusive.

Sec. 28. NAC 504.693 is hereby amended to read as follows:

504.693 At all times while transporting, providing a service to or otherwise in the company of a client, a master guide or subguide shall carry on his or her person or otherwise have readily available:

1. His or her valid master guide or subguide license issued by the Department or a legible, unaltered copy of the license; ~~and~~

2. If applicable, the valid original or a legible, unaltered copy of the portion of the special use permit and annual letter of authorization issued to the master guide by the federal land management agency having jurisdiction within the wildlife management area or unit that contains the:

(a) Name of the master guide or the name of his or her guiding business; and

(b) Description of the wildlife management area or unit, or other geographic area where the master guide is authorized to guide pursuant to the special use permit ~~and~~;

3. The contract required by NAC 504.685 in the manner set forth in subsection 7 or 8 of NAC 504.685, as applicable; and

4. The records required by NAC 504.688 in the manner set forth in paragraph (c) of subsection 3 of NAC 504.688.

Sec. 29. NAC 504.320 is hereby repealed.

TEXT OF REPEALED SECTION

504.320 Crittenden-Dake Reservoir Cooperative Wildlife Management Area.

The Crittenden and Dake Reservoirs and an area 100 feet wide surrounding these reservoirs are the Crittenden-Dake Reservoir Cooperative Wildlife Management Area. The following activities are prohibited on these areas:

1. Towing a person on water skis, a surfboard, an inflatable device or any similar device.
2. Overnight camping.
3. Entering land posted as off-limits above the crossfence at the upper end of Crittenden Reservoir. Vehicles may be parked only in areas designated by the Department.



STATE OF NEVADA
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MEMORANDUM:

December 31, 2021

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

From: Kimberly Munoz, Data and Technology Services Division Administrator

Title: **Commission Regulation 21-07 Amendment #2, 2022 Heritage Tag Seasons and Quotas**

Description: The Commission will review, revise, and adopt recommendations for the establishment of the 2022 Heritage Tag seasons and quotas.

Summary:

This regulation amendment is to update the unit closures to the 2022 Heritage specialty tags for bighorn sheep.

Brief Explanation of the Proposed Regulation

The Department recommends removing the unit restrictions to the 2022 Heritage bighorn sheep tags that have been assigned for auction from the Nevada Bighorns Unlimited Reno Chapter and the Wild Sheep Foundation and Fraternity of the Desert Bighorn.

The Department recommends revising the language of unit closures for the California bighorn sheep.

Recommendation:

The Department recommends that the Commission review and adopt the proposed regulation amendment as presented.

CR 21-07 Amendment #2 2022 Wildlife Heritage Tag Seasons and Quotas

The Nevada Board of Wildlife Commissioners, under the authority of Section 501.181, 502.140, 502.250 and 503.140 of the Nevada Revised Statutes (NRS), does hereby adopt the following regulation for the management of wildlife resources in the State of Nevada.

2022 Wildlife Heritage Tags

Hunting Hours: Big game mammals and wild turkey may be hunted from one-half hour before sunrise to one-half hour after sunset as listed on government sunrise-sunset tables.

Take Limit: One animal allowed per tag.

Legal Weapon: Any legal firearm or bow as described in NRS 503.150 and Nevada Administrative Code (NAC) 503.141, 503.142, 503.143 and 503.144 may be used throughout the big game season. Additionally, any legal weapon or shotgun or bow as described in NAC 503.187 may be used throughout the wild turkey season.

****Unit Closures:** The Tag Allocation and Application Hunt Committee and Commission directive on unit closures is for the following: close units of harvest during the previous year's California Bighorn Sheep, and Nelson Bighorn Sheep tags #1 and #2 hunts will be closed for the subsequent year's hunt if the quota in that unit for the prior year is less than ten (10) for Nelson Bighorn Sheep or seven (7) for California Bighorn Sheep. This closure is subject to change on a yearly basis.

Species	Class	Unit Group	Season	Quota	Organization
Mule Deer	Any mule deer	Any hunt unit with an antlered mule deer season.	August 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Mule Deer hunt.	2	Wildlife & Habitat Improvement of Nevada
					Mule Deer Foundation
Pronghorn Antelope	Any pronghorn antelope	Any hunt unit with a pronghorn antelope with horns longer than ears season.	August 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Pronghorn Antelope hunt.	2	Wild Sheep Foundation & Fraternity of the Desert Bighorn
					Safari Club International – LV
Rocky Mountain Elk	Any elk with at least one antler	Any hunt unit with an antlered elk season except for unit 091.	August 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Rocky Mountain Elk hunt.	2	Nevada Bighorns Unlimited – Reno Meadow Valley Wildlife Unlimited
Nelson (Desert) Bighorn Sheep Heritage Tag No. 1*	Any ram	Any units open to hunting Nelson (desert) bighorn sheep except unit 263. **	July 1, 2022 through December 31, 2022, in compliance with the dates set for each hunt unit group for the Nelson (Desert) bighorn sheep any ram hunt.	1	Nevada Bighorns Unlimited - Reno

Nelson (Desert) Bighorn Sheep Heritage Tag No. 2*	Any ram	Any units open to hunting Nelson (desert) bighorn except unit 263.**	July 1, 2022 through December 31, 2022, in compliance with the dates set for each hunt unit group for the Nelson (Desert) bighorn sheep any ram hunt.	1	Wild Sheep Foundation & Fraternity of the Desert Bighorn
California Bighorn Sheep Heritage Tag No. 1*	Any ram	Any units open to hunting California bighorn sheep except unit 041.**	July 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the California bighorn sheep any ram hunt.	1	Nevada Bighorns Unlimited - Fallon
Wild Turkey	Any wild turkey	Any hunt unit with a wild turkey season.	March 21, 2022 through May 3, 2022 in compliance with the dates set for each hunt unit group for the Wild Turkey hunt.	5	LV Woods & Waters Safari Club International – LV Muley Fanatic Foundation – Sierra Front Meadow Valley Wildlife Unlimited Wildlife & Habitat Improvement of Nevada
Total				14	

* There are portions of hunt unit 181 in Naval Air Station (NAS) Fallon where public access is **restricted**. To hunt Nelson (desert) bighorn sheep in the NAS portions of this unit, the tag holder is required to attend a NAS hunter safety briefing. *Those portions of hunt unit 181 that do not fall within the boundaries of NAS Fallon are open to the public.*

Portions of Hunt units 252, 280, 281, 282 are within the Nevada Test and Training Range (NTTR) where public access is **restricted**. Hunters and everyone in their respective hunting parties must comply with all Nevada hunting requirements and all NTTR safety and security requirements including the following: 1) consent to and pass a criminal history background check; 2) be at least 14 years old on opening day of the respective hunting season; 3) attend the Nellis Air Force Base hunter safety briefing; and 4) within the NTTR portion of unit 252 limit party size to 5 including tag holder. Additional party members may complete background check and safety briefing, but only maximum of 5 party members including tag holder may be present within the NTTR portion of unit 252 at any given time. *Those portions of hunt units 252, 280, 281, and 282 that do not fall within the boundaries of NTTR are open to the public.*

Hunters and members of their parties who fail to comply with these requirements may be denied access to the NTTR. Hunters and members of their parties may not access the NTTR after a tag is filled and animal has been removed and in possession of tag holder. No pets are allowed on NTTR. It is the hunter's responsibility to meet and/or comply with all NTTR eligibility requirements. In some units there may be adjustments to season dates to accommodate Department of Defense operations. The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.

Bighorn Sheep tag holders will be notified by the Department of Wildlife of the date, time and location of the Indoctrination classes. Attendance at one Bighorn Sheep Indoctrination Class is mandatory for tag holders or their representative guides or sub-guides. A person represented by a guide or sub-guide at the Indoctrination class may only hunt under the direct supervision of the guide or sub-guide who attended the class on their behalf. Tags will only be issued upon completion of an Indoctrination class. Although attendance in mandatory, tag holders, guides, and sub-guides who can prove they have attended previous Bighorn seminars are exempt from attending future seminars.



STATE OF NEVADA
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MEMORANDUM:

30 December 2021

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics
From: Kimberly Munoz, Data and Technology Services Division Administrator
Title: **Commission Regulation 22-01, 2022 Big Game Application Deadlines**
Description: The Commission will review, revise, and adopt recommendations for the establishment of the 2022 big game application deadlines.

Summary:

This regulation is to establish the 2022 big game application and harvest questionnaire return deadlines. All applications and harvest questionnaire returns must be submitted online at www.ndowlicensing.com. Harvest questionnaire returns may also be submitted over the telephone at 1-855-542-6369 prior to the deadline.

Brief Explanation of the Proposed Regulation

The Department recommends no changes in format from the previous year to the Big Game Main Draw, the Big Game Second Draw with the exception of extending Big Game Main Draw application period by one day due to the availability of staff over Mother’s Day weekend.

The Big Game Main Draw Order has been further clarified with groups in the order that will be assigned to an applicant. Included in this draw order is the Management Bighorn Sheep Ram hunt that will be proposed to the Commission in CR 22-11.

The Department recommends shortening the application deadline for the Restricted Non-Resident Guided Mule Deer Hunt by one week so the application and draw results do not overlap with the opener of the Big Game Main Draw application period.

No separate Bonus Point only period will be assigned this year, but bonus points will be offered for purchase during any big game application period.

The Department continues to recommend that all big game applications be submitted online, and no applications will be accepted by mail. The Department also continues to recommend that all harvest questionnaire returns be submitted online or over the telephone.

Recommendation:

The Department recommends that the Commission review and adopt the proposed regulation as presented.

CR 22-01 2022 Big Game Application Deadlines

The Nevada Board of Wildlife Commissioners, under the authority of Section 501.181, 502.140, 502.250 and 503.140 of the Nevada Revised Statutes (NRS), does hereby adopt the following regulation for the management of wildlife resources in the State of Nevada.

General Big Game Tag Application Information

All applications associated with the big game tag draw processes for mule deer, including the Restricted Nonresident Guided Mule Deer Hunt, pronghorn antelope, elk, black bear, bighorn sheep and mountain goat must be submitted through the internet at www.ndowlicensing.com. ***Applications submitted by mail will not be accepted.*** Mailed applications received at Nevada Department of Wildlife offices will be date stamped and returned to the applicant.

Restricted Non-Resident Guided Mule Deer Hunt Draw Application Deadline

The Department will only accept those applications received for the Restricted Non-Resident Guided Mule Deer Hunt draw through the internet at www.ndowlicensing.com submitted before 11:00:00pm Pacific Time on ***Monday, March 7, 2022. Personal Identifiable Numbers (PINs) generated to apply for the Non-Resident Guided Mule Deer hunt will be provided up until the opening of the application period. Any tag unissued or returned to the Department before the main draw will be allocated into the quota of the main draw in the non-resident mule deer categories relative to matching hunt criteria.***

Restricted Non-resident Guided Mule Deer Hunt Draw Results

Initial Restricted Non-Resident Guided Mule Deer Hunt draw results will be posted online at www.ndowlicensing.com no later than 48-hours after the completion of the Restricted Non-Resident Guided Mule Deer Hunt draw. ***The Restricted Non-Resident Guided Mule Deer Hunt results will be posted on or before Friday, March 18, 2022.*** Draw results information will not be provided in any way before the draw results are posted online.

Note: Draw results posted within the 48-hour deadline may not reflect the final status of an application due to payment processing issues that may occur after the results are posted.

Big Game Main Draw Application Deadline

The Department will only accept those applications received for the Big Game Main Draw through the internet at www.ndowlicensing.com submitted before 11:00:00pm Pacific Time on ***Tuesday, May 10, 2022.***

Big Game Main Draw Order

The Big Game Main Draw will be performed by species. Applications are awarded tags until all quotas are filled in the order of the following groups:

- 1. Silver State, Partners in Wildlife, Junior Mule Deer Antlered/Antlerless***
- 2. Assigned simultaneously in no particular order: [Rocky Mountain Bighorn Sheep Ram, California Bighorn Sheep Ram, Nelson (Desert) Bighorn Sheep Ram, Management Bighorn Sheep Ram (if approved by the Commission in CR 22-11), Elk Antlered, Elk Depredation Antlered, Antelope Horns Longer than Ears, Mule Deer Antlered, Mountain Goat, Bear]***
- 3. Assigned simultaneously in no particular order: [California Bighorn Sheep Ewe, Nelson (Desert) Bighorn Sheep Ewe, Elk Antlerless, Elk Depredation Antlerless, Antelope Horns Shorter than Ears, Mule Deer Antlerless]***
- 4. Spike Elk***

Big Game Main Draw Results

Initial Big Game Main Draw results will be posted online at www.ndowlicensing.com no later than 48 hours after the completion of the main draw. The main draw results will be posted on or before Friday, **May 27, 2022**. Draw results information will not be provided in any way before the draw results are posted online.

Note: Draw results posted within the 48-hour deadline may not reflect the final status of an application due to payment processing issues that may occur after the results are posted.

Big Game Main Draw Electronic Tag Return

There will be a seven (7) day period in which a successful tag recipient can choose to electronically return the tag prior to printing and mailing.

Big Game Second Draw Application Deadline

The Department will only accept those applications for the Big Game Second Draw received through the internet at www.ndowlicensing.com submitted before 11:00:00pm Pacific Time on Monday, **June 13, 2022**.

Big Game Second Draw Results

Initial Big Game Second Draw results will be posted online at www.ndowlicensing.com no later than 48 hours after the completion of the second draw. The second draw results will be posted on or before the Friday, **June 24, 2022**. Draw results information will not be provided in any way before the draw results are posted online.

Note: Draw results posted within the 48-hour deadline may not reflect the final status of an application due to payment processing issues that may occur after the results are posted.

Bonus Point Period

Bonus points can be purchased during any big game application period. The Department will only accept purchases of bonus points received through the internet at www.ndowlicensing.com. Only one bonus point can be obtained per season and active license for each species or category of a species as defined in NAC 502.4187.

Harvest Questionnaires

The issuance of a big game tag includes an online harvest questionnaire that tag recipients are required to complete, regardless of whether or not they hunted or harvested big game. Harvest questionnaires may be accessed and submitted to the Department's independent contractor, Kalkomey Enterprises, LLC, through the internet at www.ndowlicensing.com or via telephone at 1-855-542-6369.

Properly completed harvest questionnaires must be submitted on or before 5:00:00pm Pacific Time on January 31 following the close of the hunt season for which the tag was issued, with the exception of hunts that end on or after January 31, which must have properly completed harvest questionnaires submitted on or before 5:00:00pm Pacific Time on February 28 following the close of the hunt season for which the tag was issued. NAC 502.405.



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MEMORANDUM:

30 December 2021

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics
From: Kimberly Munoz, Data and Technology Services Division Administrator
Title: **Commission Regulation 22-02, 2022 Big Game Application Eligibility and Tag Limits**
Description: The Commission will review, revise, and adopt recommendations for the establishment of the 2022 big game application eligibility and tag limits.

Summary:

This regulation is to establish 2022 big game application eligibility and tag limits.

Brief Explanation of the Proposed Regulation

The Department recommends adding clarifying language to the Big Game Application Eligibility regarding the definition of “awarded” that was included in CGR 499 and was adopted by the Commission in the November 2021 meeting and the Legislative Commission meeting in December 2021.

Additional language has been added to the First Come, First Served Eligibility limiting the number of tags that can be added to a customer’s cart within a seven (7) day period, a definition of “suspicious activity,” and a suspension to a customer from the First Come, First Served program if they are found by the Department to be creating an unfair advantage for themselves within the program.

Additional sections have been added to include options allowing a person to apply for and obtain a management ram bighorn sheep tag, that will be proposed to the Commission in CR 22-11, in addition to another bighorn sheep tag within the same year.

Recommendation:

The Department recommends that the Commission review and adopt the proposed regulation as presented. (Note for 2022 CR): Per Tony – explain current process and ask the Commission’s preference regarding residency agnostic for mountain goats and Rocky Mountain BHS in the FCFS program.

CR 22-02 2022 Big Game Tag Application Eligibility and Tag Limits

The Nevada Board of Wildlife Commissioners, under the authority of Section 501.181, 502.140, 502.250 and 503.140 of the Nevada Revised Statutes (NRS), does hereby adopt the following regulation for the management of wildlife resources in the State of Nevada.

Big Game Tag Application Eligibility

Except as otherwise provided by regulation, a person may only **apply** for one (1) big game tag per species or subspecies per draw application period, with the following exceptions:

- An eligible person may submit one (1) application for antlered mule deer and one (1) application for antlerless mule deer, or an eligible person may submit one (1) application for the junior antlered or antlerless mule deer, per draw application period;
- An eligible person may submit one (1) application for pronghorn antelope horns longer than ears and one (1) application for pronghorn antelope horns shorter than ears per draw application period;
- An eligible person may submit one (1) application for antlered elk, one (1) application for antlered depredation elk, one (1) application for spike elk, and one (1) application for each type of antlerless elk, including antlerless elk, antlerless management elk, and antlerless depredation elk, per draw application period;
- An eligible person may submit one (1) application for ram bighorn sheep per subspecies, **one (1) application for management ram bighorn sheep hunt (if approved by the Commission in CR 22-11)**, and one (1) application for ewe bighorn sheep per subspecies per draw application period;
- An eligible person may submit one (1) application for antlered mule deer and one (1) application for antlerless mule deer per **emergency hunt** application period; and
- An eligible person may submit one (1) application for pronghorn antelope horns longer than ears and one (1) application for pronghorn antelope horns shorter than ears per **emergency hunt** application period.

Customers who are successful in a draw will have 7-days to complete the purchase of their awarded tag. If at the time the 7-days has ended and a tag holder has not completed a successful purchase, the customer will be treated as a successful applicant in regard to applied waiting periods and loss of bonus points. The tag will be offered to the next available alternative, if no alternate is available, offered in a subsequent draw or in the First Come, First Served program. (NAC 502, CGR 499 adopted by the Commission November 2021, adopted by the Legislative Commission in December 2021)

Big Game Tag Limits

Except as otherwise provided by regulation, a person may only **obtain** one (1) big game tag per species or subspecies per year, with the following exceptions:

- An eligible person may obtain one (1) **management ram bighorn sheep tag (if approved by the Commission in CR 22-11) in addition to any** bighorn sheep tag **obtained** per subspecies per year;
- An eligible person may obtain Heritage tags, Dream tags, Mule Deer or Pronghorn Antelope Landowner Damage Compensation tags, Elk Incentive tags, and Antlerless Elk Landowner tags in addition to any tags obtained through a draw process.

Big Game Second Draw Eligibility

A second drawing will be held for all mule deer, pronghorn antelope, black bear, elk, mountain goat and bighorn sheep tags that remain after the completion of the big game main draw process. Eligible residents and nonresidents may apply for **any** remaining tags during the big game second draw application period, with the exception of the junior mule deer and antlerless mule deer hunt tags, which will only be available to eligible resident applicants.

First Come First Served Eligibility

For the purposes of this regulation, the term Suspicious Activity is defined as: seeking to create an unfair advantage in obtaining a big game tag.

A first come first serve process to purchase a tag will be offered for all mule deer, pronghorn antelope, black bear, elk, mountain goat and bighorn sheep tags that remain after the completion of the big game second draw process and any returned tags thereafter having no eligible alternate. Eligible residents and nonresidents may purchase **any** tags offered during the First Come, First Served period, with the exception of the junior mule deer tags, which will only be available to eligible resident applicants. *Participating persons will be limited to adding one (1) tag to their cart in a seven (7)-day period. Persons who actively abuse or attempt to create an unfair advantage of the First Come, First Served program may be suspended by the Department for suspicious activity. Suspicious activity includes, but is not limited to, the use of technological programs designed to carry out tasks without human supervision, technological advancements designed to increase the ability of the average human, and multiple logins into a single account and/or multiple browser sessions open at a single time. Suspensions applied for suspicious activity can last up to the duration of the big game hunting season. More severe conduct, such as continued and substantial efforts to gain an unfair advantage, may result in permanent restriction from use of the program.*



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MEMORANDUM:

December 31, 2021

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics
From: Kimberly Munoz, Data and Technology Services Division Administrator
Title: **Commission Regulation 22-03, 2022 Dream Tag**
Description: The Commission will review, revise, and adopt recommendations for the establishment of the 2022 Dream Tags seasons and quotas.

Summary:

This regulation is to establish the 2022 seasons and quotas for big game Dream Tags. Dream Tag quotas are defined by Nevada Revised Statute 502.219, allowing one Dream Tag for each species of big game for which 50 or more tags were available under the quota established for the species by the Commission during the previous year.

Brief Explanation of the Proposed Regulation

The Department recommends no changes to the previous year’s Dream Tag seasons with the exception of excluding the Spike Elk and Depredation Elk hunts and seasons from the Rocky Mountain Elk category.

The Department has continued to generalize the description of the Black Bear Indoctrination classes due to the uncertainty of the COVID-19 pandemic and the possible need to virtualize or reschedule the classes.

The Department recommends closing the units where the prior year’s bighorn sheep specialty tags were harvested. The Department has recommended no changes to the seasons of all other species from the previous year. For consistency, the Department recommends continuing to use the method for closing Silver State bighorn sheep hunt units based on the previously approved Tag Allocation and Application Hunt Committee recommendations. These recommendations include the closure of hunt units where the Nelson (Desert) Bighorn Sheep Silver State Tag No. 1 was filled in the year prior and the harvest quota for the current year for that hunt unit is less than ten (10) or seven (7) for California Bighorn Sheep. These recommendations will continue through 2022 to mirror the approved unit group closures of the 2022 Heritage Tag.

Clarification language has been added notifying the public that portions of land that do not fall within the boundaries of NTTR and NAS Fallon are open to the public.

Recommendation:

The Department recommends that the Commission review and adopt the proposed regulation as presented.

CR 22-03 2022 Dream Tag

The Nevada Board of Wildlife Commissioners, under the authority of Section 501.181, 502.140, 502.250 and 503.140 of the Nevada Revised Statutes (NRS), does hereby adopt the following regulation for the management of wildlife resources in the State of Nevada.

2022 Dream Tags

Hunting Hours: Big game mammals may be hunted from one-half hour before sunrise to one-half hour after sunset as listed on government sunrise-sunset tables.

Take Limit: One animal allowed per tag.

Legal Weapon: Legal weapons are described in NRS 503.150 and Nevada Administrative Code (NAC) 503.141, 503.142, 503.143 and 503.144. Weapon use must adhere to the weapon class seasons defined for each species, hunt unit and hunt.

Unit Closures: The Tag Allocation and Application Hunt Committee and Commission directive on unit closures is for the following: close units of harvest during the previous years and Nelson Bighorn Sheep tags #1 and #2 hunts will be closed for the subsequent year's hunt if the quota in that unit for the prior year is less than ten (10) for Nelson Bighorn Sheep or seven (7) for California Bighorn Sheep. This closure is subject to change on a yearly basis.

Hunt	Class	Unit Group	Season	Quota [†]
Mule Deer	Antlered	Any hunt unit where there is an open season for antlered mule deer.	In compliance with the dates set for each hunt unit group for resident mule deer antlered hunts.	1
Pronghorn Antelope	Horns longer than ears	Any hunt unit where there is an open season for pronghorn antelope with horns longer than ears.	In compliance with the dates set for each hunt unit group for resident pronghorn antelope horns longer than ears hunts.	1
Nelson (Desert) Bighorn Sheep Dream Tag*	Any ram	Any hunt unit where there is an open season for Nelson bighorn sheep except units 243 , 253 , 263 , and 271 .	In compliance with the dates set for each hunt unit group for the Nelson (desert) bighorn sheep any ram hunt.	1
Rocky Mountain Elk	Any elk with at least one antler	Any hunt unit where there is an open season for antlered elk except for unit 091.	In compliance with the dates set for each hunt unit group for resident elk antlered hunts. <i>Excludes Spike and Depredation hunts.</i>	1
Black Bear**	Any black bear	Any hunt unit where there is an open season for black bear***.	In compliance with the dates set for each hunt unit group for the resident black bear hunt.	1
California Bighorn Sheep Dream Tag*	Any ram	Any hunt unit where there is an open season for California bighorn sheep except units 031 , 035 , and 068 .	In compliance with the dates set for each hunt unit group for the California bighorn sheep any ram hunt.	1
Total				6

* There are portions of hunt unit 181 in Naval Air Station (NAS) Fallon where public access is **restricted**. To hunt Nelson (desert) bighorn sheep in the NAS portions of this unit, the tag holder is required to attend a NAS hunter safety briefing. ***Those portions of hunt unit 181 that do not fall within the boundaries of NAS Fallon are open to the public.***

Portions of Hunt units 252, 280, 281, 282 are within the Nevada Test and Training Range (NTTR) where public access is **restricted**. Hunters and everyone in their respective hunting parties must comply with all Nevada hunting requirements and all NTTR safety and security requirements including the following: 1) consent to and pass a criminal history background check; 2) be at least 14 years old on opening day of the respective hunting season; 3) attend the Nellis Air Force Base hunter safety briefing; and 4) within the NTTR portion of unit 252 limit party size to 5 including tag holder. Additional party members may complete background check and safety briefing, but only maximum of 5 party members including tag holder may be present within the NTTR portion of unit 252 at any given time. ***Those portions of hunt units 252, 280, 281, and 282 that do not fall within the boundaries of NTTR are open to the public.***

Hunters and members of their parties who fail to comply with these requirements may be denied access to the NTTR. Hunters and members of their parties may not access the NTTR after a tag is filled and animal has been removed and in possession of tag holder. No pets are allowed on NTTR. It is the hunter's responsibility to meet and/or comply with all NTTR eligibility requirements. In some units there may be adjustments to season dates to accommodate Department of Defense operations. The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.

The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.

** Tag holders, or their licensed guide if applicable, must call the Black Bear Harvest Information Hotline prior to hunting to determine if the hunt has been closed due to the harvest objective being reached. The number is 1-800-800-1667 and is accessible 24 hours a day. The Nevada Department of Wildlife phone numbers to call and report a harvested black bear are 775-688-BEAR (2327) or 775-720-6130.

Black Bear tag holders will be notified by the Department of Wildlife of date, time and location of the Indoctrination classes. Two (2) Black Bear Indoctrination classes will be held every year. Attendance at one Black Bear Indoctrination Class is mandatory for tag holders or their representative guides or sub-guides. A person represented by a guide or sub-guide at the Indoctrination class may only hunt under the direct supervision of the guide or sub-guide who attended the class on their behalf. Tags will only be issued upon completion of an Indoctrination class.

Bighorn Sheep tag holders will be notified by the Department of Wildlife of the date, time and location of the Indoctrination classes. Attendance at one Bighorn Sheep Indoctrination Class is mandatory for tag holders or their representative guides or sub-guides. A person represented by a guide or sub-guide at the Indoctrination class may only hunt under the direct supervision of the guide or sub-guide who attended the class on their behalf. Tags will only be issued upon completion of an Indoctrination class. Although attendance in mandatory, tag holders, guides, and sub-guides who can prove they have attended previous Bighorn seminars are exempt from attending future seminars.

*** Those areas within Units 192 and 194 are closed except those areas that are within the U.S. Forest Service Lake Tahoe Basin Management Unit (LTBMU) and those areas bounded on the west by the LTBMU boundary from the southern boundary of Township 16 North, Range 18 East, Section 13 to the Mount Rose Wilderness Area boundary (approximately located at the Relay Ridge Radio Tower), by the Mount Rose Wilderness Area boundary from the LTBMU boundary to the western boundary of Range 19 East, and by the western boundary of Range 19 East from the Mount Rose Wilderness Area boundary to USFS Road No. 41049 (Logan Meadow Lane/Thomas Creek), bounded on the north by USFS Road No. 41049 from the western boundary of Range 19 East to Timberline Drive, by Timberline Drive from its junction with USFS Road No. 41049 to State Highway 431 (Mount Rose Highway), and by State Highway 431 from its junction with Timberline Drive to its junction with U.S. Highway 395, bounded on the east by U.S. Highway 395 from its junction with State Highway 431 to the southern boundary of Township 16 North, Range 19 East, Section 14 (approximately located at the northbound Bellevue Interchange off-ramp), and bounded on the south by the southern edge of Township 16 North, Range 19 East, Sections 14 – 18, following the southern boundary of the University of Nevada, Reno Little Valley Study Area, and Township 16 North, Range 18 East, Section 13 to the LTBMU boundary.

† Dream tag quotas are defined by NRS 502.219.



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MEMORANDUM:

December 31, 2021

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics
From: Kimberly Munoz, Data and Technology Services Division Administrator
Title: **Commission Regulation 22-04, 2022 Partnership in Wildlife**
Description: The Commission will review, revise, and adopt recommendations for the establishment of the 2022 Partnership in Wildlife tags seasons and quotas.

Summary:

This regulation is to establish the 2022 seasons and quotas for Partnership in Wildlife big game tags. Partnership in Wildlife tag quotas may not exceed 22 resident and 3 nonresident mule deer tags, 5 resident pronghorn antelope tags, 3 resident elk tags, 1 mountain goat tag, and 4 resident bighorn sheep tags per Nevada Administrative Code 502.428.

Brief Explanation of the Proposed Regulation

The Department recommends allowing the maximum tags for mule deer, pronghorn antelope and elk, one (1) tag for Nelson (desert) bighorn sheep, and zero (0) tags for mountain goat.

The Department recommends excluding the Spike Elk and Depredation Elk hunts and seasons from the Rocky Mountain Elk category.

The Department recommends removing the California bighorn sheep tag from the PIW specialty tag program and move it into the Silver State program.

The Department recommends closing the units where the prior year’s bighorn sheep specialty tags were harvested. The Department has recommended no changes to the seasons of all other species from the previous year. For consistency, the Department recommends continuing to use the method for closing Silver State bighorn sheep hunt units based on the previously approved Tag Allocation and Application Hunt Committee recommendations. These recommendations include the closure of hunt units where the Nelson (Desert) Bighorn Sheep Silver State Tag No. 1 was filled in the year prior and the harvest quota for the current year for that hunt unit is less than ten (10) or seven (7) for California Bighorn Sheep. These recommendations will continue through 2022 to mirror the approved unit group closures of the 2022 Heritage Tag.

Clarification language has been added notifying the public that portions of land that do not fall within the boundaries of NTTR and NAS Fallon are open to the public.

Recommendation:

The Department recommends that the Commission review and adopt the proposed regulation as presented.

CR 22-04 2022 Partnership in Wildlife

The Nevada Board of Wildlife Commissioners, under the authority of Section 501.181, 502.140, 502.250 and 503.140 of the Nevada Revised Statutes (NRS), does hereby adopt the following regulation for the management of wildlife resources in the State of Nevada.

2022 Partnership in Wildlife Tags

Hunting Hours: Big game mammals may be hunted from one-half hour before sunrise to one-half hour after sunset as listed on government sunrise-sunset tables.

Take Limit: One animal allowed per tag.

Legal Weapon: Legal weapons are described in NRS 503.150 and Nevada Administrative Code (NAC) 503.141, 503.142, 503.143 and 503.144. Weapon use must adhere to the weapon class seasons defined for each species, hunt unit and hunt.

Unit Closures: The Tag Allocation and Application Hunt Committee and Commission directive on unit closures is for the following: close units of harvest during the previous years and Nelson Bighorn Sheep tags #1 and #2 hunts will be closed for the subsequent year's hunt if the quota in that unit for the prior year is less than ten (10) for Nelson Bighorn Sheep. This closure is subject to change on a yearly basis.

Hunt	Class	Unit Group	Season	Quota
Resident Mule Deer	Antlered	Any hunt unit where there is an open season for antlered mule deer.	In compliance with the dates set for each hunt unit group for resident mule deer antlered hunts.	22
Nonresident Mule Deer	Antlered	Any hunt unit where there is an open season for antlered mule deer.	In compliance with the dates set for each hunt unit group for non-resident mule deer antlered hunts.	3
Resident Pronghorn Antelope	Horns longer than ears	Any hunt unit where there is an open season for pronghorn antelope with horns longer than ears.	In compliance with the dates set for each hunt unit group for resident pronghorn antelope horns longer than ears hunts.	5
Resident Nelson (Desert) Bighorn Sheep PIW Tag*	Any ram	Any hunt unit where there is an open season for Nelson bighorn sheep except units 243, 253, 263, and 271	In compliance with the dates set for each hunt unit group for the resident Nelson (desert) bighorn sheep any ram hunt.	1
Resident Rocky Mountain Elk	Elk with at least one antler	Any hunt unit where there is an open season for antlered elk except for unit 091.	In compliance with the dates set for each hunt unit group for resident elk antlered hunts. Excludes Spike and Depredation hunts.	3
Total				34

* There are portions of hunt unit 181 in Naval Air Station (NAS) Fallon where public access is **restricted**. To hunt Nelson (desert) bighorn sheep in the NAS portions of this unit, the tag holder is required to attend a NAS hunter safety briefing. **Those portions of hunt unit 181 that do not fall within the boundaries of NAS Fallon are open to the public.**

Portions of Hunt units 252, 280, 281, 282 are within the Nevada Test and Training Range (NTTR) where public access is **restricted**. Hunters and everyone in their respective hunting parties must comply with all Nevada hunting requirements and all NTTR safety and security requirements including the following: 1) consent to and pass a criminal history background check; 2) be at least 14 years old on opening day of the respective hunting season; 3) attend the Nellis Air Force Base hunter safety briefing; and 4) within the NTTR portion of unit 252 limit party size to 5 including tag holder. Additional party members may complete background check and safety briefing, but only maximum of 5 party members including tag holder may be present within the NTTR portion of unit 252 at any given time. **Those portions of hunt units 252, 280, 281, and 282 that do not fall within the boundaries of NTTR are open to the public.**

Hunters and members of their parties who fail to comply with these requirements may be denied access to the NTTR. Hunters and members of their parties may not access the NTTR after a tag is filled and animal has been removed and in possession of tag holder. No pets are allowed

on NTTR. It is the hunter's responsibility to meet and/or comply with all NTTR eligibility requirements. In some units there may be adjustments to season dates to accommodate Department of Defense operations. The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.

Bighorn Sheep tag holders will be notified by the Department of Wildlife of the date, time and location of the Indoctrination classes. Attendance at one Bighorn Sheep Indoctrination Class is mandatory for tag holders or their representative guides or sub-guides. A person represented by a guide or sub-guide at the Indoctrination class may only hunt under the direct supervision of the guide or sub-guide who attended the class on their behalf. Tags will only be issued upon completion of an Indoctrination class. Although attendance is mandatory, tag holders, guides, and sub-guides who can prove they have attended previous Bighorn seminars are exempt from attending future seminars.

The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division

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MEMORANDUM:

December 31, 2021

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics
From: Kimberly Munoz, Data and Technology Services Division Administrator
Title: Commission Regulation 22-05, 2023 Heritage Tag Seasons and Quotas
Description: The Commission will review, revise, and adopt recommendations for the establishment of the 2023 Heritage Tag seasons and quotas.

Summary:

This regulation is to establish the 2023 seasons and quotas for Heritage auction tags. The Department must mail, email and post Heritage tag vendor proposal packets by March 1, 2022. The Heritage Committee will review vendor proposal packets during their May meeting and provide recommendations to the County Advisory Boards and the Commission for review and adoption at the June meeting.

Combined Heritage and Silver State tag quotas may not exceed 15 big game tags and 5 wild turkey tags per Nevada Revised Statute 502.250.

Brief Explanation of the Proposed Regulation

The Department recommends no changes to the previous year’s Heritage tag species or quotas, allowing two (2) mule deer tags, two (2) pronghorn antelope tags, two (2) elk tags, two (2) Nelson (desert) bighorn sheep tags, one (1) California bighorn sheep tag, and five (5) wild turkey tags.

The Department recommends no changes to the previous year’s Heritage Tag seasons.

The Department updated the method for closing Dream Tag Bighorn Sheep hunt units based on the Tag Allocation and Application Hunt Committee (TAAHC) recommendations. The new process provides a quota for specialty tag holders based on the quota available for the general public in each hunt unit. Upon the collection of the unit of kill during the harvest check in process, the Department will notify specialty tag bighorn sheep holders of any unit closures. The Department is recommending grouping Nelson and California bighorn sheep into one standard for closing unit groups opposed to what was presented and approved at the last TAAHC meeting. The approved unit closures from the TAAHC are as follows:

Desert BHS Unit Group Quota	California BHS Unit Group Quota	Maximum Specialty Tag Quota
1	1	0
5	6	1
10	12	2
15	18	3
20		4

>20		5
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Clarification language has been added notifying the public that portions of land that do not fall within the boundaries of NTTR and NAS Fallon are open to the public.

Recommendation:

The Department recommends that the Commission review and adopt the proposed regulation as presented.

CR 22-05
2023 Wildlife Heritage Tag Seasons and Quotas

The Nevada Board of Wildlife Commissioners, under the authority of Section 501.181, 502.140, 502.250 and 503.140 of the Nevada Revised Statutes (NRS), does hereby adopt the following regulation for the management of wildlife resources in the State of Nevada.

2023 Wildlife Heritage Tags

Hunting Hours: Big game mammals and wild turkey may be hunted from one-half hour before sunrise to one-half hour after sunset as listed on government sunrise-sunset tables.

Take Limit: One animal allowed per tag.

Legal Weapon: Any legal firearm or bow as described in NRS 503.150 and Nevada Administrative Code (NAC) 503.141, 503.142, 503.143 and 503.144 may be used throughout the big game season. Additionally, any legal weapon or shotgun or bow as described in NAC 503.187 may be used throughout the wild turkey season.

Unit Closures: *The Tag Allocation and Application Hunt Committee and Commission directive on unit closures is associated with the setting of the annual bighorn sheep quotas and the following table that identifies the maximum number of specialty tags for every unit group that has an open season. Some unit groups may be set to zero (0) if they are not able to sustain additional ram harvest beyond the general draw's tag quota.*

<i>BHS Unit Group Quota</i>	<i>Maximum Specialty Tag Quota</i>
<i>1-2</i>	<i>0</i>
<i>3-6</i>	<i>1</i>
<i>7-12</i>	<i>2</i>
<i>13-20</i>	<i>3</i>
<i>>20</i>	<i>4</i>

Upon the collection of the unit of kill during the harvest check in process, the Department will notify specialty tag bighorn sheep holders of any unit closures by cell or satellite phone, satellite communicator, email, or other forms of electronic notification the Department may adopt to advise of bighorn sheep unit group closures due to specialty tag harvest limits being reached.

Species	Class	Unit Group	Season	Quota	Organization
Mule Deer	Any mule deer	Any hunt unit assigned an antlered mule deer season.	August 1, 2023 through December 31, 2023 in compliance with the dates set for each hunt unit group for the Mule Deer hunt.	2	To be determined at June NBWC meeting
Pronghorn Antelope	Any pronghorn antelope	Any hunt unit assigned a pronghorn antelope with horns longer than ears season.	August 1, 2023 through December 31, 2023 in compliance with the dates set for each hunt unit group for the Pronghorn Antelope hunt.	2	To be determined at June NBWC meeting
Rocky Mountain Elk	Any elk with at least one antler	Any hunt unit assigned an antlered elk season except for unit 091.	August 1, 2023 through December 31, 2023 in compliance with the dates set for each	2	To be determined at June NBWC meeting

			hunt unit group for the Rocky Mountain Elk hunt.		
Nelson (Desert) Bighorn Sheep Heritage Tag*	Any ram	Any hunt unit assigned a Nelson (desert) bighorn sheep season.	July 1, 2023 through December 31, 2023, in compliance with the dates set for each hunt unit group for the Nelson (Desert) bighorn sheep any ram hunt.	2	To be determined at June NBWC meeting
California Bighorn Sheep Heritage Tag*	Any ram	Any hunt unit assigned a California bighorn sheep season.	July 1, 2023 through December 31, 2023 in compliance with the dates set for each hunt unit group for the California bighorn sheep any ram hunt.	1	To be determined at June NBWC meeting
Wild Turkey	Any wild turkey	Any hunt unit assigned a wild turkey season.	March 21, 2023 through May 3, 2023 in compliance with the dates set for each hunt unit group for the Wild Turkey hunt.	5	To be determined at June NBWC meeting
Total				14	

* There are portions of hunt unit 181 in Naval Air Station (NAS) Fallon where public access is **restricted**. To hunt Nelson (desert) bighorn sheep in the NAS portions of this unit, the tag holder is required to attend a NAS hunter safety briefing. *Those portions of hunt unit 181 that do not fall within the boundaries of NAS Fallon are open to the public.*

Portions of Hunt units 252, 280, 281, 282 are within the Nevada Test and Training Range (NTTR) where public access is **restricted**. Hunters and everyone in their respective hunting parties must comply with all Nevada hunting requirements and all NTTR safety and security requirements including the following: 1) consent to and pass a criminal history background check; 2) be at least 14 years old on opening day of the respective hunting season; 3) attend the Nellis Air Force Base hunter safety briefing; and 4) within the NTTR portion of unit 252 limit party size to 5 including tag holder. Additional party members may complete background check and safety briefing, but only maximum of 5 party members including tag holder may be present within the NTTR portion of unit 252 at any given time. *Those portions of hunt units 252, 280, 281, and 282 that do not fall within the boundaries of NTTR are open to the public.*

Hunters and members of their parties who fail to comply with these requirements may be denied access to the NTTR. Hunters and members of their parties may not access the NTTR after a tag is filled and animal has been removed and in possession of tag holder. No pets are allowed on NTTR. It is the hunter's responsibility to meet and/or comply with all NTTR eligibility requirements. In some units there may be adjustments to season dates to accommodate Department of Defense operations. The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.

Bighorn Sheep tag holders will be notified by the Department of Wildlife of the date, time and location of the Indoctrination classes. Attendance at one Bighorn Sheep Indoctrination Class is mandatory for tag holders or their representative guides or sub-guides. A person represented by a guide or sub-guide at the Indoctrination class may only hunt under the direct supervision of the guide or sub-guide who attended the class on their behalf. Tags will only be issued upon completion of an Indoctrination class. Although attendance is mandatory, tag holders, guides, and sub-guides who can prove they have attended previous Bighorn seminars are exempt from attending future seminars.

The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.



STATE OF NEVADA DEPARTMENT OF WILDLIFE Data and Technology Services Division

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MEMORANDUM:

December 31, 2021

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

From: Kimberly Munoz, Data and Technology Services Division Administrator

Title: **Commission Regulation 22-06, 2022 Silver State**

Description: The Commission will review, revise, and adopt recommendations for the establishment of the 2022 Silver State Tags seasons and quotas.

Summary:

This regulation is to establish the 2022 seasons and quotas for Silver State big game tags. The combined Heritage and Silver State tag quotas may not exceed 15 big game tags and 5 wild turkey tags per Nevada Revised Statute 502.250. Nine (9) big game Heritage tags for 2021 were approved last year, leaving up to six (6) big game tags remaining for Silver State.

Brief Explanation of the Proposed Regulation

The Department recommends the addition of a California bighorn sheep tag into the Silver State program. This tag was taken from the Partnership in Wildlife program and is not an additional tag created for a specialty tag programs. The total number of tags allotted to the specialty tag programs remain the same as adopted last season.

The Department recommends closing the units where the prior year's Silver State Nelson and PIW California bighorn sheep tags were harvested. The Department has recommended no changes to the seasons of all other species from the previous year. For consistency, the Department recommends continuing to use the method for closing Silver State bighorn sheep hunt units based on the previously approved Tag Allocation and Application Hunt Committee recommendations. These recommendations include the closure of hunt units where the Nelson (Desert) Bighorn Sheep Silver State Tag No. 1 was filled in the year prior and the harvest quota for the current year for that hunt unit is less than ten (10) or seven (7) for California Bighorn Sheep. These recommendations will continue through 2022 to mirror the approved unit group closures of the 2022 Heritage Tag.

Clarification language has been added notifying the public that portions of land that do not fall within the boundaries of NTTR and NAS Fallon are open to the public.

Recommendation:

The Department recommends that the Commission review and adopt the proposed regulation as presented.

CR 22-06 2022 Silver State

The Nevada Board of Wildlife Commissioners, under the authority of Section 501.181, 502.140, 502.250 and 503.140 of the Nevada Revised Statutes (NRS), does hereby adopt the following regulation for the management of wildlife resources in the State of Nevada.

2022 Silver State Tags

Hunting Hours: Big game mammals may be hunted from one-half hour before sunrise to one-half hour after sunset as listed on government sunrise-sunset tables.

Take Limit: One animal allowed per tag.

Legal Weapon: Any legal firearm or bow as described in NRS 503.150 and Nevada Administrative Code (NAC) 503.141, 503.142, 503.143 and 503.144 may be used throughout the big game season.

Unit Closures: The Tag Allocation and Application Hunt Committee and Commission directive on unit closures is for the following: close units of harvest during the previous years and Nelson Bighorn Sheep tags #1 and #2 hunts will be closed for the subsequent year's hunt if the quota in that unit for the prior year is less than ten (10) for Nelson Bighorn Sheep *or seven (7) for California Bighorn Sheep*. This closure is subject to change on a yearly basis.

Hunt	Class	Unit Group	Season	Quota
Mule Deer	Any mule deer	Any hunt unit assigned an antlered mule deer season.	August 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Mule Deer hunt.	1
Pronghorn Antelope	Any pronghorn antelope	Any hunt unit assigned a pronghorn antelope with horns longer than ears season.	August 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Pronghorn Antelope hunt.	1
Nelson (Desert) Bighorn Sheep Silver State Tag*	Any ram	Any hunt unit assigned a Nelson (desert) bighorn sheep season except unit 263.	July 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Nelson (desert) bighorn sheep any ram hunt.	1
California Bighorn Sheep Silver State Tag*	Any ram	Any hunt unit assigned a California bighorn sheep season except unit 031.	July 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Nelson (desert) bighorn sheep any ram hunt.	1
Rocky Mountain Elk	Any elk with at least one antler	Any hunt unit assigned an antlered elk season except for unit 091.	August 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Rocky Mountain Elk hunt.	1
Total				5

* There are portions of hunt unit 181 in Naval Air Station (NAS) Fallon where public access is **restricted**. To hunt Nelson (desert) bighorn sheep in the NAS portions of this unit, the tag holder is required to attend a NAS hunter safety briefing. *Those portions of hunt unit 181 that do not fall within the boundaries of NAS Fallon are open to the public.*

Portions of Hunt units 252, 280, 281, 282 are within the Nevada Test and Training Range (NTTR) where public access is **restricted**. Hunters and everyone in their respective hunting parties must comply with all Nevada hunting requirements and all NTTR safety and security

requirements including the following: 1) consent to and pass a criminal history background check; 2) be at least 14 years old on opening day of the respective hunting season; 3) attend the Nellis Air Force Base hunter safety briefing; and 4) within the NTTR portion of unit 252 limit party size to 5 including tag holder. Additional party members may complete background check and safety briefing, but only maximum of 5 party members including tag holder may be present within the NTTR portion of unit 252 at any given time. ***Those portions of hunt units 252, 280, 281, and 282 that do not fall within the boundaries of NTTR are open to the public.***

Hunters and members of their parties who fail to comply with these requirements may be denied access to the NTTR. Hunters and members of their parties may not access the NTTR after a tag is filled and animal has been removed and in possession of tag holder. No pets are allowed on NTTR. It is the hunter's responsibility to meet and/or comply with all NTTR eligibility requirements. In some units there may be adjustments to season dates to accommodate Department of Defense operations. The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.

Bighorn Sheep tag holders will be notified by the Department of Wildlife of the date, time and location of the Indoctrination classes. Attendance at one Bighorn Sheep Indoctrination Class is mandatory for tag holders or their representative guides or sub-guides. A person represented by a guide or sub-guide at the Indoctrination class may only hunt under the direct supervision of the guide or sub-guide who attended the class on their behalf. Tags will only be issued upon completion of an Indoctrination class. Although attendance is mandatory, tag holders, guides, and sub-guides who can prove they have attended previous Bighorn seminars are exempt from attending future seminars.

The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.



State of Nevada
Department of Wildlife
Game Division

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MEMORANDUM

December 29, 2021

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

From: Mike Scott, Administrator, Game Division

Title: **Commission Regulation 21-03 Amendment #1 - Changes to 2022-23 Big Game Seasons – For Possible Action**

Description: The Commission will consider adopting recommended changes to the 2022-23 hunting season dates for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goats, including limits, hunting hours, special hunt eligibility, animal sex, and physical characteristics.

Presenter: Wildlife Staff Specialists Cody Schroeder, Cody McKee, and Mike Cox

Summary:

The Department is presenting the proposed recommended changes for mule deer, pronghorn antelope, elk, bighorn sheep, and mountain goat for the 2022-23 hunting seasons. All seasons not listed in the following Commission Regulation are recommended to remain consistent with the Wildlife Commission approved 2021-22 seasons. Proposed changes including units, season dates, season closures, and footnotes are displayed in blue color and bolded. In general, proposed seasons are recommended to follow traditional season dates, to accommodate interstate herds or herds that occupy lands administered by the Department of Defense, to facilitate hunter access to seasonal movement of big game animals among administrative boundaries, to attempt to follow management plans, address non-resident seasons, or to facilitate varied success rates based on timing of seasons. Specific rationales for changes will be provided.

Recommendation:

The Department recommends that the Commission **VOTE TO ADOPT COMMISSION REGULATION 21-03 AMENDMENT #1, BIG GAME SEASON CHANGES FOR THE 2022-23 SEASONS AS PRESENTED**

Amendment 1 to CR 21-03 2021-2022 and 2022-2023 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 Antelope - Horns shorter than ears Any Legal Weapon Hunt 2181

Unit Group	2021-2022 Season	2022-2023 Season
031	Sept 8 - Sept 24	CLOSED
032, 034	Sept 8 - Sept 24	CLOSED
035	Sept 8 - Sept 24	CLOSED
041 - 042	Sept 8 - Sept 24	CLOSED
078, 105 - 107, 121	Sept 8 - Sept 24	CLOSED
111 - 114	Sept 8 - Sept 24	CLOSED
114 ^C , 115 ^C Baker Ranch	Sept 10 - Sept 16	CLOSED

^C Within 1 mile of the Baker Ranch Properties, non-standard hunt.

Resident Elk - Antlered Any Legal Weapon Depredation Hunt 4102

Special Regulations: Eligibility restrictions concerning successive years' hunts as stated in NAC 502.361 do not apply to this hunt.

Unit Group	2021-2022 Season	2022-2023 Season
115 ^A 1st	Aug 1 - Aug 15	CLOSED
115 ^A 2nd	Aug 16 - Aug 31	CLOSED
115 ^A 3rd	Sept 1 - Sept 30	CLOSED
115 ^A 4th	Oct 1 - Oct 31	CLOSED
115 ^A 5th	Nov 1 - Nov 30	CLOSED
115 ^A Antler Pt. Limit [†] - 1st	-	Aug 1 - Aug 15
115 ^A Antler Pt. Limit [†] - 2nd	-	Aug 16 - Aug 31
115 ^A Antler Pt. Limit [†] - 3rd	-	Sept 1 - Sept 30
115 ^A Antler Pt. Limit [†] - 4th	-	Oct 1 - Oct 31
115 ^A Antler Pt. Limit [†] - 5th	-	Nov 1 - Nov 30

^A Within 1 mile of Great Basin Ranch Properties (Approved Definition for "A" in CR 21-03)

^A Within 2 miles of Great Basin Ranch Properties (Proposed Definition for "A" in Amendment #1 to CR 21-03)

† Hunters may only take an antlered elk with no more than 5 points on either antler including the first point on the main beam. An antler point is defined in Nevada Administrative Code (NAC 502.006) as any antler projection which is at least 1-inch in length with the length exceeding the width of its base.

**Resident Elk - Antlerless
Any Legal Weapon Hunt 4181**

Unit Group	2021-2022 Season	2022-2023 Season
062, 064, 066 - 068	Sept 17 - Oct 4	CLOSED
062	-	Sept 17 - Oct 4

**Nonresident Elk - Antlerless
Any Legal Weapon Hunt 4281**

Unit Group	2021-2022 Season	2022-2023 Season
062, 064, 066 - 068	Sept 17 - Oct 4	CLOSED
062	-	Sept 17 - Oct 4

**Resident Elk - Antlerless
Archery Hunt 4111**

Unit Group	2021-2022 Season	2022-2023 Season
062, 064, 066 - 068	Aug 1 - Aug 15	CLOSED
062	-	Aug 1 - Aug 15

**Nonresident Elk - Antlerless
Archery Hunt 4211**

Unit Group	2021-2022 Season	2022-2023 Season
062, 064, 066 - 068	Aug 1 - Aug 15	CLOSED
062	-	Aug 1 - Aug 15

**Resident Elk - Antlerless
Any Legal Weapon Depredation Hunt 4107**

Unit Group	2021-2022 Season	2022-2023 Season
115 ^B 1st	Aug 1 - Aug 15	CLOSED
115 ^B 2nd	Aug 16 - Aug 31	CLOSED
115 ^B 3rd	Sept 1 - Sept 30	CLOSED
115 ^B 4th	Oct 1 - Oct 31	CLOSED
115 ^B 5th	Nov 1 - Nov 30	CLOSED
114^B, 115^B - Ag Lands - 1st	-	Aug 1 - Aug 15
114^B, 115^B - Ag Lands - 2nd	-	Aug 16 - Aug 31
114^B, 115^B - Ag Lands - 3rd	-	Sept 1 - Sept 30
114^B, 115^B - Ag Lands - 4th	-	Oct 1 - Oct 31
114^B, 115^B - Ag Lands - 5th	-	Nov 1 - Nov 30

114^B, 115^B - Ag Lands - 5th - **Nov 1 - Nov 30**

^B Within 1 mile of Great Basin Ranch Properties (Approved Definition for "B" in CR 21-03)

^B Within 2 miles of designated Granite Peak Ranch and Great Basin Ranch Properties in Hunt Unit 115 and within 2 miles of designated Baker Ranch Properties in Hunt Units 114 and 115. Hunt boundaries terminate at the Nevada state line where applicable. (Proposed Definition for "B" in Amendment #1 to CR 21-03)

**Resident Nelson (Desert) Bighorn Sheep
Any Ram - Any Legal Weapon Hunt 3151**

Unit Group	2021-2022 Season	2022-2023 Season
131*, 132, 164*		Nov 20 - Jan 1
132 North ^A	Nov 20 - Jan 1	CLOSED
132 South ^B	Sept 15 - Oct 15	CLOSED

* Hunter may harvest a Nelson, Rocky Mountain, or hybrid subspecies; for purposes of complying with NAC 502.345, a harvested animal will be considered a Nelson bighorn; hunter is required to provide tissue sample from harvested ram for DNA tests; harvested rams may not be accepted into formal trophy record books.

^A ~~That portion of Unit 132 north and east of the Cherry Creek/Ox Springs Wash Road – Forest Service Route #59410~~

^B ~~That portion of Unit 132 south and west of the Cherry Creek/Ox Springs Wash Road – Forest Service Route #59410~~

**Resident Nelson (Desert) Bighorn Sheep
Any Ram - Archery Hunt 3161**

Unit Group	2021-2022 Season	2022-2023 Season
202, 204	Oct 20 - Nov 14	Oct 20 - Nov 14

**Resident Nelson (Desert) Bighorn Sheep
Management Ram - One Horn* - Any Legal Weapon Hunt 3171**

Unit Group	2021-2022 Season	2022-2023 Season
241, 243, 271		Jan 5 - Feb 20
223, 245, 133		Jan 5 - Feb 20
253, 254, 261		Jan 5 - Feb 20
262, 263, 264, 265, 266		Jan 5 - Feb 20
267, 268		Jan 5 - Feb 20
283, 284, 286		Jan 5 - Feb 20

*The shortest horn must be less than half the length of the longest horn.

See separate page for proposed eligibility, hunt category, waiting period, bonus points, draw order, and additional regulations for management ram hunt.

**Resident Nelson (Desert) Bighorn Sheep
Any Ewe - Any Legal Weapon Hunt 3181**

Unit Group	2021-2022 Season	2022-2023 Season
213	Oct 1 - Oct 19	CLOSED

**Nonresident Nelson (Desert) Bighorn Sheep
Any Ewe - Any Legal Weapon Hunt 3281**

Unit Group	2021-2022 Season	2022-2023 Season
213	Oct 1 - Oct 19	CLOSED

**Resident California Bighorn Sheep
Any Ram - Any Legal Weapon Hunt 8151**

Unit Group	2021-2022 Season	2022-2023 Season
066	Sept 1 - Oct 31	CLOSED

^A This unit excludes that portion of Unit 032 west of the Craine Creek/Knott Creek Ranch Road and south of State Route No. ~~291~~ 140.

^A This unit excludes that portion of Unit 032 west of the Craine Creek/Knott Creek Ranch Road and south of State Route No. ~~291~~ 140.

**Nonresident California Bighorn Sheep
Any Ram - Any Legal Weapon Hunt 8251**

Unit Group	2021-2022 Season	2022-2023 Season
------------	------------------	------------------

^B This unit includes that portion of Unit 032 west of the Craine Creek/Knott Creek Ranch Road and south of State Route No. ~~291~~ 140.

**Resident Rocky Mountain Bighorn Sheep
Any Ram - Any Legal Weapon Hunt 9151**

Unit Group	2021-2022 Season	2022-2023 Season
074	Sept 1 - Oct 31	CLOSED
102		Sept 1 - Oct 31

**Resident Mountain Goat - Any Goat
Any Legal Weapon Hunt 7151**

Unit Group	2021-2022 Season	2022-2023 Season
102, 121	Sept 1 - Oct 31	Sept 1 - Oct 31

**Resident Mule Deer - Antlerless
Any Legal Weapon Hunt 1181**

Unit Group	2021-2022 Season	2022-2023 Season
114 ^A , 115 ^A Baker Ranch, Early	Dec 1 - Dec 15	CLOSED
114 ^A , 115 ^A Baker Ranch, Late	Dec 16 - Dec 24	CLOSED

^A Within 1 mile of the Baker Ranch Properties.

Proposed Management Desert Bighorn One-Horn Ram Hunt

As part of Amendment 1 to CR 21-03

Species: Desert (Nelson) Bighorn

Background: Sinusitis is a general medical term that involves an upper nasal cavity infection. In the case of bighorn rams, particularly in desert bighorn rams, it may be caused by bot flies in the upper nasal cavity and horn core. The bot fly larvae feed off the nutrients of the horn's bony core flesh and along with an associated bacterial infection, will lead to a condition called osteomyelitis. This ultimately weakens the bone tissue and the outer horn sheath, which is keratin (same material as your fingernails), causing the horn to fall off.

Justification: Mature rams that only have one full horn are not contributing to the breeding of ewes and are not desirable to be harvested in standard ram hunts. Harvesting of these one-horn rams will have no impact on the productivity of the herd and may benefit to bighorn herd where resources are limited. The number of one-horn rams of the total mature ram population is not well quantified but guides, tagholders and biologists do observe them on occasion in some herds. It is felt that a limited harvest opportunity exists to offer this one-horn ram management hunt in select desert bighorn hunt units.

Definition of one-horn ram: The shortest horn must be less than half the length of the longest horn.

Eligibility, waiting period and Bonus Points: This management hunt is proposed to be a once-in-a-lifetime hunt and therefore would not require any waiting period eligibility. As stated in NAC 502.4187, Sec. 5 – The Department shall not award bonus points for depredation hunts or management hunts; Sec. 6 – As used in this section, “management hunt” means a hunt established to seek harvest of additional wildlife within a population. Consequently, bonus points will not be employed for this hunt.

Hunt Category and Draw Order: This one-horn ram management hunt is a separate hunt category and therefore will not preclude an applicant applying for this hunt if they are restricted in applying for another bighorn hunt (i.e., if an applicant is in the waiting period for a standard bighorn ram tag, they are eligible to apply for this management hunt). Suggested draw order is after the standard ram hunts (any legal weapon and archery) and PIW hunt, but before the ewe hunt.

Hunt Units: Individual hunt units will be recommended for this management hunt where one-horn rams have been known to exist. Hunt Unit groups may also be recommended for this management hunt where limited information is known of one-horn rams, to provide greater opportunity for tagholder to search for a one-horn ram.

Season: It is recommended this management hunt be established at the January 2022 Big Game Season Setting Process. Season dates are recommended to be a 45 to 60-day season length and occurring after all bighorn ram hunts have ended in a particular unit or unit group (i.e., likely January and February).

Additional Regulation Consideration: All rams harvested in this hunt are required to be checked in the same manner as general ram hunts. Consider an additional regulation - If a successful tagholder harvests a ram that does not comply with the one-horn ram definition, they will no longer be eligible for any future bighorn sheep hunt in Nevada. They would also forfeit the skull and hide.



State of Nevada
Department of Wildlife
 Game Division

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MEMORANDUM

December 29, 2021

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

From: Mike Scott, Administrator, Game Division

Title: **Commission Regulation 22-09, 2022 Black Bear Season – For Possible Action**

Description: The Commission will consider adopting the 2022 hunting season dates, open management unit, or unit-groups, hunting hours, special regulations, animal sex, legal weapon requirements, hunt boundary restrictions, and dates and times for indoctrination courses for black bears.

Presenter: Wildlife Staff Specialists Pat Jackson

Summary:

The Department is recommending no changes to the Black Bear season from 2021. This includes 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 to mirror those approved in 2021. The proposes season extends from September 15 to December 1 based on prior seasons approved by the Commission.

The hunt area is subdivided into three separate hunt unit groups to manage harvest with season running concurrently, each with separate harvest limits for males and females. There will be a single hunt application number for residents and another for non-residents, and tags will be valid for all hunt areas. Portions of the hunting area may be closed as individual harvest limits are met, but all tags will remain valid in the remaining open areas until all harvest limits are met or the season closing date is reached.

In 2021, a total of 14 bears (13 male, 1 female) were harvested during the hunt. No harvest limits were reached in any of the hunt units. The three-year averages for percent females in the harvest indicate a stable harvest, mean age of females and mean age of males indicates a light harvest.

Recommendation:

The Department recommends that the Commission **VOTE TO ADOPT COMMISSION REGULATION 22-09, 2022 BLACK BEAR SEASON AS PRESENTED**

CR 22-09 2022 BLACK BEAR SEASON

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 black bear

Unit Group	2022 Season	Unit Harvest	Unit Female Harvest
<i>Hunt units 192*, 194*, 195, 196 are open to bear hunting except those portions of 192 and 194 described below in Special Regulations.</i>	Sept 15 - Dec 1 (or until harvest limits are met)		
<i>Hunt units 201, 202, 204 and 206 are open to bear hunting</i>	Sept 15 - Dec 1 (or until harvest limits are met)		
<i>Hunt unit 291 and 203 are open to bear hunting</i>	Sept 15 - Dec 1 (or until harvest limits are met)		

- The limit is one animal per tag.
- Hunting hours are one-half hour before sunrise to one-half hour after sunset.
- Tag holders, or their licensed guide if applicable, must call the Black Bear Harvest Information Hotline prior to hunting to determine if the hunt has been closed due to the harvest objective being reached. The number is 1-800-800-1667 and is accessible 24 hours a day.
- Attendance at one black bear indoctrination class is mandatory for tag holders or their representative guides or sub-guides. A person represented by a guide or sub-guide at the indoctrination may only hunt under the direct supervision of the guide or sub-guide who attended the class for them. Tags will only be issued upon completion of one indoctrination class. Black bear indoctrination classes are scheduled for Saturday, August 20, 2022, and on Saturday, September 3, 2022, from 1 pm to 4 pm. Courses will be available through Zoom. The Department will provide all tag holder with directions for registration prior to August 15, 2022.
- The Department phone number to call and report a harvested black bear is 775-688-BEAR. Leave a message.

*Special Regulations

Those areas within Units 192 and 194 that are within the U.S. Forest Service Lake Tahoe Basin Management Unit (LTBMU) and those areas bounded on the west by the LTBMU boundary from the southern boundary of Township 16 North, Range 18 East, Section 13 to the Mount Rose Wilderness Area boundary (approximately located at the Relay Ridge Radio Tower), by the Mount Rose Wilderness Area boundary from the LTBMU boundary to the western boundary of Range 19 East, and by the western boundary of Range 19 East from the Mount Rose Wilderness Area boundary to USFS Road No. 41049 (Logan Meadow Lane/Thomas Creek), bounded on the north by USFS Road No. 41049 from the western boundary of Range 19 East to Timberline Drive, by Timberline Drive from its junction with USFS Road No. 41049 to State Highway 431 (Mount Rose Highway), and by State Highway 431 from its junction with Timberline Drive to its junction with U.S. Highway 395, bounded on the east by U.S. Highway 395 from its junction with State Highway 431 to the southern boundary of Township 16 North, Range 19 East, Section 14 (approximately located at the northbound Bellevue Interchange off-ramp), and bounded on the south by the southern edge of Township 16 North, Range 19 East, Sections 14 – 18, following the southern boundary of the University of Nevada, Reno Little Valley Study Area, and Township 16 North, Range 18 East, Section 13 to the LTBMU boundary.



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MEMORANDUM

December 29, 2021

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

From: Mike Scott, Administrator, Game Division

Title: **Commission Regulation 22-08, 2022-2023 Mountain Lion Season and Harvest Limits – For Possible Action**

Description: The Commission will consider adopting 2022-2023 hunting season open units, harvest limits by unit group, hunting hours, and special regulations for Mountain Lions.

Presenter: Wildlife Staff Specialist Pat Jackson

Summary:

Nevada Administrative Code (NAC) 502.370 establishes mountain lion season dates beginning March 1 through the end of February of the succeeding year unless the harvest limit established by the Commission is met prior to that date. Because season dates are established in this NAC, this Commission Regulation (CR) does not address season dates.

The Department prepared the 2022-2023 mountain lion hunting season open units, harvest limits by unit group, hunting hours, and special regulations similar to those adopted by the Commission in for 2021-2022, with the exception of including Unit 091 into the combined harvest limit.

The proposed CR for mountain lions in 2022-2023 includes a combined harvest limit of 247 for the state, excluding closed units. The harvest limit considers harvest characteristics within unit groups developed through published, peer-refereed research to identify genetic population structures within Nevada. These published sources on genetic population structures indicate unit groups where genetic interchange is most frequent and further confirms that genetic interchange occurs among unit groups to a lesser extent. Harvest limits may be established for individual genetic populations in future years if harvest demographic data indicates that exploitation is excessive, and the management objective is to maintain mountain lion populations.

Examination of recent harvest data provides no indication that harvest levels are excessive. Females make up less than 50% of the total harvest take, whereas adult females comprise less than 35% of the total harvest.

Recommendation:

The Department recommends that the Commission **VOTE TO ADOPT COMMISSION REGULATION 22-08, 2022-2023 MOUNTAIN LION SEASONS AND HARVEST LIMITS AS PRESENTED.**

CR 22-08
Open Management Units and Harvest Limits
2022 Mountain Lion Season

The Board of Wildlife Commissioners under the authority of Section 501.181, 503.090, 503.120 and 503.140 of the Nevada Revised Statutes, does hereby adopt the following regulations for the management of mountain lions.

Resident and Nonresident Mountain Lion - Either Sex

Unit Groups	Harvest Limits
142,143, 144, 145, 155, 161, 162, 163, 171, 172, 173, 183, 184, 251	247
102, 103, 104, 105, 106, 108, 109, 111, 112, 113, 114, 115, 121, 231	
044, 045, 046, 051, 061, 062, 064, 065, 066, 067, 068, 071, 072, 073, 074, 075, 076, 077, 078, 079, 081, 091*, 101, 107, 141, 151, 152, 153, 154, 156	
011, 012, 013, 014, 015, 021, 022, 032, 034, 041, 192, 194, 195, 196, 201, 202, 203, 204, 206, 291	
131, 132, 133, 134, 164, 221, 222, 223, 241, 242, 243, 244, 245, 253, 254, 261, 262, 263, 264, 265, 266, 267, 268, 271, 272	
031, 035, 042, 043, 181, 182, 205, 207, 208, 211, 212, 213, 252	
033, 269, 280, 281, 282, 283, 284, 286	Closed Units

- The limit is one animal per tag, 2 tag maximum per person.
- Hunting hours are any time day or night
- A hunter, or their licensed guide or subguide if applicable, must call the mountain lion hotline at 1-800-800-1667 prior to hunting to determine if a unit group is open or closed.

*Special Regulations

- Unit 091 is an Interstate hunt with Utah. Nevada and Utah hunters may hunt within open units in both states (Nevada Unit 091, Utah Unit 1C). Nevada hunters hunting in Utah must abide by Utah regulations and season dates on the Utah portion of the hunt area.



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MEMORANDUM

December 29, 2021

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

From: Mike Scott, Administrator, Game Division

Title: **Commission Regulation 22-07, 2022-2023 Restricted Non-resident Guided Mule Deer Seasons and Quotas – For Possible Action**

Description: The Commission will consider adopting the 2022 hunting season and quota recommendations for restricted non-resident guided mule deer including hunt boundary restrictions.

Presenter: Wildlife Staff Specialist Cody Schroeder

Summary:

Quotas for restricted non-resident guided mule deer seasons are prescribed by Nevada Revised Statute 502.147. This statute dictates that the quota for the restricted non-resident guided hunt is subtracted from the total non-resident rifle (i.e., any legal weapon) quota, the total restricted non-resident guided quota must not exceed 16% of the total non-resident quota from the previous year, or 400 tags, and the number of restricted non-resident deer tags issued for any management area or hunt unit group must not exceed 37.5%, rounded to the nearest whole number, of the rifle deer tags issued to non-residents during the previous year for that management area of hunt unit group. Additionally, restricted non-resident guided seasons are aligned with standard seasons to ensure seasons are concurrent.

The Department is presenting the seasons and quotas to the Commission and requesting approval of this regulation. The Department and Commission have little latitude to make changes to this regulation as directed by statute after approval of standard seasons and quotas. Quotas for 2022 are based on the number of tags issued to restricted non-resident guided and non-resident any legal weapon seasons the previous year.

Recommendation:

The Department recommends that the Commission **VOTE TO ADOPT COMMISSION REGULATION 22-07, 2022-2023 RESTRICTED NON-RESIDENT GUIDED MULE DEER SEASONS AND QUOTAS AS PRESENTED.**

CR 22-07
2022-2023 Restricted Nonresident Guided Antlered Mule Deer
Seasons and Quota
Any Legal Weapon Hunt 1235

Unit Group	2022-2023 Season	2022-2023 Quota
011 - 013	Oct 5 - Nov 5	3
014	Oct 5 - Nov 5	1
015	Dec 11 - Jan 1	2
021	Dec 21 - Jan 1	2
022	Oct 5 - Nov 5	2
031	Oct 5 - Nov 5	6
032	Oct 5 - Nov 5	3
033	Oct 5 - Nov 5	1
034	Oct 5 - Nov 5	2
035	Oct 5 - Nov 5	3
041, 042	Oct 5 - Nov 5	2
043 - 046 Early	Oct 5 - Oct 20	4
043 - 046 Late	Oct 21 - Nov 5	2
051	Oct 5 - Nov 5	9
061, 062, 064, 066-068 Early	Oct 5 - Oct 20	34
061, 062, 064, 066-068 Late	Oct 21 - Nov 5	4
065	Oct 5 - Nov 5	3
071 - 079, 091 Early	Oct 5 - Oct 20	36
071 - 079, 091 Late	Oct 21 - Nov 5	9
081	Dec 11 - Jan 1	3
101 - 109 Early	Oct 1 - Oct 16	34
101 - 109 Mid	Oct 17 - Oct 30	35
101 - 109 Late	Oct 31 - Nov 8	6
111 - 113 Early	Oct 5 - Oct 20	12
111 - 113 Late	Oct 21 - Nov 5	1
114, 115 Early	Oct 5 - Oct 20	3
114, 115 Late	Oct 21 - Nov 5	1
115	Dec 1 - Dec 15	1
121 Early	Oct 5 - Oct 20	3
121 Late	Oct 21 - Nov 5	1
131 - 134 Early	Oct 5 - Oct 20	13
131 - 134 Late	Oct 21 - Nov 5	2
141 - 145 Early	Oct 5 - Oct 20	10
141 - 145 Late	Oct 21 - Nov 5	1
151 - 156 Early	Oct 5 - Oct 20	8
151 - 156 Late	Oct 21 - Nov 5	1
161 - 164 Early	Oct 5 - Oct 20	12
161 - 164 Late	Oct 21 - Nov 5	2
171 - 173 Early	Oct 5 - Oct 16	12
171 - 173 Mid	Oct 17 - Oct 30	8

171 - 173 Late	Oct 31 - Nov 8	3
181 - 184	Oct 5 - Nov 5	8
192	Nov 5 - Nov 30	2
194, 196	Nov 5 - Nov 30	2
195	Oct 5 - Nov 2	1
201, 204	Nov 5 - Nov 30	1
202, 205 - 208	Nov 5 - Nov 30	2
203 ^A	Nov 5 - Nov 30	2
211 - 213	Nov 5 - Nov 30	3
221 - 223 Early	Oct 5 - Oct 16	10
221 - 223 Mid	Oct 17 - Oct 30	5
221 - 223 Late	Oct 31 - Nov 8	1
231	Oct 5 - Oct 31	6
241 - 245	Oct 5 - Oct 31	5
251 - 254	Oct 5 - Nov 2	2
261 - 268	Nov 5 - Nov 30	3
271, 272	Nov 5 - Nov 30	1
291	Nov 5 - Nov 30	2
	Total Quota	356

^A Special restrictions apply see NAC 503.17

Nevada Department of Wildlife
Predator Management Plan
Fiscal Year 2023
1 July 2022 to 30 June 2023

DRAFT

STATE OF NEVADA

Steve Sisolak, Governor

Nevada Department of Wildlife

Tony Wasley, Director

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Bonnie Long, Deputy Director

Mike Scott, Game Division Administrator

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Introduction

The goal of the Nevada Department of Wildlife's (NDOW's) Predator Management Program is to conduct projects consistent with the terrestrial portion of NDOW's Mission "to preserve, protect, manage, and restore wildlife and its habitat for the aesthetic, scientific, educational, recreational, and economic benefits to citizens of Nevada and the United States." Provisions outlined in NRS 502.253 authorize the collection of a \$3 fee for each big game tag application, deposition of the revenue from such a fee collection into the Wildlife Fund Account, and use by NDOW to 1) develop and implement an annual program for the management and control of predatory wildlife, 2) conduct wildlife management activities relating to the protection of nonpredatory game animals and sensitive wildlife species, and 3) conduct research necessary to determine successful techniques for managing and controlling predatory wildlife. This statute also allows for: the expenditure of a portion of the money collected to enable the State Department of Agriculture and other contractors and grantees to develop and carry out programs designed as described above; developing and conducting predator management activities under the guidance of the Nevada Board of Wildlife Commissioners; and provide that unspent monies remain in the Wildlife Fund Account and do not revert to State General Funds at the end of any fiscal year.

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 2015 legislative session, Assembly Bill 78 was adopted which in part amended NRS 502.253 (4) (b) to read: [The Department] "Shall not adopt any program for the management and control of predatory wildlife developed pursuant to this section that provides for the expenditure of less than 80 percent of the amount of money collected pursuant to subsection 1 in the most recent fiscal year for which the Department has complete information for the purposes of lethal management and control of predatory wildlife." NDOW intends to comply with statute and apply the tools of scientific predation management in biologically sound, socially responsible means.

Budget Summary

Fiscal year 2021 predator fee revenues totaled \$858,601. The Department expects to need to allocate about \$686,881 on lethal removal to meet the requirements set forth by Assembly Bill 78. Proposed predator projects for fiscal year 2023 include \$759,000 for lethal work, these funds include fiscal year 2021 revenues and previous fiscal years surpluses.

Map Note

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

DRAFT

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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.

LEVELS OF MONITORING

Below are the three levels of monitoring outlined in the predator management plan. The level of monitoring for each project is identified within the project description.

1. **Standard Monitoring:** The primary objective of standard monitoring is to use existing survey protocols to evaluate the response of game species or sensitive wildlife to lethal or non-lethal management of predators. NDOW conducts annual and biannual surveys to evaluate trend and composition of game species or sensitive wildlife and to inform the season and quota-setting process. Composition surveys will yield response variables such as recruitment of juveniles into the adult population and will be compared to published benchmarks of productivity in the management area of interest, to neighboring areas not receiving predator management, or in the same area before treatment began. Standard monitoring represents no change to existing monitoring efforts. Expected outcomes include an indication of project effectiveness and agency reports.
2. **Intermediate Monitoring:** The primary objective of intermediate monitoring is to apply a specific monitoring plan designed to evaluate the response of game species or sensitive wildlife to lethal or non-lethal management of predators. NDOW may collaborate with other wildlife professionals to identify reference and treatment areas or evaluate productivity of game species or sensitive wildlife before, during, and after implementation to determine effectiveness of predator management. Composition surveys may be modified to thoroughly evaluate productivity in the reference and treatment areas and to better accommodate annual variation in survey conditions. Expected outcomes will include an indication of project effectiveness, agency reports, and possible peer-reviewed publications.
3. **Rigorous Monitoring:** The primary objective of rigorous monitoring is to evaluate several response variables known to affect productivity of game species or sensitive wildlife and to determine the relative influence of those variables when measuring the response to lethal or non-lethal management of predators. NDOW may collaborate with other wildlife professionals to identify the requirements of rigorous monitoring and to further evaluate factors influencing productivity of game species or sensitive wildlife such as survival of juveniles, body condition of adults, or habitat productivity. Rigorous monitoring efforts will help to disentangle biotic and abiotic conditions that may influence productivity of game species or sensitive wildlife from the effects of lethal or non-lethal management of predators. Expected outcomes will include agency reports, peer-reviewed publications, and information on how to better manage Nevada's wildlife.

FY 2022 PROJECTS RECOMMENDED FOR CONTINUATION

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
Monitoring Level	Standard to Intermediate
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	<ol style="list-style-type: none"> 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.
Habitat Conditions	<p>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.</p>
Comments from FY 2021 Predator Report	<p>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.</p>
Methods	<p><i>Lethal Removal</i> 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.</p> <p><i>Monitoring</i> 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).</p>
Anticipated Result	<p>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.</p> <p>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 a change in the USFWS raven depredation permit in upcoming years.</p>

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 Direction	Fund Project 21.

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$175,000	N/A	\$175,000

DRAFT

Project 22-01: Mountain Lion Removal to Protect California Bighorn Sheep

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
Monitoring Level	Standard to intermediate
Potentially Affected Species	California bighorn sheep, mountain lion, mule deer
Span More Than One Fiscal Year	Yes
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 carrying capacity 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.
Comments from FY 2021 Predator Report	NDOW supports continuing Project 22-01 until the local bighorn sheep populations reach viability as defined in the annual Predator Plan.
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 and 013 are approximately 50 individuals each.
Anticipated Result	Decrease or prevent predation from mountain lions for all age classes of reintroduced California bighorn sheep, resulting in an established, viable population.
Staff Comment	Proactive mountain lion removal to assist struggling bighorn sheep populations is well documented within the scientific literature.
Project Direction	Fund project 22-01. Monitor population. Cease proactive removal efforts after the local bighorn sheep population reaches 60 in each area (011 and 013; table 1).

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

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$100,000	N/A	\$100,000

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
Monitoring Level	Standard to intermediate
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 carrying capacity or preventing them from reaching self-sustaining levels.

Comments from FY 2021 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 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 35-40 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 2023.

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

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$20,000	N/A	\$20,000

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
Monitoring Level	Standard
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 carrying capacity. These effects may also be suppressing mule deer or big game populations below carrying capacity (Ballard et al. 2001).
Comments from FY 2021 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

	<p>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.</p> <p>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 (see appendix) and included in the annual predator report.</p>
Anticipated Results	<p>1. Lethal removal of individual, problematic mountain lions will provide a precise tool, protecting reintroduced and sensitive big game populations.</p> <p>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.</p>
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

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$100,000	N/A	\$100,000

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
Monitoring Level	Standard
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 carrying capacity. These effects may also be suppressing mule deer or big game populations below carrying capacity (Ballard et al. 2001).
Comments from FY 2021 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

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$100,000	N/A	\$100,000

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
Monitoring Level	Standard to intermediate
Potentially Affected Species	Coyote, Greater Sage-grouse, mule deer
Span More Than One Fiscal Year	Yes
Project Area	Units 144
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 carrying capacity. These effects may also be suppressing mule deer below carrying capacity (Ballard et al. 2001).
Comments from FY 2021 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 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

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$100,000	N/A	\$100,000

DRAFT

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
Monitoring Level	Rigorous
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	<ol style="list-style-type: none"> 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 2021 Predator Report	Common raven predation may be the greatest limiting factor in Greater sage-grouse nest success, NDOW supports continuing Project 41.
Methods	<p><i>Population monitoring and space use</i> 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.</p> <p><i>Development of Resource Selection Function (RSF)</i> 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.</p> <p>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.</p> <p><i>Utility line surveys</i> 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.</p>

Anticipated Results	<p>1. Develop a protocol to estimate common raven populations in Greater Sage-grouse habitat and monitor these populations.</p> <p>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.</p> <p>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.</p>
Staff Comment	<p>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 2022 Predator Report.</p> <p>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.</p>
Project Direction	Fund Project 41.

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$87,500	\$262,500	\$300,000

Project 42: Assessing Mountain Lion Harvest in Nevada

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 $\leq 35\%$, 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
Monitoring Level	Rigorous
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	<ol style="list-style-type: none"> 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.
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.
Comments from FY 2021 Predator Report	Findings indicate Nevada has a stable mountain lion population.
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	Building an Integrated Population Model for mountain lions will allow the Department to manage mountain lions on a finer scale.
Project Direction	Fund Project 42.

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$5,000	\$15,000	\$20,000

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
Monitoring Level	Standard
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 2021 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	<p>1. Increase the number of female turkeys, waterfowl, and pheasants that successful raise clutches.</p> <p>2. Increase the number female turkeys, waterfowl, and pheasants that have clutches.</p> <p>This project will be cancelled or altered once there are two consecutive three-year averages where:</p> <p>The average hen turkey successfully raises 3 poults. Area biologists believe pheasants no longer need predator removal.</p>
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

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$50,000	N/A	\$50,000

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, <i>personal communication</i>). Mountain lions may be a contributing factor to this underperformance.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimental Management
Monitoring Level	Intermediate
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 carrying capacity. These effects may also be suppressing mule deer or big game populations below carrying capacity (Ballard et al. 2001).
Comments from FY 2021 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	<p>Mountain lions in the area of concern will be lethally removed (see map) until three consecutive years of adult annual survival for bighorn sheep exceed an average of 90% and fall female to young ratios exceed 30:100.</p> <p>Mountain lions in the proximity area (see map) 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. Marked mountain lions that enter the area of concern and consume bighorn sheep will be lethally removed.</p>
Anticipated Results	<ol style="list-style-type: none"> 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.
Staff Comment	<p>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.</p>
Project Direction	<p>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.</p>

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$ 100,000	N/A	\$ 100,000

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
Monitoring Level	Rigorous
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.
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 2021 Predator Report	NDOW also recommends continuing Project 45 as a monitoring project.

Methods	In a collaboration with Michigan State University and University of Montana, trail cameras will be 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

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$5,000	\$15,000	\$20,000

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
Monitoring Level	Rigorous
Potentially Affected Species	Mule deer, bighorn sheep, pronghorn, coyote, mountain lion
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	<ol style="list-style-type: none"> 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.
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 carrying capacity. These effects may also be suppressing mule deer or big game populations below carrying capacity (Ballard et al. 2001).

Comments from FY 2021 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	<ol style="list-style-type: none"> 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 2025. Seek outside funding opportunities such as Heritage Grant funds.

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$40,000	\$120,000	\$160,000

Overall FY 2022 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	\$100,000	N/A	\$100,000
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	\$87,500	\$262,500	\$300,000
Project 42: Assessing Mountain Lion Harvest in Nevada	\$5,000	\$15,000	\$20,000
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	\$100,000	N/A	\$100,000
Project 45: Passive Survey Estimate of Black Bears in Nevada	\$5,000	\$15,000	\$20,000
Project 46: Investigating Potential Limiting Factors Impacting Mule Deer in Northwest Nevada	\$40,000	\$120,000	\$160,000
Total^b	\$896,500	\$412,500	\$1,259,000

^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 Predator Fee

	FY 2020 Actual (revised)	FY 2021 Actual	FY 2022 Projected	FY 2023 Projected
Beginning balance	\$287,651	\$363,670	\$622,972	\$595,073
Revenues	\$797,287	\$858,601	\$858,601	\$858,601
Plan Budget	\$829,000	\$854,000	\$886,500	\$896,500
Expenditures	\$721,268	\$599,299	\$886,500	\$896,500
Ending balance	\$363,670	\$622,972	\$595,073	\$557,174

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Appendix

http://www.ndow.org/Nevada_Wildlife/Conservation/Nevada_Predator_Management/

