

Nevada Board of Wildlife Commissioners' Meeting Agenda

Meeting Location

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

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

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

If you wish to make public comment, please use this link for Friday, September 23, 2022.

<https://us02web.zoom.us/j/89288812669?pwd=U0pEblMrdkN1V2NSSE9mNHMvTWVjUT09>

Passcode: 333993

If you wish to make public comment, please use this link for Saturday, September 24, 2022

<https://us02web.zoom.us/j/83303259226?pwd=NFA1NkVvVb0dPVDqyYUptd2FPUGFKUT09>

Passcode: 274931

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

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

Friday, September 23, 2022 – 9:00 a.m.

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

<https://us02web.zoom.us/j/89288812669?pwd=U0pEblMrdkN1V2NSSE9mNHMvTWVjUT09>

1. **Call to Order, Pledge of Allegiance, Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Caviglia**
2. **Approval of Agenda – Chairman Caviglia– For Possible Action**
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

- 3.* **Approval of Minutes – Chairman Caviglia – For Possible Action**
Commission minutes may be approved from the August 19 and 20, 2022 meeting.
4. **Member Items/Announcements and Correspondence – Chairman Caviglia – Informational**
Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record). Correspondence sent or received by Secretary 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. **Association of Fish and Wildlife Agencies 2022 Annual Meeting Update – Secretary Wasley**
A report from the 2022 conference will be provided.
- B. **Department Activity Report – Secretary Wasley and Division Administrators**
A report will be provided on Nevada Department of Wildlife activities.
- C.* **Litigation Report – Deputy Attorney General Craig Burkett**
A report will be provided on Nevada Department of Wildlife litigation.
- D.* **Wildlife Trust Fund Annual Report – Deputy Director Jack Robb**
A report will be provided on the investment and expenditure of money in the Wildlife Trust Fund for the period of July 1, 2021 to June 30, 2022 pursuant to NRS 501.3585.
- E. **Mule Deer Enhancement Program Oversight Committee Report – Committee Chairman Casey Kiel and Game Division Administrator Mike Scott**
A report will be provided on the Mule Deer Enhancement Program.
7. **Administrative Procedures, Regulations and Policy (APRP) Committee – Committee Chairman McNinch**
- A. **Commission Policy 24 – Hunting Opportunities Among Various Weapons Classes and Hunter Groups – Second Reading – APRP Committee Chairman David McNinch – For Possible Action**
The Commission will have a second reading of Commission Policy 24, Hunting Opportunities Among Various Weapons Classes and Hunter Groups, and may decide to repeal, revise, or adopt the policy.
- B. **Commission Policy 25 – Wildlife Damage Management – Third Reading – APRP Committee Chairman McNinch – For Possible Action**
The Commission will have a second reading of Commission Policy 25, Wildlife Damage Management, and may make necessary changes and may decide to repeal, revise, or adopt the policy.

Saturday, September 24, 2022 – 9:00 a.m.

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

<https://us02web.zoom.us/j/83303259226?pwd=NFA1NkVVb0dPVDQvYUptd2FPUGFKUT09>

8. **Call to Order, Pledge of Allegiance, Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Caviglia**
9. **Approval of Agenda – Chairman Caviglia– For Possible Action**

The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.
10. **Member Items/Announcements and Correspondence – Chairman Caviglia – Informational**

Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record). Correspondence sent or received by Secretary Wasley may also be discussed.
11. **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.
12. **Commission Regulation – For Possible Action/Adoption – Public Comment Allowed**
 - A.* **Commission Regulation 21-15 Amendment #1, Fishing Seasons and Regulations for January 1, 2022, through December 31, 2023 – Fisheries Division Administrator Chris Crookshanks – For Possible Action**

The Commission will consider amending fishing seasons, bag, and possession limits for the period of January 1, 2022, through December 31, 2023.
13. **Commission General Regulations – Workshop/Public Comment Allowed**
 - A.* **Commission General Regulation 502, Junior Hunt and Turkey Program – Management Analyst Megan Manfredi – For Possible Action**

The Commission will hold a workshop to consider amending Nevada Administrative Code (NAC) 502 to limit the number of successfully awarded tags in the junior hunt program. The regulation also removes hard close dates for submitting a turkey harvest return card and allow for junior turkey bonus points to convert to the adult point category once a junior is age eligible able to participate in the junior hunt turkey program.
 - B. * **Commission General Regulation 508, Antler Points and Spike Elk Defined – Wildlife Staff Specialist Cody McKee**

The commission will review and revise draft language amending NAC 502 that would clarify definitions pertaining to “antler point” and “spike elk” for certain big game mammals and reduce likelihood of inadvertent infractions.
14. **Future Commission Meetings and Commission Committee Assignments – Secretary Wasley and Chairman Caviglia – For Possible Action**

The next Commission meeting is scheduled for November 4 and 5, 2022. The Commission will review and discuss potential agenda items for that meeting. The Commission may change the

date, time, and meeting location at this time. The chairman may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

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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STATE OF NEVADA
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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: September 7, 2022

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.

On February 22, 2022, Anthony Walsh substituted in as counsel in place of Tori Sundheim.

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.

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.

Discovery remains ongoing.

The parties are exploring settlement options. NDOW and DWR have met with WRID April 20, 2022 to clarify settlement concepts.

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?

On September 18, 2020, the Nevada Supreme Court rendered its Decision answering the Ninth Circuit Court of Appeals Certified Questions. The Nevada Supreme Court held that: (1) the public trust doctrine applies to rights already adjudicated and settled under the doctrine of prior appropriation; (2) the public trust doctrine applies to all waters within the state; and (3) the public trust doctrine does not permit reallocating water rights already adjudicated

and settled under the doctrine of prior appropriation. Because the Court held the public trust doctrine does not allow for a reallocation of rights, there was no need to answer the second question.

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

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

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

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

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

On October 28, 2021, the Principal Defendants filed a Motion to Dismiss Mineral County's Second Amended Complaint. The main arguments for

dismissal are as follows: Paragraph XIV of the Walker River Decree does not give the Court subject matter jurisdiction to grant Declaratory Relief as to Nevada's, or the Court's purported obligation to Walker Lake; Mineral County's public trust claim is also inconsistent with the public trust doctrine as interpreted by the above Nevada supreme court opinion.

Plaintiff's response to the Motion to Dismiss was originally scheduled to be due on April 30, 2022. However, due to Plaintiff's Counsel's ongoing and difficult recovery from COVID-19, the parties have stipulated to extend the response time by one month.

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

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

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

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

3. *Smith v. Wakeling*, Second Judicial District, CV18-01389, Dept. 7. Smith brings an action for Defamation based on statements of certain NDOW employees. The principal basis for Smith's claim is a slide included in a presentation to Truckee law enforcement addressing concerns with wildlife advocates, and questioning whether their actions solicit harassment or engage in domestic terrorism. Smith alleges that purported misrepresentations about him have damaged his reputation.

Smith also claims his rights under the First Amendment were infringed when he was blocked from commenting on an NDOW Facebook page. Smith was blocked in 2012 for multiple violation of the rules governing use of the

page. Smith moved for a preliminary injunction. A hearing on the Motion was held on July 27, 2018. The Court denied the Injunction, but ordered NDOW to allow Smith access to the Facebook page and at the same time admonished Smith to follow the terms of use.

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

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

An additional claim (styled a Petition for Writ of Mandamus) has been submitted directly to the Judge. That claim originally sought public records related to the Plaintiff's removal from the NDOW Facebook page in 2012. In his Petition, Plaintiff instead argued he was entitled to attorney's fees for the Defendants' failure to produce documents in response to a records request he filed in 2017 related to the alleged defamation claims. The Defendants filed a motion to strike that brief on the basis it was not properly before the court, and also filed an opposition arguing there was no entitlement to the fees.

The Court heard oral argument on the Petition on August 1 and ruled in favor of the Defendants, finding that there had been no violation of the Public Records Act. The parties are working to get before the Court a formal Judgment, after which post trial motions and an appeal by the Plaintiffs are likely.

4. A Petition for Judicial Review of the Wildlife Commission's decision to uphold a three year revocation of a license held by Ben Collard has been filed in the 8th Judicial District Court, Clark County, Nevada. *The Petitioner has completed service on the Defendants and the Record on Appeal has been filed with the Court. The Petitioner will next file his memorandum of points and authorities, which will be due in early October. The Defendants will then have 30 days to file a reply.*

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

NDOW – Litigation Update
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September 12, 2022

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

NEVADA DEPARTMENT OF WILDLIFE
WILDLIFE TRUST FUND SUMMARY
BUDGET ACCOUNT 5010, FISCAL YEAR 2022
JULY 1, 2021 TO JUNE 30, 2022

SUMMARY	
NDOW	
	BEGINNING BALANCE \$ 3,079.55
	DONATIONS \$ -
	EXPENDITURES \$ 2,500.49
	BALANCE \$ 579.06
WILDLIFE DIVERSITY DIVISION	
	BEGINNING BALANCE \$ 675.36
	DONATIONS \$ 25.00
	EXPENDITURES \$ -
	BALANCE \$ 700.36
FISHERIES DIVISION	
	BEGINNING BALANCE \$ 5.00
	DONATIONS \$ -
	EXPENDITURES \$ 5.00
	BALANCE \$ -
LAW ENFORCEMENT DIVISION	
	BEGINNING BALANCE \$ 8,264.84
	DONATIONS \$ 3,716.00
	EXPENDITURES \$ 1,292.77
	BALANCE \$ 10,688.07
CONSERVATION EDUCATION DIVISION	
	BEGINNING BALANCE \$ 9,172.77
	DONATIONS \$ 2,945.00
	EXPENDITURES \$ 2,409.66
	BALANCE \$ 9,708.11
HABITAT DIVISION	
	BEGINNING BALANCE \$ 1,480,486.56
	DONATIONS \$ 793,626.00
	EXPENDITURES \$ 458,627.81
	BALANCE \$ 1,815,484.75
GAME DIVISION	
	BEGINNING BALANCE \$ 103,081.29
	DONATIONS \$ 141,130.00
	EXPENDITURES \$ 187,018.71
	BALANCE \$ 57,192.58
ACCOUNT INTEREST	
	BEGINNING BALANCE \$ 53,202.55
	CURRENT YEAR INTEREST \$ 13,031.10
	BALANCE \$ 66,233.65
TOTAL WILDLIFE DONATIONS	\$ 941,442.00

**NEVADA DEPARTMENT OF WILDLIFE
OTHER DONATIONS
FISCAL YEAR 2021
JULY 1, 2021 TO JUNE 30, 2022**

Donator & Vendor Name	Specific Wildlife Program & Related Expenditure	Date	Amount
Connie Bebout	4 Furs for Wildlife Education Program	6/7/2022	\$ 1,000.00
Tahoe Regional Planning Agency	Mobile Decontamination Unit	11/29/2021	\$ 5,000.00
Ron Hoy - Coldwell Banker-Select Real Estate	300 Life Jackets	7/30/2021	\$ 7,500.00
Nevada Ducks Unlimited	Water Control Structures, Pipe, Shipping of Materials	6/9/2021	\$ 8,036.25
Rocky Mountain Elk Foundation (RMEF)	Escrow Funds for Purchase of Licking Ranch	8/11/2022	\$ 150,000.00



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division

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

MEMORANDUM:

August 29, 2022

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

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

Title: **Commission Policies**

Description: The Administrative Policies, Regulations and Procedures (APRP) Committee 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 24 at their May committee meeting after the TAAHC Committee reviewed the policy. The Committees made various changes to sections 2 and 3 regarding junior mule deer hunts. The Commission will hear the policy for the second time.

The Administrative Policies, Regulations and Procedures (APRP) Committee reviewed Commission Policy 25 at their March meeting. The policy was simplified and removed repetitive language. At the May Commission Meeting, it was decided that the policy needed more work. The Department attempted to address Commission concerns and it will now be considered for a third reading.

Recommendation:

Adopt

Commission Policy 25

Move to a Third Reading

Commission Policy 24

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy Number 24

Title : Hunting Opportunities Among Various Weapons Classes and Hunter Groups

Reference: NRS 501.105, 501.181

Effective Date: May 13, 2006

Amended Date:

PURPOSE

To establish hunting opportunities for the various weapon classes and hunter groups.

POLICY

It is the policy of the Board of Wildlife Commissioners to approve the harvest levels for big game species based on the various weapons classes and hunter groups relative demand for hunting opportunity and hunter success rates.

FINDINGS

After due deliberation and consideration of the relevant information presented, the Commission makes the following findings:

1. The Commission has a duty to provide hunting opportunity in Nevada.
2. Hunting in Nevada is an important activity for its citizens for many reasons, including but not limited to the following values that hunting provides:
 - A lean, healthy source of protein.
 - Family and other social interaction.
 - A link to Nevada's outdoor history, culture, and traditions.
 - A source of physical exercise important for maintaining health and fitness.
 - Appreciation for the natural habitat and scenic landscape, which is a major component of Nevada's quality of life.
 - Public support for Nevada's wildlife management programs.
 - One of the principal sources of wildlife management funding in Nevada.
3. The Commission takes administrative notice of Nevada's wildlife-limiting climatic and habitat conditions. These include precipitation averages that make Nevada the driest state in the nation, and Great Basin and Mojave Desert vegetation and geography types that provide limited forage and cover. These limiting conditions prevent Nevada's wildlife populations from reaching numbers comparable to those of other states, including other western states.

4. Due to Nevada's relatively low wildlife numbers and its increasing human population, it is necessary to manage ~~limit~~ big game hunting opportunities in the State.

5. Nevada's already-limited resident hunting opportunities would be significantly lowered if nonresidents competed equally with residents for big game tags or were given a greater advantage. Such a change would be against the public interest.

6. Given the geographic and climatic constraints of Nevada's natural environment, the Commission — with the support of both resident and nonresident hunters — has elected to emphasize a sustained quality hunting experience rather than attempt to match the quantity of hunting opportunities available in other states. To do so, the Commission has consistently applied a conservative strategy that, compared to other states, maintains a high male to female ratio among big game populations.

TERMS AND DEFINITIONS

Antelope With Horns Shorter Than Ears: In accordance with NAC 502.003, any pronghorn antelope without horns or with both horns that are shorter than its ears. Generally considered to be a doe (female), fawn, or young male antelope.

Antelope With Horns Longer Than Ears: In accordance with NAC 502.002, "antelope with horns longer than its ears," any pronghorn antelope having at least one horn that is longer than either ear of the antelope. Generally considered to be a mature male antelope.

Antlered Deer: In accordance with NAC 502.007, "antlered deer," any deer having at least one antler that is visible above the hairline of the deer. Generally considered to be a buck (male) deer.

Antlered Elk: In accordance with NAC 502.0074, "antlered elk" means any elk having at least one antler that is visible above the hairline of the elk. Generally considered to be a bull (male) elk.

Antlered Moose: Any moose having at least one antler that is visible above the hairline of the moose. Generally considered to be a bull (male) moose.

Antlerless Deer: In accordance with NAC 502.008, "antlerless deer," any deer without antlers. Generally considered to be a doe (female) or fawn deer.

Antlerless Elk: In accordance with NAC 502.009, any elk without antlers. Generally considered to be a cow (female) or calf.

Antlerless Moose: Any moose without antlers. Generally considered to be a cow (female) or calf.

Big Game: For this policy, big game means all big game mammals except mountain lion.

Billy: Any male mountain goat.

Boar: Any male black bear.

Demand: Demand is defined as the measure of interest that a particular hunter group has in attaining a big game tag based on applications from previous years for a given hunter group and unit group. Demand is defined as the First Choice of unsuccessful applicants combined with successful applicants for all choices.

Ewe: In accordance with NAC 502.345, 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.

Expand: Taking a projected number of harvested animals and dividing by the expected hunter success rate to generate a tag allocation.

Hunter Groups: Residents of Nevada, resident juniors, and people who are not residents of Nevada.

Harvest Objectives: The numbers of male and female big game animals that the Department has determined can be safely removed from a population through harvest without causing detrimental impacts to that population.

Hunter Success: Percentage of tag holders reporting they hunted and harvested a big game animal. Hunter success calculations omit those tag holders that did not hunt. Hunter success is a valuable metric for understanding the experience of hunters in the field.

Junior Hunter: In accordance with NAC 502.063, generally a person between 12 years and 18 years.

Management Ram Hunt: Ram hunts that seek to achieve a specific population management objective beyond a standard hunt and may vary for the type of ram targeted. These may include broken-horn hunts, young ram hunts, hunts in areas where rams are extremely difficult to locate, or hunts designed to remove rams due to disease or rams found in undesirable areas.

Nanny: Any female mountain goat.

Nonresident: Anyone who does not meet the requirements for residents set in NRS 502.015.

Projected Male Harvest: A projected number of males reported to be harvested that will result in a desired post-hunt male to female ratio objective.

Projected Female (*antlerless deer, antlerless elk, antelope with horns shorter than ears, or bighorn ewe*) **Harvest:** A projected number of females reported to be harvested to achieve various management objectives; maintaining population numbers in balance with habitat conditions, optimal levels for a given species, or below a level set in local management plans; optimum sustained yield during periods of average to exceptional environmental conditions; and/or providing for recreational opportunity.

Ram: Any male bighorn sheep.

Resident: In accordance with NRS 502.015, a person is a resident of the State of Nevada if they are a United States citizen who has maintained his or her principal and permanent residence in Nevada for six months next preceding the application and has not purchased or applied for any resident hunting, fishing, or trapping privileges in another state, country, or province.

Sow: Any female black bear.

Spike Elk: In accordance with NAC 502.104, ~~any antlered elk having not more than two points above the top of the ear on either antler.~~ Spike-only elk hunts are intended to target yearling-young bulls (males).

Tag Success: Percentage of tag holders responding to their hunt questionnaire and subsequently harvesting a big game animal. Tag success calculations include those tag holders that did not hunt. Tag success, used in the Demand-Tag Success formula, will be primarily based on tag success rates from previous years for a given hunter group and unit group. A long-term or statewide average may be used to moderate erratic variations in tag success rates.

Unit Groups: A defined geographic area within Nevada where separate or conjoined population assessments, harvest objectives, and other management actions are applied.

Weapons Groups: Any legal weapon, muzzleloader, and archery.

GENERAL RULES — ALL SPECIES

Population estimates of males and females (one year-old or older) for each unit group at the pre-hunt period (late summer) will be the basis for determining projected harvest levels for each species class.

The Commission approves the projected male and female harvest levels among those weapons and hunter groups that are identified for each unit group through the public scoping process involving the County Advisory Boards to Manage Wildlife and interested publics and approved by the Board of Wildlife Commissioners.

FIRST COME FIRST SERVED

Any tag remaining after the big game draws, returned to the Department with no eligible alternate, or returned to the Department with less than 14 days before the season opener may be offered for purchase to both residents and nonresidents in the First Come, First Served program. Returned resident tags will be designated for residents and returned nonresident tags will be designated for nonresidents beginning in 2023-2024.

DEMAND-TAG SUCCESS

A Demand-Tag Success formula will be used to allocate tags to various weapon classes for deer, elk, and antelope.

Demand is defined as the measure of interest that a particular hunter group has in attaining a big game tag based on applications from previous years for a given hunter group and unit group. Demand is defined as the First Choice of unsuccessful applicants combined with successful applicants for all choices.

Tag Success is defined as the percentage of tag holders responding to their hunt questionnaire and subsequently harvesting a big game animal. Tag success calculations include those tag holders that did not hunt. Tag success, used in the Demand-Tag Success formula, will be primarily based on tag success rates from previous years for a given hunter group and unit group. A long-term or statewide average may be used to moderate erratic variations in tag success rates. Tag success must be used in the Demand-Tag Success Formula to achieve projected harvest while accommodating tag holders that do not hunt.

RESIDENT AND NONRESIDENT TAG ALLOCATION

The Commission strives to allocate approximately 90 percent of available quota to resident hunters and 10 percent of available quota to nonresident hunters for males of each big game species in the Main Draw.

PARTY HUNT QUOTA MINIMUM

For deer, antlerless elk, and horns shorter than ears antelope hunts, the minimum tag quota will be two to allow applicants who wish to apply as a party of two applicants to apply and have a chance of drawing those tags.

SPECIFIC RULES — BY SPECIES

MULE DEER

Allocation of Projected Harvest by Weapon Group

The Demand-Tag Success process for determining antlered mule deer hunting quotas

will be as follows:

For Standard and Alternative Hunt Units (see Game Division Big Game Management Objectives)

1. Determine the desired animal harvest for each unit group based on the pre-hunt population estimate and desired male to female ratio (typically 30 bucks per 100 does).

2. Apportion the desired harvest into the various weapon classes based on demand from previous years for standard hunt units.

3. Apportion the desired harvest of 25% to Junior Hunters (Juniors).

a. Junior hunts may be divided into Any Legal Weapon class and Archery/Muzzleloader combination to allow for increased Junior participation.

b. Junior deer tags will be considered antlered deer tags except in areas that have open antlerless deer hunts, where they will be considered either-sex tags.

c. Juniors can apply for five years and be awarded three tags before the age of 18.

4. For alternative and non-standard hunt units, the demand will be based on the number of first choice applicants for each weapon type from the previous years.

5. Determine final quota for each unit group and weapon type by dividing the desired harvest by the previous 3-year average tag success rate.

A long-term or statewide average may be used to moderate erratic variations in demand and tag success rates.

ELK

Allocation of Projected Harvest by Weapon Group

Modeled changes in population size, bull-cow ratios, and percent of main beams \geq 50-inch reported by hunters from previous years will be assessed to determine desired elk harvest. Using calculated demand, the projected antlered, antlerless, and spike harvest will then be distributed among the various weapon groups identified for a given elk class and unit group. The projected harvest, once allocated among the weapon groups, will be divided by hunter success for the appropriate weapon group to determine the recommended tag quota.

ANTELOPE

Allocation of Projected Harvest by Weapon Group

The projected buck harvest will be divided among the various weapon groups identified for a given antelope class and unit group. The projected harvest, once divided among the weapon groups, will be expanded to hunting opportunities.

Horns shorter than ears harvest will be based on the tag success of previous years for a given hunter group and unit group hunter success. A long-term or statewide average may be used to moderate erratic variations in tag success rates.

BIGHORN SHEEP

Weapon, Hunter Groups, and Animal Classes

Bighorn ram and ewe hunting opportunities will involve any legal weapon and archery weapon groups. Management ram hunts may be implemented in unit groups where broken-horned rams may exist, where reduced ram densities are desired, and where consistently low ram tag success occurs.

Allocation of Projected Harvest by Hunter Group

Tag success rates will not be used to expand either the projected ram or ewe harvest.

MOUNTAIN GOAT

Weapon, Hunter Groups, and Animal Classes

Mountain goat hunting opportunities may consist of any mountain goat (male or female), or billy only. Hunts are any legal weapon only.

Allocation of Projected Harvest by Hunter Group

Tag success rates will not be used to expand the projected mountain goat harvest.

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, **Date**.*

**Chairwoman Tiffany East
Board of Wildlife Commissioners**

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

Commission Policy 25

Number: P-25

Title: Wildlife Damage Management

Reference: NRS 501.105, 501.110, 503.470, 503.595, 567.010-567.090, CGR No. 1(8) and No. 4 (2)

Effective Date: September 19, 1980

Amended Date: June 17, 2000

Last Reviewed Date: 2007

PURPOSE

To inform the public and guide the Department of Wildlife in actions relating to Wildlife Damage Management.

In accordance with NRS 501.181, the Board of Wildlife Commissioners shall establish policies for the protection, propagation, restoration, transplanting, introduction and management of wildlife in this state. Further, the Commission shall establish policies for areas of interest including wildlife damage management.

POLICY

1. Wildlife damage management shall be undertaken to minimize wildlife related losses to private or natural resources without endangering the existence or natural role of offending wildlife species in the ecosystem.
- ~~1. Extension and educational efforts will be encouraged to assist private citizens in animal husbandry practices, property protection or human activities to minimize the vulnerability of loss, damage, or injury to livestock, pets, private property, or human health and safety.~~
2. The Commission supports continued federal leadership in wildlife damage management because of the national need for development and use of more efficient and humane control methods.
3. The Commission recognizes the U. S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, as the authority for predatory and nuisance wildlife damage management under cooperative agreement with the Department of Wildlife, where the Department of Wildlife is an active participant in documenting the need for wildlife damage management programs, in planning and execution of those programs, and in enhancing public understanding of those programs.

~~The Department shall prepare an annual wildlife damage management plan~~

~~outlining proposed actions needed for the management of wildlife and, upon approval of the Commission, recommend that a sufficient amount of funding annually be forwarded from the Wildlife Account in the State General Fund to the state predator animal and rodent committee (PARC) for wildlife damage management work as provided in Chapter 567 of NRS.~~

~~2. The Department shall conduct an evaluation of the potential needs for wildlife damage management activities in conjunction with preparing release proposal for big game, upland game, and migratory birds. Those evaluations shall be included in each site-specific release proposal in the draft biennial big game and upland game-migratory bird release plans.~~

4. Initiate wildlife damage management efforts using the best scientific and biological information available.

5. Direct wildlife damage management efforts including sport hunting and trapping, whenever possible, to prevent damage to resources or threats to human health and safety before it occurs in specific areas known to be recurring problem areas, or to alleviate damage as soon as possible after it occurs.

6. Direct wildlife damage management efforts at the offending animal or localized offending species population insofar as possible, and feasible.

~~3. Wildlife damage management of major mammalian predators including coyotes, bobcats, mountain lion, and black bears, shall be directed towards specific geographic areas of the state where a predation problem has been documented by the Department of Wildlife or Wildlife Services. Within those documented areas, management and control efforts shall be undertaken to minimize livestock, pets, or natural resource losses that may or are about to occur through predation. In the event that any of the aforementioned major mammalian predators poses a legitimate immediate threat to human health and safety, based on the professional judgment of Department of Wildlife or Wildlife Services personnel, those animals shall be killed.~~

7. Employ wildlife damage management methods which are selected on the basis of the species involved, utilizing currently approved methods in the proper mix according to the needs. ~~These methods may include aerial hunting, M-44 devices, trapping, snares, denning and registered pesticides.~~

a. Pesticides must be federally and state registered, applied only by certified applicators, and should only be used in those proactive or reactive preventative damage management operations where its use and delivery system represent a selective, effective and efficient method of control.

b. Aerial hunting will be conducted only under authorization of the Department of Wildlife through issuance of an aerial depredation

permit, limited to bobcats, coyotes and ravens. Such permits shall be issued only to Wildlife Services or to landowners or tenants land or property that are being damaged by wildlife.

~~4. Department, upon issuance of a depredation permit and with the aid and cooperation of the complainant, may take all available professional and economically feasible measures to alleviate or lessen the depredation or safety problem.~~

PROCEDURE

~~NRS 503.595 provides that after the owner or tenant of any land or property has made a report to the Department indicating that such land or property is being damaged or destroyed, or is in danger of being damaged or destroyed, by wildlife, the Department may, after thorough investigation and pursuant to such regulations as the Commission may promulgate, cause such action to be taken as it may deem necessary, desirable and practical to prevent or alleviate such damage or threatened damage to such land or property.~~

~~The Commission has adopted regulations authorizing the Director or his designee to issue wildlife depredation permits. Specific permit programs include:~~

8. An annual wildlife depredation permit may be issued to the State Supervisor, U. S. Department of Agriculture Wildlife Services, to kill mountain lion, common raven, black bear, and/or bobcat or others as needed causing or potentially causing a loss of private property, natural resources, or representing a threat to human health and safety.

a. Any report of natural resource, livestock, ~~or~~ pet loss, or threat to human health or safety received by the Department shall be forwarded immediately to Wildlife Services for action in accordance with subsection (b) of this section.

b. Upon receipt of a report from a property owner or the Department indicating that a mountain lion, common raven, black bear, ~~or bobcat~~ or other is causing or about to cause damage to private property or poses ~~oppose~~ a threat to human health and safety, the permittee shall conduct an on-site investigation. If the results of the investigation support the complaint, the permittee may kill the animal. If the permittee cannot determine if the complaint is valid, he shall notify a representative of the Department, who shall conduct a joint investigation to make the final determination.

~~a. The permittee shall salvage and give the hide and skull of mountain lion, black bear or bobcat killed under the authority of a permit, to the Department within 72 hours.~~

~~1. An annual wildlife depredation permit may be issued to State Supervisor, Wildlife Services to kill the minimum number of game, furbearers, protected or unprotected wildlife species as necessary to control threat or~~

~~damage to and property or to human health and safety.~~

c. Upon receipt of a valid mountain lion, black bear or bobcat complaint from an individual landowner or tenant, the Department may issue a limited permit to the owner to pursue and kill an animal that is in the act of killing his livestock.

1. The permittee shall notify a Department representative within 72 hours after killing a mountain lion, common raven, black bear, ~~or bobcat~~ or other predator, and shall salvage the hide and skull and give same to the Department of Wildlife.

~~2. The Department may issue permits authorizing the hunting or killing of coyotes and bobcats from an aircraft.~~

d. Furbearers may be taken or killed at any time in any manner, provided an individual or entity first obtains a permit from the Department. The Department or their agents are authorized to enter upon the lands of a landowner and remove beaver or otter for the relief of other landowners and the protection of the public welfare.

~~3. The Department may issue permits consistent with federal law to take bald eagles, golden eagles, ravens, or other birds protected by the Migratory Bird Treaty Act, whenever it determines that they have become seriously injurious to wildlife or agriculture or other interests that the injury can only be abated by killing some of the offending birds.~~

~~4. The State Predatory Animal and Rodent Committee shall enter into agreements with the U. S. Department of Agriculture covering cooperative control of crop destroying birds in addition to predatory animals and rodents to assure maximum protection against losses of livestock, poultry, game birds, animals and crops on a statewide basis. The State Department of Agriculture in accordance with NRS 555.010 and 555.021 responds to complaints involving vertebrate pests that are injurious to agriculture or public health.~~

e. The Department may issue a wildlife depredation permit to a landowner if needed for the prevention or alleviation of damage to standing or stored agriculture crops.

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, ~~June 17, 2000.~~

Chairman Bill Bradley
Board of Wildlife Commissioners



STATE OF NEVADA

DEPARTMENT OF WILDLIFE

Fisheries Division

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MEMORANDUM

August 30, 2022

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

From: Chris Crookshanks, Administrator, Fisheries Division

Title: **Commission Regulation 21-15 Amendment #1, Fishing Seasons and Regulations for the Two-Year Period January 1, 2022, through December 31, 2023 – Fisheries Division Administrator Chris Crookshanks – For Possible Action**

Description: The Commission will consider amending Commission Regulation 21-15 to modify the fishing hours for the Ruby Lake National Wildlife Refuge and adopt a limit of three game fish for Sportsman’s Park Pond in Nye County.

Presenter: Fisheries Division Administrator Chris Crookshanks

Summary:

The Commission will consider Amendment #1 of Commission Regulation 21-15, Fishing Seasons and Regulations for the two-year period of January 1, 2022 through December 31, 2023. The Department is proposing an amendment to modify the fishing hours for the Ruby Lake National Wildlife Refuge (RLNWR) in Elko County and adopt a limit of three game fish for Sportsman’s Park Pond in Nye County. This memorandum presents a synopsis of Department recommendations for the amendment of Commission Regulation 21-15 including county specific recommendations for fishing seasons and regulations as well as descriptions and rationale for those changes.

Background:

The Ruby Lake National Wildlife Refuge has a major warmwater fishery in northeastern Nevada that also provides an excellent coldwater fishery during the cooler months of the year. NDOW works cooperatively with the US Fish and Wildlife Service Refuge staff to manage this popular fishery. NDOW staff recently learned that the fishing hours in our regulations are inconsistent with the RLNWR hours of operation. Currently, CR 21-15 identifies fishing hours as 2 hours before sunrise to 2 hours after sunset. RLNWR hours of operation are posted as 1 hour before sunrise to 1 hour after sunset. This amendment would make fishing hours consistent with refuge hours of operation.

Sportsman’s Park Pond is a small fishing pond located approximately 15 miles northeast of Tonopah. Under existing CR 21-15 regulations, it falls under the Nye County General Regulations which is 10 trout and 15 warmwater game fish of which not more than 10 may be black bass. NDOW staff has received numerous requests from Nye County residents to reduce the harvest limit at this popular community pond. This amendment will establish a limit of three game fish for Sportsman’s Park Pond in Nye County to be consistent with other urban fisheries throughout the State of Nevada.

There are no changes proposed for waters in the following counties:

<u>Western Region</u>	<u>Eastern Region</u>	<u>Southern Region</u>
Carson City	Eureka	Clark
Churchill	Lander	Esmeralda
Douglas	White Pine	Lincoln
Humboldt		
Lyon		
Mineral		
Pershing		
Storey		
Washoe		

The following changes are proposed for fishing seasons and regulations for Elko and Nye counties:

ELKO COUNTY

All regulations in Elko County are proposed to remain the same with the exception of the following (changes are delineated in (red) strike-out text):

Ruby Lake National Wildlife Refuge

Proposed Regulation:

<p>OPEN WATERS:</p> <p>Ruby Lake National Wildlife Refuge</p>	<p>Open year round</p>	<p>From Jan. 1 – June 14: Limit is 3 trout and 5 black bass*.</p> <p>From June 15 – Dec. 31: Limit is 3 trout and 10 black bass*.</p> <p>*Minimum size for black bass is 10 inches total length.</p>	<p>2 1 hours before sunrise to 2 1 hours after sunset</p>
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Description and Rationale:

The Department is proposing to modify the fishing hours at the Ruby Lake National Wildlife Refuge to be open 1 hour before sunrise to 1 hour after sunset. This change is being proposed to ensure fishing hours are consistent with Refuge hours of operation.

NYE COUNTY

All regulations in Nye County are proposed to remain the same with the exception of the following (changes are delineated in (red) strike-out text):

Sportsman’s Park Pond

Proposed Regulation:

OPEN WATERS: Sportsman’s Park Pond	Open year around	3 game fish	Hours park is open to public use
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Description and Rationale:

The Department is proposing an amendment to CR 21-15 modifying the season and harvest limits for this water to “*Season is open year around, during hours the park is open to public use. Limit is 3 game fish.*” This is consistent with the regulations established for other waters statewide that are managed under the Urban Fishing Concept. Without adoption of this regulation, the Sportsman’s Park Pond would continue to be managed under the Nye County general regulation of 10 trout and 15 warmwater game fish of which not more than 10 may be black bass. Urban ponds, including this one, tend to experience high use, especially after stocking events, so harvest of these fish is rapid, requiring frequent stocking throughout the fishing season to maintain recreational fishing. Reducing harvest limits at Sportsman’s Park Pond would allow stocked fish to persist in the pond for a longer period allowing those fish to be distributed among a larger user group.

Recommendation:

The Department recommends Commission approval of the proposed changes to Commission Regulation 21-15 after consideration of public and Commission input.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

**FISHING SEASONS
CR 21-15 Amendment 1**

The Board of Wildlife Commissioners, under the authority of 501.181 of the Nevada Revised Statutes, does hereby adopt the following regulation for the management of the fisheries resource:

2022/2023 FISHING SEASONS
JANUARY 1, 2022 THROUGH DECEMBER 31, 2023

LIMITS

“Limit” means the maximum number of game fish that may be lawfully taken and reduced to possession by a person in one day. The limit includes fish caught in Nevada which have been processed or preserved and are stored at any location. Fish that are caught and immediately released back to the water alive are not considered to be reduced to possession or part of the limit.

A person shall not reduce game fish to possession if he already has the number of that fish in possession which equals or exceeds the limit of the water being fished.

General limits are listed by county as all waters, all lakes and reservoirs or all streams and rivers. Exceptions to general limits and special regulations are listed by individual water.

COUNTY	WATERS	SEASON	LIMITS	HOURS
CARSON CITY				
CLOSED WATERS:	None			
OPEN WATERS:	All waters. (Except as noted below)	Open year around	5 trout, 10 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass	Any hour of the day or night
	Lake Tahoe and tributaries	Open year around	5 game fish	1 hour before sunrise to 2 hours after sunset
	Baily Fishing Pond	Open year around	3 game fish	Hours park is open to public use
CHURCHILL COUNTY				
CLOSED WATERS:	Lahontan Dam spilling pool (bowl) on the Carson River below Lahontan Dam. All waters within the boundaries of the Stillwater National Wildlife Refuge.			
OPEN WATERS:	All waters. (Except as noted below)	Open year around	5 trout, 10 mountain whitefish and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye	Any hour of the day or night
	Lahontan Reservoir	Open year around	15 game fish of which not more than 5 may be black bass, 5 may be walleye, and 2 may be white bass or white bass hybrids (wiper) 15 inches total length or longer. White bass or white bass hybrids (wiper) under 15 inches may be included in the 15 game fish limit.	Any hour of the day or night
	Carson River, and all waters in Lahontan Valley	Open year around	25 game fish of which not more than 5 may be black bass, and 5 may be walleye	Any hour of the day or night
	Liberty Pond	Open year around	3 game fish	Hours park is open to public use
CLARK COUNTY				
CLOSED WATERS:	Lakes Mead and Mohave and the Colorado River areas as posted immediately above and below Hoover and Davis dams; and except as otherwise posted by the National Park Service, those waters within the flat wake buoys at the following marinas and harbors: Overton Beach, Echo Bay Resort, Callville Bay Marina, Las Vegas Wash, Cottonwood Cove, Hemenway Harbor and Las Vegas Boat Harbor. Veterans Memorial Park, Boulder City, all waters except the Boulder City Urban Fishing Pond as posted. Spring Mountain Ranch State Park Pond. Las Vegas Wash, all waters within the Clark County Wetlands Park.			
OPEN WATERS:	All waters. (Except as noted below)	Open year around	10 trout and 15 warmwater game fish of which not more than 10 may be black bass	Any hour of the day or night
	Lake Mead	Open year around	5 trout, 6 black bass, 25 catfish, 15 crappie. No limit on striped bass less than 20 inches total length (unlimited possession). The limit on striped bass 20 inches total length or longer is 20 fish. No limit on other game fish	Any hour of the day or night
	Lake Mohave	Open year around	5 trout, 6 black bass, 25 catfish, and 15 crappie. No limit on striped bass less than 20 inches total length (unlimited possession). The limit on striped bass 20 inches total length or longer is 20 fish. No limit on other game fish	Any hour of the day or night
	Colorado River below Davis Dam	Open year around	5 trout, 6 black bass, 25 catfish, and 10 striped bass. Minimum size for black bass is 13 inches total length. No limit on other game fish	Any hour of the day or night
	Virgin River and Muddy (Moapa) River systems	Open year around	5 trout, 6 black bass, 25 catfish, 15 crappie, and 20 striped bass. No limit on other game fish	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Boulder City Pond, Sunset Park Pond, Floyd Lamb Park Ponds, Lorenzi Park Pond and Mesquite Urban Pond – Hafen Lane Pond	Open year around	3 game fish	Hours parks are open to public use
	Cold Creek Pond and Cold Creek	Open year around	3 game fish	Any hour of the day or night
	Carpenter Creek	Open year around	2 trout	Any hour of the day or night
DOUGLAS COUNTY				
CLOSED WATERS:	Topaz Lake within the jetties of Topaz Marina. Lake Tahoe within the boat launch area, inside the jetty at the Cave Rock boat ramp, north end. Glenbrook Creek from Lake Tahoe to Highway 50.			
OPEN WATERS:	All waters. (Except as noted below)	Open year around	5 trout, 10 mountain whitefish, and 15 warmwater game fish of which not more than 5 may be black bass	Any hour of the day or night
	Lake Tahoe and tributaries	Open year around	5 game fish	1 hour before sunrise to 2 hours after sunset
	Spooner Lake	Open year around	5 trout	1 hour before sunrise to 2 hours after sunset
	Topaz Lake	Open year around	5 trout, 5 mountain whitefish, and 25 warmwater game fish of which not more than 5 may be black bass	1 hour before sunrise to 2 hours after sunset
	Mitch Park Pond, Lampe Park Pond, Martin Slough Ponds (on Gilman Avenue), Seeman Pond	Open year around	3 game fish	Hours parks are open to public use.
ELKO COUNTY				
CLOSED WATERS:	In Ruby Valley fishing is prohibited in hatchery, rearing, brood and spring ponds of Gallagher Hatchery; in Cave Creek west of the county road; and on Franklin Lake Wildlife Management Area.			
OPEN WATERS:	All lakes and reservoirs (Except as noted below)	Open year around	5 trout and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	All streams and rivers (Except as noted below)	Open year around	10 trout, 10 mountain whitefish, and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	Wildhorse Reservoir and all inlet and outlet streams including Penrod Creek up to the bridge below the Gold Creek Ranger Station	Open year around. Exception: March 1 through June 30, catch and release fishing only for black bass	5 trout, 1 black bass, 1 white bass hybrid (wiper) and 5 channel catfish. No limit on yellow perch (unlimited possession). Minimum size for black bass and white bass hybrids (wiper) is 15 inches total length	Any hour of the day or night
	Angel Lake and inlet and outlet streams	Open year around	5 trout	Any hour of the day or night
	South Fork Reservoir and the South Fork of the Humboldt River from the Lucky Nugget Subdivision causeway downstream to its confluence with the Humboldt River	Open year around. Exception: March 1 through June 30, catch and release fishing only for black bass	5 trout, 1 black bass, 1 white bass hybrid (wiper) and 5 channel catfish. Minimum size for black bass and white bass hybrids (wiper) is 15 inches total length	Any hour of the day or night
	South Fork of the Humboldt River from the Lucky Nugget Subdivision causeway upstream to Lee	Open year around	1 trout	Any hour of the day or night
	Wilson Sink Reservoir, its outlet and inlet stream up to State Route 11	Open year around	5 trout, 10 mountain whitefish, and 10 black bass. Minimum size for black bass is 10 inches total length	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Ruby Lake National Wildlife Refuge	Open year around in all areas except as posted January 1 through June 14 June 15 through December 31	3 trout and 5 black bass. Minimum size for black bass is 10 inches total length 3 trout and 10 black bass. Minimum size for black bass is 10 inches total length	2 1 hours before sunrise to 2 1 hours after sunset
	Ruby Mountains and East Humboldt Range high lakes except Angel Lake	Open year around	10 trout	Any hour of the day or night
	Dry Creek Reservoir	Open year around	5 trout and 15 warmwater game fish of which not more than 10 may be black bass	Any hour of the day or night
	Willow Creek Reservoir	Open year around	5 trout and 15 warmwater game fish of which not more than 10 may be black bass and 5 may be channel catfish. Minimum size for black bass is 10 inches total length	Any hour of the day or night
	Jarbidge River, East Fork and West Fork and tributary streams	Open year around	5 trout, 10 mountain whitefish, except possession of bull trout is prohibited. All captured bull trout must be released immediately	Any hour of the day or night
	Marys River and tributary streams	Open year around	5 trout	Any hour of the day or night
	Bruneau River and tributary streams	Open year around	10 trout and 10 mountain whitefish	Any hour of the day or night
ESMERALDA COUNTY				
CLOSED WATERS:	None			
OPEN WATERS:	All waters	Open year around	10 trout and 15 warmwater game fish of which not more than 10 may be black bass	Any hour of the day or night
EUREKA COUNTY				
CLOSED WATERS:	Tonkin Springs Creek (Denay Creek) from origin to its confluence with Tonkin Springs Reservoir			
OPEN WATERS:	All lakes and reservoirs. (Except as noted below)	Open year around	5 trout and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	All streams and rivers. (Except as noted below)	Open year around	10 trout and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	Tonkin Springs Reservoir	Open year around	5 trout	Any hour of the day or night
HUMBOLDT COUNTY				
CLOSED WATERS:	All tributaries to Summit Lake. All waters of the Sheldon National Wildlife Refuge (within Humboldt County) except Big Springs Reservoir and Dufurrena Ponds. Crowley Creek in the Montana Mountains. Eightmile Creek in the Santa Rosa Range. Donnelly Creek in the Calico Range.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	5 trout and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye	Any hour of the day or night
	James Kinney Pond	Open year around	3 game fish	Hours park is open to public use
	Blue Lakes and Onion Valley Reservoir	Second Saturday in June through November 15	5 trout	Any hour of the day or night
	Bilk Creek Reservoir	Open year around	5 game fish	Any hour of the day or night
	Chimney Reservoir	Open year around	15 game fish of which not more than 5 may be black bass, 5 may be walleye, 2 may be white bass hybrid (wiper), and zero may be tiger muskie (catch and release only). The minimum length for white bass hybrids is 15 inches total length	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Knott Creek Reservoir including inlet and outlet streams	Second Saturday in June through November 15	1 trout. Minimum size for trout is 18 inches total length	Any hour of the day or night
	Big Springs Reservoir	Second Saturday in May through the last day of February	5 trout	Any hour of the day or night
LANDER COUNTY				
CLOSED WATERS:	None			
OPEN WATERS:	All streams and rivers (Except as noted below)	Open year around	10 trout and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	All lakes and reservoirs (Except as noted below)	Open year around	5 trout and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	Willow Creek Pond and Willow Creek Reservoir including inlet and outlet streams	Open year around	5 trout and 5 black bass. Minimum size for black bass is 10 inches. No limit on yellow perch (unlimited possession)	1 hour before sunrise to 2 hours after sunset
	Groves Lake, Kingston Creek and Big Creek	Open year around	5 trout	Any hour of the day or night
	Smith Creek Reservoir	April 1 through November 15	1 trout	Any hour of the day or night
LINCOLN COUNTY				
CLOSED WATERS:	Crystal Springs and outflow for one-half mile to beginning of concrete ditch. Ash Springs outflow through the River Ranch to beginning of concrete ditch.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	10 trout and 15 warmwater game fish of which not more than 10 may be black bass	Any hour of the day or night
	Nesbitt Lake (Key Pittman Wildlife Management Area)	Open year around except the portion above the old fence line as posted is closed to trespass February 15 through August 15 and closed to fishing during the waterfowl season	50 bullhead and 15 other warmwater game fish of which not more than 10 may be black bass	Any hour of the day or night
	Eagle Valley Reservoir and Meadow Valley Wash above the reservoir	Open year around	5 trout and 15 warmwater game fish of which not more than 10 may be black bass. Zero black bass (catch and release only) from April 1 through June 30	Any hour of the day or night
	Echo Canyon Reservoir	Open year around	5 trout and 15 warmwater game fish of which not more than 10 may be black bass	Any hour of the day or night
	Pahrangat National Wildlife Refuge	Open year around except North Marsh which is closed to fishing during the waterfowl season	3 trout and 15 warmwater game fish of which not more than 5 may be black bass	Any hour of the day or night
LYON COUNTY				
CLOSED WATERS:	All waters within the Mason Valley Wildlife Management Area except for those listed as open.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	5 trout, 10 mountain whitefish, and 15 warmwater game fish of which not more than 5 may be black bass and 5 may be walleye	Any hour of the day or night
	East Walker River	Open year around	5 trout, 10 mountain whitefish, 15 warmwater game fish of which not more than 5 may be black bass. Except in that portion of the East Walker River which is from one-quarter mile above the confluence of the East Walker River and Sweetwater Creek downstream to one-half mile below the confluence of the East Walker River and Red Wash Creek which is catch and release fishing only	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Fort Churchill Cooling Pond Cooperative Management Area, fishing prohibited from the center dike and posted areas	Second Saturday in February through September 30	5 trout and 15 warmwater game fish of which not more than 2 may be black bass. Minimum size for black bass is 14 inches total length.	1 hour before sunrise to 2 hours after sunset
	Lahontan Reservoir	Open year around	15 game fish of which not more than 5 may be black bass, 5 may be walleye, and 2 may be white bass or white bass hybrids (wiper) 15 inches total length or longer. White bass or white bass hybrids (wiper) under 15 inches may be included in the 15 game fish limit.	Any hour of the day or night
	Mason Valley Wildlife Management Area: Bass, Crappie, and North ponds, Beaver Slough and that portion of the Walker River within the Mason Valley Wildlife Management Area	Second Saturday in February through September 30	5 trout and 15 warmwater game fish of which not more than 2 may be black bass. Minimum size for black bass is 14 inches total length	Any hour of the day or night
	Hinkson Slough	Second Saturday in February through September 30	2 trout and 15 warmwater game fish of which not more than 2 may be black bass. Minimum size for trout is 16 inches total length. Minimum size for black bass is 14 inches total length	Any hour of the day or night
	Eastside Waterfowl Series Ponds	August 16 through September 30	5 trout and 15 warmwater game fish of which not more than 2 may be black bass. Minimum size for black bass is 14 inches total length	Any hour of the day or night
	Kuenzli Pond, Hatchery Outpond 1, Hatchery Outpond 2 and Hatchery Outpond 3	First Saturday in May	3 game fish of which not more than 1 may be black bass	8 AM to sunset
Mountain View Park Pond	Open year around	3 game fish	Hours park is open to public use	
MINERAL COUNTY				
CLOSED WATERS:	The Rose Creek confluence from the diversion pipe downstream to Walker Lake and Walker Lake within a 100-yard radius of the inflow.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	5 trout, 10 mountain whitefish, and 15 warmwater game fish of which not more than 5 may be black bass	Any hour of the day or night
	Rose Creek Reservoir	Open year around	3 game fish	Any hour of the day or night
NYE COUNTY				
CLOSED WATERS:	Kirch Wildlife Management Area: Hot Creek to its confluence with Adams-McGill Reservoir. Sunnyside Creek above Sunnyside/Adavin County Road crossing in sec. 36, T 7 N R 61 E.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	10 trout, 15 warmwater game fish of which not more than 10 may be black bass	Any hour of the day or night
	Beatty Urban Pond	Open year around	3 game fish	Any hour of the day or night
	Sportsman's Park Pond	Open year around	3 game fish	Hours park is open to public use
	Upper Reese River and tributaries from the Arc Dome wilderness boundary south of the Yomba Shoshone Tribe Reservation to its headwaters	Open year around	No limit on trout	Any hour of the day or night
	Stewart Creek from its confluence with the Reese River to its headwaters	Open year around	No limit on trout	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Kirch Wildlife Management Area: All other waters within the Kirch Wildlife Management Area	Open year around except the upper portions of Adams-McGill, Cold Springs and Haymeadow reservoirs closed to trespass February 15 through August 15 as posted. A 100-yard area as posted around the inflow from Hot Creek to Adams-McGill Reservoir is closed to fishing January 1 through April 1.	5 trout, 50 bullhead and 15 other warmwater game fish of which not more than 10 may be black bass. 5 black bass from April 1 through June 30.	Any hour of the day or night
	Tule Reservoir	Open August 16 through February 14	5 trout, 50 bullhead, and 15 other warmwater game fish of which not more than 10 may be black bass.	Any hour of the day or night
	Dacey Reservoir	Open year around except the upper portions of Dacey Reservoir closed to trespass February 15 through August 15 as posted. A 100-yard area as posted around the inflow from Hot Creek to Dacey Reservoir is closed to fishing January 1 through April 1.	1 trout, 50 bullhead, and 15 other warmwater game fish of which not more than 10 may be black bass. Zero black bass (catch and release only) from April 1 through June 30.	Any hour of the day or night
PERSHING COUNTY				
CLOSED WATERS:	None			
OPEN WATERS:	All waters (Except as noted below)	Open year around	5 trout and 15 warmwater game fish of which not more than 5 may be black bass, and 5 may be walleye.	Any hour of the day or night
	Rye Patch Reservoir and Humboldt River	Open year around	25 game fish of which not more than 5 may be trout, 5 may be walleye, 5 may be black bass, and 2 may be white bass or white bass hybrids which are over 15 inches total length. White bass or white bass hybrids under 15 inches total length may be included in the 25 game fish limit	Any hour of the day or night
STOREY COUNTY				
CLOSED WATERS:	5 Mile Reservoir, Truckee River from Derby Dam downstream 1,000 feet.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	5 trout, 10 mountain whitefish, 15 warmwater game fish of which not more than 5 may be black bass	Any hour of the day or night
	Truckee River	Open year around except for closed areas	3 game fish except in that section from E Mustang Road bridge (I-80 Exit 23) downstream to the Pyramid Lake Paiute Reservation boundary, limit is three gamefish of which 1 may be trout.	Any hour of the day or night
WASHOE COUNTY				
CLOSED WATERS:	Third Creek and its tributaries from Lake Tahoe to the Mt. Rose Highway No. 431. Incline Creek and its tributaries from Lake Tahoe to Ski Way and the Mt. Rose Highway No. 431. Wood Creek from Lake Tahoe to the Mt. Rose Highway No. 431. Lake Tahoe within a 200-yard radius of the mouths of Third, Incline and Wood creeks. A 500-yard radius from Sand Harbor boat ramp. Truckee River from Derby Dam downstream 1,000 feet.			
OPEN WATERS:	All waters (Except as noted below)	Open year around	5 trout, 10 mountain whitefish, and 15 warmwater game fish of which not more than 5 may be black bass	Any hour of the day or night
	Catnip Reservoir, tributaries and outlet stream	Second Saturday in June through November 15	1 trout	Any hour of the day or night
	Washoe Lake	Open year around	10 game fish of which not more than 5 may be catfish	Any hour of the day or night

COUNTY	WATERS	SEASON	LIMITS	HOURS
	Hobart Reservoir and tributaries and Franktown Creek downstream from Hobart Reservoir to Red House	May 1 through September 30	5 trout, only one of which is longer than 14 inches total length	1 hour before sunrise to 2 hours after sunset
	Lake Tahoe and tributaries	Open year around except for closed areas	5 game fish	1 hour before sunrise to 2 hours after sunset
	Marlette Lake, tributaries and outlet stream	July 15 through September 30	0 trout, catch and release only	1 hour before sunrise to 2 hours after sunset
	Truckee River	Open year around except for closed areas	3 game fish except in that section from E Mustang Road bridge (I-80 Exit 23) downstream to the Pyramid Lake Paiute Reservation boundary, limit is three gamefish of which 1 may be trout.	Any hour of the day or night
	Washoe County Urban Ponds: Sparks Marina Pond, Davis Creek Pond, Paradise Pond, Virginia Lake, Idlewild Ponds, Rancho San Rafael Pond, Wilson Common, Marilyn's Pond and Crystal Peak Park Pond.	Open year around	3 game fish	Hours parks are open to public use
WHITE PINE COUNTY				
CLOSED WATERS:	Cold Creek Springs (Spring Pond) and creek above Cold Creek Reservoir in the Diamond Range			
OPEN WATERS:	All lakes and reservoirs (Except as noted below)	Open year around	5 trout and 15 warmwater game fish of which not more than 10 may be black bass. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	All streams and rivers. (Except as noted below)	Open year around	10 trout and 15 warmwater game fish of which not more than 10 may be black. No limit on northern pike or yellow perch (unlimited possession)	Any hour of the day or night
	Ruby Lake National Wildlife Refuge	Open year around in all areas except as posted January 1 through June 14 June 15 through December 31	3 trout and 5 black bass. Minimum size for black bass is 10 inches total length 3 trout and 10 black bass. Minimum size for black bass is 10 inches total length	2 hours before sunrise to 2 hours after sunset
	Cave Lake, Steptoe Creek, and Cave Creek,	Open year around	5 trout	Any hour of the day or night
	Tailings Creek, Cleve Creek, Silver Creek and White River.	Open year around	5 trout	Any hour of the day or night
	Illipah Reservoir and Illipah Creek	Open year around	5 trout	Any hour of the day or night
	Cold Creek Reservoir	Open year around	5 trout and 5 black bass. Minimum size for black bass is 10 inches	Any hour of the day or night
	Comins Lake	Open year around	5 trout and 5 black bass. No limit on northern pike (unlimited possession)	Any hour of the day or night
	Snake Mountain High Lakes	Open year around	0 trout, catch and release only	Any hour of the day or night



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division
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MEMORANDUM:

SEPTEMBER 2, 2022

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

From: Management Analyst Megan Manfredi, Data and Technology Services Division

Title: Commission General Regulation 502, Junior and Turkey Hunt Programs

Description: The Commission will review and revise draft language amending Nevada Administrative Code (NAC) chapter 502 that would remove the Turkey harvest return card deadline from NAC to be included in the annual Commission Regulation. Allow for junior turkey bonus point holders to roll over their accumulated points into the adult category once they are no longer eligible to participate in the junior turkey hunt program. Limit the amount of successfully awarded tags through the junior hunt programs to three (3).

Brief Explanation of the Proposed Regulation:

To keep consistency, the Department is proposing changes to the business rules regarding the turkey harvest return card and bonus point programs. The proposed changes would align with the business rules established for the big game species by allowing an applicant who failed to submit their turkey harvest return card by the established deadline to pay the \$50 associated fee and complete the survey during the following year's turkey application period in order to lift the applied suspension and successfully submit an application. The changes would also allow for juniors participating in the junior turkey hunt program to roll their accumulated bonus points into the adult category once they are no longer eligible for participation as a junior turkey hunter.

Additionally, the Tag Allocation and Application Hunt Committee has proposed a limitation to participation in the junior hunt programs that would make an applicant ineligible for future participation in the junior hunt programs after three (3) successfully awarded junior tags. This limitation is specific to the species being applied for.

Recommendation:

The Department recommends that the Commission review, amend if needed, and move towards adoption of the proposed regulation.

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

LCB File No. R051-21

August 4, 2022

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

AUTHORITY: § 1, NRS 501.105 and 501.181; §§ 2 and 4-6, NRS 501.105, 501.181 and 502.160; §3, NRS 501.105, 501.119, 501.181 and 502.160.

A REGULATION relating to wildlife; revising provisions relating to eligibility to apply for a junior hunt; revising provisions relating to the submission of a questionnaire issued as part of a tag to hunt wild turkey; revising provisions relating to the awarding of bonus points for certain applicants for a tag to hunt wild turkey; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners to adopt regulations necessary to preserve, protect, manage and restore wildlife and its habitat and to carry out the provisions governing wildlife, including, without limitation, the manner and means of taking wildlife. (NRS 501.105, 501.181) Existing regulations prescribe requirements governing the eligibility of a person to apply to engage in a junior hunt. (NAC 502.063, 502.333) **Section 2** of this regulation revises provisions relating to the length of time during which an applicant may apply for a junior hunt by providing that a person who is otherwise eligible to apply for a junior hunt may apply for a junior hunt for not more than 5 years or the length of time required for the person to successfully obtain three tags for a junior hunt, whichever is sooner. **Section 6** of this regulation makes a conforming change relating to the transfer of unused bonus points for persons who become ineligible to apply for a junior hunt.

Existing law authorizes the Department of Wildlife to obtain necessary data from hunters, trappers and anglers relative to their activities and success through the use of reports or questionnaires. If a report or questionnaire is not returned within the period specified by regulation of the Commission, existing law authorizes the Commission to deny the person the right to acquire certain licenses for a period of 1 year and levy an administrative fine against the person. (NRS 501.119) **Section 3** of this regulation revises requirements relating to a questionnaire issued as part of a tag to hunt wild turkey by requiring that such a questionnaire be received by the Department not later than the deadline established in an annual regulation of the Commission. **Section 4** of this regulation revises provisions relating to the awarding of bonus points to certain applicants for a tag to hunt wild turkey by replacing a requirement that such applicants must be awarded bonus points for the hunt number of the species for which an applicant applied with a requirement that the applicant be awarded a bonus point for the category

of the species for which he or she applied. **Sections 1 and 5** of this regulation make conforming changes relating to the manner in which bonus points may be awarded by the Department for a tag to hunt wild turkey.

Section 1. NAC 502.105 is hereby amended to read as follows:

502.105 “Type of hunt” means a hunt authorized by a regulation of the Commission, for which tags are awarded pursuant to application, that differs from another hunt in one or more of the following ways:

1. The species to be hunted for any species other than a species that is included in a category of a species pursuant to subsection 2;
2. The category of the species, subspecies and gender to be hunted as described in ~~subsection 1 of~~ NAC 502.4188;
3. The weapons to be used;
4. The residency of applicants; and
5. The method of drawing applications for the award of tags.

Sec. 2. NAC 502.333 is hereby amended to read as follows:

502.333 A person who is otherwise eligible to apply for a junior hunt may apply for a junior hunt for not more than 5 years ~~or~~ *or the length of time required for the person to successfully obtain three tags for a junior hunt, whichever is sooner.*

Sec. 3. NAC 502.407 is hereby amended to read as follows:

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

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

~~—(b) November 30, or the next business day if November 30 falls on a weekend or state holiday, following the close of the season for the fall hunt for turkey.}~~ *the deadline established in an annual regulation of the Commission.*

2. ~~{A}~~ *Except as otherwise provided in subsection 3, a* person who fails to return the questionnaire or the information required by the questionnaire ~~{within}~~ *on or before* the ~~{period specified}~~ *deadline* or who submits incomplete or false information on the questionnaire is ineligible for all turkey tags for 1 year.

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

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

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

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

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

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

Sec. 4. NAC 502.4187 is hereby amended to read as follows:

502.4187 1. Except as otherwise provided in NAC 502.417 to 502.4225, inclusive, an applicant to obtain a tag for a season who is unsuccessful, or an applicant for a bonus point who does not wish to obtain a tag and is applying for the sole purpose of earning a bonus point, must be awarded a bonus point for ~~†~~:

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

~~—(1) Tag to hunt wild turkey; or~~

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

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

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

2. Except as otherwise provided in subsection 4, the bonus points awarded to a person for a species or category of species accumulate until the person loses his or her bonus points pursuant to this subsection. A person loses all of his or her bonus points for a species or category of a species:

(a) If the person is successful in drawing a tag for a season for that species or category of a species; or

(b) If the person does not apply for a tag or a bonus point for a season for 2 consecutive calendar years during which that type of hunt for a season is open.

3. Upon written request, the Department shall reinstate each bonus point a person lost pursuant to paragraph (b) of subsection 2 if:

(a) During the entirety of the respective 2 consecutive calendar years, the person was mobilized, deployed, training or stationed outside of the United States as an active member of the Armed Forces of the United States, as verified by a copy of his or her orders or other proof satisfactory to the Department; and

(b) The request is submitted to the Department not later than 1 year after the date the person returns to the United States.

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

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

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

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

Sec. 5. NAC 502.4188 is hereby amended to read as follows:

502.4188 ~~1.—Except as otherwise provided in subsection 2, any~~ **Any** bonus points awarded by the Department pursuant to the bonus point program must be awarded in one of the following categories of species, subspecies and gender:

- ~~1(a)~~ **1.** Antlered mule deer;
- ~~1(b)~~ **2.** Antlerless mule deer;
- ~~1(c)~~ **3.** Mule deer, either antlered or antlerless;
- ~~1(d)~~ **4.** Antlered Rocky Mountain elk;
- ~~1(e)~~ **5.** Antlerless Rocky Mountain elk;
- ~~1(f)~~ **6.** Rocky Mountain elk, either antlered or antlerless;
- ~~1(g)~~ **7.** Spike Rocky Mountain elk;

~~{(h)}~~ 8. Pronghorn antelope whose horns are longer than their ears;

~~{(i)}~~ 9. Pronghorn antelope whose horns are shorter than their ears;

~~{(j)}~~ 10. Rams, from one of the following subspecies:

~~{(1)}~~ (a) Nelson bighorn sheep;

~~{(2)}~~ (b) California bighorn sheep; or

~~{(3)}~~ (c) Rocky Mountain bighorn sheep;

~~{(k)}~~ 11. Ewes, from one of the following subspecies:

~~{(1)}~~ (a) Nelson bighorn sheep;

~~{(2)}~~ (b) California bighorn sheep; or

~~{(3)}~~ (c) Rocky Mountain bighorn sheep;

~~{(l)}~~ 12. Mountain goats;

~~{(m)}~~ 13. Black bears; ~~or~~

~~{(n)}~~ 14. Moose ~~;~~

~~—2. Bonus points awarded by the Department pursuant to the bonus point program for wild;~~

or

15. *Wild* turkey . ~~{hunts must be awarded by hunt number.}~~

Sec. 6. NAC 502.4189 is hereby amended to read as follows:

502.4189 1. Each applicant in a drawing for a tag for a season receives a number of additional draw numbers that is equal to the number of bonus points that he or she has accumulated squared, as expressed in the following equation:

$$n=b^2$$

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

2. Except as otherwise provided in subsection 5, bonus points accumulated by a person for a species or category of species cannot be transferred to any other person or any other species or category of species.

3. Any bonus points accumulated by an applicant automatically transfer with the applicant if the applicant changes his or her state of residence. Bonus points transferred pursuant to this subsection apply to the same species or category of species to which they applied before the transfer.

4. The number of bonus points applicable to applications submitted by a group pursuant to NAC 502.4185 for tags is the quotient of the total number of points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.

5. If a person ~~has applied for a junior hunt for deer for 5 years or~~ becomes ineligible to *apply for a junior hunt for deer pursuant to NAC 502.333 or becomes ineligible to* participate in a junior hunt for deer because of his or her age, each unused bonus point accumulated by that person for a junior hunt for deer automatically transfers to the category for antlered mule deer. The provisions of this subsection do not apply to a bonus point accumulated by the person for a junior hunt for deer in a year in which the person also accumulated a bonus point in the category for antlered mule deer.

6. If a person becomes ineligible to apply for a junior hunt for wild turkey pursuant to NAC 502.333 or becomes ineligible to participate in a junior hunt for wild turkey because of

his or her age, each unused bonus point accumulated by that person for a junior hunt for wild turkey automatically transfers to the category for wild turkey.



STATE OF NEVADA
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MEMORANDUM:

SEPTEMBER 2, 2022

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

From: Wildlife Staff Specialist Cody McKee, Game Division

Title: Commission General Regulation 508, Antler Points and Spike Elk Defined

Description: The Commission will review and revise draft language amending Nevada Administrative Code (NAC) chapter 502 that would clarify definitions pertaining to "antler points" and "spike elk" for certain big game mammals and reduce the likelihood of inadvertent infractions.

Brief Explanation of the Proposed Regulation:

The revised definitions will provide clarity to any hunter with a valid tag for pursuing certain big game mammals. This regulation change provides the public and law enforcement clear language needed to determine antler points on certain big game mammals and assess qualifying antler points during spike elk only hunts.

Recommendation:

The Department recommends that the Commission review, amend if needed, and move towards adoption of the proposed regulation.

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

LCB File No. R090-22

July 11, 2022

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

AUTHORITY: §§ 1 and 2, NRS 501.105 and 501.181.

A REGULATION relating to wildlife; clarifying certain definitions relating to wildlife; revising certain definitions relating to spike elk; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners to: (1) establish policies and adopt regulations necessary to preserve, protect, manage and restore wildlife and its habitat; and (2) adopt regulations necessary to carry out the provisions of title 45 of NRS governing wildlife, including, without limitation, the manner and means of taking wildlife. (NRS 501.105, 501.181)

Existing law defines the term “antler point” to exclude the first antler point on the main beam, commonly known as the eye guard on mule deer. (NRS 501.3855) **Section 1** of this regulation clarifies that the exclusion of the first antler point on the main beam is limited to mule deer.

Existing regulations define the terms “spike elk” and “spike elk only” to mean antlered elk having not more than two antler points above the top of the ear on either antler. (NAC 502.104, 502.1045) **Sections 2 and 3** of this regulation revise these definitions to mean antlered elk having not more than three antler points on either antler.

Section 1. Chapter 502 of NAC is hereby amended by adding thereto a new section to read as follows:

For the purposes of NRS 501.3855 and NAC 502.006, the Department interprets the exclusion of the first antler point on the main beam, as described in the definition of “antler point” in NRS 501.3855, to be limited to mule deer.

Sec. 2. NAC 502.104 is hereby amended to read as follows:

502.104 “Spike elk” means any antlered elk having not more than ~~two~~ *three antler* points ~~above the top of the ear~~ on either antler.

Sec. 3. NAC 502.1045 is hereby amended to read as follows:

502.1045 “Spike elk only” means, in a designation of elk that may be taken during an open season, only antlered elk having not more than ~~two~~ *three antler* points ~~above the top of the ear~~ on either antler.