

**Nevada Board of Wildlife Commissioners' Meeting Draft 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, March 10, 2023.**

<https://us02web.zoom.us/j/81508843759?pwd=WTJVUTZETUV3cjQ4bTNkZHVJRIJqUT09>

Passcode: 655647

**If you wish to make public comment, please use this link for Saturday, March 11, 2023**

<https://us02web.zoom.us/j/83836514615?pwd=bkc5d05lR2NzeDNCUW9mRGZQZHVOZz09>

Passcode: 486174

**Meeting materials are available at:** [http://www.ndow.org/Public\\_Meetings/Com/Agenda/](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. If you are a CABMW member participating in the virtual option, please provide your county and CABMW after your name. If you are a member of the public representing yourself, include self after your name.** 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](mailto: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, March 10, 2023 – 9:00 a.m.**

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

<https://us02web.zoom.us/j/81508843759?pwd=WTJVUTZETUV3cjQ4bTNkZHVJRIJqUT09>

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

2. **Approval of Agenda – Chairman Tommy 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 Tommy Caviglia – For Possible Action**  
Commission minutes may be approved from the January 27 and 28, 2023 meeting.
4. **Member Items/Announcements and Correspondence – Chairman Tommy 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 Alan Jenne 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. **Department Activity Report – Secretary Alan Jenne and Division Administrators**  
A report will be provided on Nevada Department of Wildlife activities.
  - B.\* **Litigation Report – Deputy Attorney General Craig Burkett**  
A report will be provided on Nevada Department of Wildlife litigation.
  - C. **Wildlife Damage Management Committee Report – Committee Chairwoman Alana Wise**  
A report will be provided on the recent Wildlife Damage Management Committee Meeting.
  - D. **Regulation Simplification Committee Report - Committee Chairman Shane Rogers**  
A report will provide clarification on the Governor’s Executive Order 2023-003 pertaining to all boards and commissions in the state and how it pertains to the Department.
  - E.\* **Draft Fiscal Year 2024 Predation Management Plan – Wildlife Staff Specialist Pat Jackson – For Possible Action**  
The draft Fiscal Year 2024 Predation Management Plan will be presented to the Commission for review. A report from the Predatory Animal and Rodent Committee (PARC) Meeting, held on February 2nd will be shared with the Commission. All comments from the Commission, PARC, County Advisory Boards to Manage Wildlife, and any other interested publics will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at the March 2023 meeting. One new proposed Mule Deer Enhancement Program Project 47 will be considered for inclusion in the Draft Fiscal Year 2024 Predation Management Plan.
  - F.\* **Wildlife Heritage Grants Manual – Wildlife Staff Specialist Mark Freese**  
The Commission will review recommendations made by the Heritage Committee to cap principal balance projects at 50% of the available balance per year.

**H. Pathways To Relevancy Project - Conservation Educator Bobby Jones**

A presentation on NDOW's Pathways to Relevancy Project consisting of a brief project overview and synopsis of the statewide survey results.

**7. Administrative Procedures, Regulations and Policy (APRP) Committee – Committee Chairman David McNinch – For Possible Action**

The APRP Committee has concluded with committee meetings and will focus on the last four policies through the Commission.

**A.\* Commission Policy 23 – Predation Management – Third Reading – APRP Committee Chairman David McNinch and Deputy Director Mike Scott– For Possible Action**

The Commission will review Commission Policy 23 and may make any necessary changes and may decide to repeal, revise, or adopt the policy.

**8. Commission General Regulations – Workshop - Public Comment Allowed**

**A.\* Commission General Regulation 506, Possession of Golden Eagles Under Certain Circumstances – Wildlife Diversity Administrator Jennifer Newmark – For Possible Action**

The Commission will hold a second workshop to consider amending Nevada Administrative Code (NAC) 503 to allow for possession of a golden eagle under certain circumstances.

**9. 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.

**10. Field Trip – Gemini Solar Project - Tour will begin at the close of Agenda Item #10**

The Commission will tour a large-scaled solar facility outside of Las Vegas, and time allowing, an established Solar Energy Zone in the vicinity. An informational discussion on novel approaches to energy development and wildlife habitat will accompany. No action will be taken by the Commission. The public is invited to participate but will be required to provide their own transportation. The group will depart from the meeting location. The meeting will reconvene at the at the close of the field tour.

**Saturday, March 11, 2023 – 9:00 a.m.**

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

**<https://us02web.zoom.us/j/83836514615?pwd=bkc5d05lR2NzeDNCUW9mRGZQZHVOZz09>**

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

**12. Approval of Agenda – Chairman Tommy 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.

**13. Member Items/Announcements and Correspondence – Chairman Tommy 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 Alan Jenne may also be discussed.

14. **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.
15. **Legislative Committee Report - Committee Chairwoman Tiffany East – For Possible Action**  
A report will be provided on the recent Legislative Committee meeting.
16. **Commission Regulations – For Possible Action – Public Comment Allowed**
  - A.\* **Commission Regulation 23-13, Migratory Game Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Migratory Game Birds Public Hunting Limited on Wildlife Management Areas and Designated State Lands – 2023 – 2024 Season – Wildlife Staff Specialist Russell Woolstenhulme – For Possible Action**  
The Commission will consider recommendations for seasons, bag limits and special regulations for migratory game birds for the 2023-2024 season and adopt regulations consistent with proposed regulations framework for the 2023-2024 hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission will also consider rules regulating public hunting on Wildlife Management Areas and designated state lands.
  - B.\* **Commission Regulation 23-04 Amendment 1, 2023-2024 and 2024-2025 Big Game Seasons – Deputy Director Mike Scott – For Possible Action**  
The Commission will consider and may take action to approve the 2023-2024 and 2024-2025 emergency depredation hunt structure and statewide quota.
17. **Future Commission Meetings and Commission Committee Assignments – Secretary Alan Jenne and Chairman Tommy Caviglia – For Possible Action**  
The next Commission meeting will be held virtually and is scheduled for April 11<sup>th</sup>, 2023. 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 Commission will review and approve the Commission Meeting schedule for 2024-2025. 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.
18. **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/](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](mailto: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/](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](mailto:wildlifecommission@ndow.org).

5, 2023  
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STATE OF NEVADA  
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100 North Carson Street  
Carson City, Nevada 89701

## MEMORANDUM

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

**From:** Craig Burkett, Senior Deputy Attorney General

**Date:** February 21, 2023

**Subject:** Litigation Update

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

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

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

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

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

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

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

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

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

Discovery remains ongoing.

As of December, 2022, the case remains staid for 90 days pending settlement discussions. On December 13, 2022, the parties and representatives of DWR – Micheline Fairbank and DAG Laena St. Jules – met for a productive settlement discussion that will likely result in an agreement.

On February 7, 2023, the principal Defendants provided the Plaintiffs with an updated settlement offer and draft agreement. Defendants are currently waiting to receive Plaintiffs’ response.

*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 5<sup>th</sup> Amendment. The Court held that it would be a taking and that the State would have to pay compensation to each water right holder that is

displaced by water that would have to be sent to Walker Lake. Finally, the Court went on to hold that decision whether to take the water was a non-justiciable political question.

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

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

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

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

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



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

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

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

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

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

Defendants' Motion to Dismiss was denied on August 5, 2022. Judge Du found that Plaintiffs were still able to state a claim upon which relief can be granted, largely technical claims asserted by Mineral County against WRID. Judge Du further found that NDOW and the State of Nevada are both *ex rel.* parties, meaning that NDOW is not simply a standalone rights holder in this

case. As well, the political question doctrine does not apply to this case because caselaw cited provides authority for courts to modify or interpret the decree. It remains unclear from the ruling how this will impact NDOW. The relief sought by Mineral County is for NDOW to develop and fund a plan to improve the resource of Walker Lake, the legal argument against that is that such funding would more appropriately be decided by the legislature.

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

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

*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, 2022, and ruled in favor of the Defendants, finding that there had been no violation of the Public Records Act.

*The Court has issued a formal judgment in favor of the Defendants as to all causes of action. In addition, The Defendants filed a cost memorandum in the amount of roughly \$12,000, which was not opposed. The Defendants have also filed a motion seeking the Plaintiffs pay attorney's fees in the amount of \$79,000. That motion has been submitted to the Judge and awaits decision. In addition, the Plaintiffs have filed an appeal of the case to the Nevada Supreme Court. A settlement conference required by the Nevada Rules of Appellate Procedure is scheduled for February 28.*

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 8<sup>th</sup> Judicial District Court, Clark County, Nevada. The parties have filed legal memoranda supporting their positions. Petitioner has requested oral argument. The Court set a date for argument on September 1, 2023.

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

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



**STATE OF NEVADA  
DEPARTMENT OF WILDLIFE  
Game Division**

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

**MEMORANDUM**

**MARCH 1, 2023**

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

**From:** Pat Jackson, Wildlife Staff Specialist, Game Division

**Title:** **Presentation of Fiscal Year 2024 Draft Predation Management Plan**

**Purpose:** The Draft Fiscal Year 2024 Predation Management Plan will be presented to the Commission for the second review. The draft plan was shared with the State Predatory Animal and Rodent Committee (PARC) in February 2023. All comments from the PARC, County Advisory Boards to Manage Wildlife and any other interested entity will be compiled and shared with the Wildlife Damage Management Committee (WDMC) for their consideration at the March 2023 meeting. The Commission will receive an update at the March 2023 meeting from the Wildlife Damage Management Committee and may provide additional direction at that time. The Commission may provide direction to modify the draft plan.

**Summary**

The Department presents this Draft Fiscal Year 2024 Predation Management Plan to the Commission for approval or amendment at their March 2023 meeting.

**Brief Explanation of the Proposed Plan**

The final report for activities undertaken under the Fiscal Year 2022 Predator Management Plan was presented to the Commission at their November meeting. The FY22 report can be found at:

<https://www.ndow.org/wp-content/uploads/2022/02/12-Pjackson-Predator-Plan-Presentation-draft-1.pdf>

The Department's current activities are guided by the Fiscal Year 2023 Predator Management Plan approved by the Commission in May 2022, which can be found at:

<https://www.ndow.org/wp-content/uploads/2022/01/12-Predator-Management-Plan-FY-2023-draft1-ADA.pdf>

The current draft of the 2024 Plan is presented for Commission review and comment. Any revisions suggested by the WDMC will be presented to the Commission at the March 2023 meeting, and the Department will review and revise the Draft 2024 Plan based on the collective feedback received. The Department will present a final draft for Commission consideration at their May 2023 meeting.

### **Recommendation**

The Department recommends that the Commission make comments and provide guidance on the Draft Fiscal Year 2024 Predation Management Plan as presented.

**Nevada Department of Wildlife**  
**Predator Management Plan**  
**Fiscal Year 2024**  
1 July 2023 to 30 June 2024

# STATE OF NEVADA

Joe Lombardo, Governor

## Nevada Department of Wildlife

Alan Jenne, Director

Vacant, Deputy Director

Jordan Goshert, Deputy Director

Mike Scott, Game Division Administrator

### BOARD OF WILDLIFE COMMISSIONERS

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

Nevada Department of Wildlife receives funding through the Federal Aid in Wildlife Restoration Acts. Federal Laws prohibit discrimination on the basis of race, color, national origin, age, sex or disability. If you believe you've been discriminated against in any NDOW program, activity, or facility, please write to the following:

*Diversity Program Manager  
U.S. Fish and Wildlife Service  
4401 N. Fairfax Drive, Mailstop: 7072-43  
Arlington, VA 22203*

*or Nevada Department of Wildlife  
Director  
6980 Sierra Center Parkway, Ste. 120  
Reno, NV 89511*

Individuals with hearing impairments may contact the Department via telecommunications device at our Headquarters 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.



## Introduction

The goal of the Nevada Department of Wildlife's (NDOW's) Predator Management Program is to conduct projects consistent with the terrestrial portion of NDOW's Mission "to preserve, protect, manage, and restore wildlife and its habitat for the aesthetic, scientific, educational, recreational, and economic benefits to citizens of Nevada and the United States." Provisions outlined in NRS 502.253 authorize the collection of a \$3 fee for each big game tag application, deposition of the revenue from such a fee collection into the Wildlife Fund Account, and use by NDOW to 1) develop and implement an annual program for the management and control of predatory wildlife, 2) conduct wildlife management activities relating to the protection of nonpredatory game animals and sensitive wildlife species, and 3) conduct research necessary to determine successful techniques for managing and controlling predatory wildlife. This statute also allows for: the expenditure of a portion of the money collected to enable the State Department of Agriculture and other contractors and grantees to develop and carry out programs designed as described above; developing and conducting predator management activities under the guidance of the Nevada Board of Wildlife Commissioners; and provide that unspent monies remain in the Wildlife Fund Account and do not revert to State General Funds at the end of any fiscal year.

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

NDOW is a state agency that must balance the biological needs of wildlife, statutory mandates, and social desires of the public. In the 2015 legislative session, Assembly Bill 78 was adopted which in part amended NRS 502.253 (4) (b) to read: [The Department] "Shall not adopt any program for the management and control of predatory wildlife developed pursuant to this section that provides for the expenditure of less than 80 percent of the amount of money collected pursuant to subsection 1 in the most recent fiscal year for which the Department has complete information for the purposes of lethal management and control of predatory wildlife." NDOW intends to comply with statute and apply the tools of scientific predation management in biologically sound, socially responsible means.

### Budget Summary

Fiscal year 2022 predator fee revenues totaled \$911,013. The Department expects to need to allocate about \$728,810 on lethal removal to meet the requirements set forth by NR 502.253. Proposed predator projects for fiscal year 2024 include \$934,000 for lethal work, these funds include fiscal year 2022 revenues and previous fiscal years surpluses.

### Map Note

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

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## TYPES OF PROJECTS

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

1. **Implementation:** The primary objective is to implement management of predators through lethal or non-lethal means. NDOW will collaborate with USDA Wildlife Services and private contractors to conduct lethal and non-lethal management of predators. Identifying and monitoring a response variable is not a primary objective for implementation.
2. **Experimental Management:** The primary objectives are management of predators through lethal or non-lethal means and to learn the effects of a novel management technique. NDOW will collaborate with USDA Wildlife Services, private contractors, and other wildlife professionals to conduct lethal or non-lethal management of predators and will put forethought into project design. Response variables will be identified and data will be collected to determine project effectiveness. Expected outcomes will include project effectiveness, agency reports, and possible peer-reviewed publications.
3. **Experimentation:** The primary objective is for increasing knowledge of predators in Nevada. NDOW may collaborate with other wildlife professionals to study and learn about predators of Nevada. Expected outcomes will include agency reports, peer-reviewed publications, and information on how to better manage Nevada's predators.

## FY 2024 PROJECTS RECOMMENDED FOR CONTINUATION

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

Justification	This project proposes to lethally remove common ravens from known Greater Sage-grouse habitat, common raven predation on Greater Sage-grouse nests and broods can limit population growth. Common ravens will be removed around known Greater Sage-grouse leks because most nest sites are located within 4 km of a lek. Common ravens will be removed in areas of known greater abundance to benefit sensitive populations of Greater Sage-grouse.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Common raven, Greater Sage-grouse
Span More Than One Fiscal Year	Yes
Project Area	Elko, Eureka, Humboldt, Lander, Lincoln, Lyon, Washoe, and White Pine counties.
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for Greater Sage-grouse, their populations can be suppressed by abiotic factors such as dry climate and loss of quality habitat. Increases in predator numbers can also cause decreases in Greater Sage-grouse populations; common raven abundance has increased throughout their native ranges, with increases as much as 1,500% in some areas (Boarman 1993, Coates et al. 2007, 2014, Sauer et al. 2011, O'Neil et al. 2018). Under these circumstances, common raven predation can have a negative influence of Greater Sage-grouse nesting success, recruitment, and population trend (Coates and Delehanty 2010).
Response Variable	Common raven point counts may be conducted before, during, and after removal to detect changes in common raven densities.
Project Goals	<ol style="list-style-type: none"> <li>1. Reduce common raven populations in high abundance areas that overlap sensitive Greater Sage-grouse populations identified by NDOW and USDA Wildlife Services wildlife biologists.</li> <li>2. Increase populations of Greater Sage-grouse in specific areas where deemed feasible.</li> </ol>

<p>Habitat Conditions</p>	<p>Areas of common raven removal will be within or in close proximity to Greater Sage-grouse leks, nesting habitat, and brood-rearing habitat. Persistent drought throughout Nevada has reduced herbaceous cover, along with nesting and brood rearing habitat; these effects are exacerbated by wildfire and the invasion of cheatgrass. Transmission lines, substations, and nearby agriculture production often attract common ravens which may threaten nearby Greater Sage-grouse populations.</p>
<p>Comments from FY 2022 Predator Report</p>	<p>Raven management, including lethal removal, is imperative to maintain and improve Greater sage-grouse and the ecosystems they depend on. NDOW recommends continuing Project 21 while common ravens are believed to be a limiting factor for Greater sage-grouse.</p>
<p>Methods</p>	<p><i>Lethal Removal</i>  Chicken eggs treated with corvicide (DRC-1339) will be deployed to remove common ravens (Coates et al. 2007). To reduce non-target species exposure, no eggs will be left in the environment for over 168 hours. No leftover eggs will be used on subsequent treatments. All remaining eggs and any dead common ravens found will be collected and disposed of properly as per DRC-1339 protocol. DRC-1339 is effective only on corvids and most mammals and other birds are not susceptible to the specific effects from this agent.</p> <p><i>Monitoring</i>  Point counts for common ravens will be conducted from March through July of each year, which corresponds with Greater Sage-grouse nesting and brood-rearing season. Surveys will be similar to Ralph et al. (1995): lasting 10 minutes; conducted between sunrise and 1400 hrs; conducted under favorable weather conditions; and stratified randomly across study areas (Luginbuhl et al. 2001, Coates et al. 2014).</p>
<p>Anticipated Result</p>	<p>The removal of common ravens is intended to result in long-term protection for Greater Sage-grouse populations through increases in nest success, brood survival, and recruitment.</p> <p>This project will continue until evidence demonstrating Greater sage-grouse nest success and recruitment are not limiting population growth due to common raven predation or common raven populations are in decline from non-lethal measures. The Department anticipates an increase in the USFWS raven depredation permit for this season.</p>
<p>Staff Comment</p>	<p>Project 21 will become progressively more precise with deliverables from Project 41. It is the Department’s desire to ultimately use Project 21 to create temporary voids of ravens for Greater sage-grouse during sensitive times and to reverse the common raven population growth curve.</p>

Project Direction	Fund Project 21.
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Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$175,000	N/A	\$175,000

**Project 22-01: Mountain Lion Removal to Protect California Bighorn Sheep**

Justification	California bighorn sheep populations have been reintroduced in northwestern Nevada; mountain lion predation can be a significant source of mortality that may threaten this population's viability. Area 01 is in close proximity to the Sheldon National Wildlife Refuge, California, and Oregon; all three may act as a source for mountain lions. Mountain lions will be removed proactively by USDA Wildlife Services and private contractors until the local bighorn sheep populations reach population objectives.
Project Manager	Jon Ewanyk, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	California bighorn sheep, mountain lion, mule deer
Span More Than One Fiscal Year	Yes
Project Area	Units 011 and 013
Limiting Factor Statement	Mountain lions are known predators of bighorn sheep (Rominger et al. 2004). Though predation is a naturally occurring phenomenon for bighorn sheep and other big game, their populations can be lowed or suppressed by abiotic factors such as dry climate and loss of quality habitat. Mitigating abiotic factors by removing predators is imperative for some bighorn sheep populations to stabilize (Rominger 2007).
Response Variable	The response variable will be the number of radio-marked bighorn sheep killed by mountain lions.
Project Goal	Remove mountain lions to proactively protect reintroduced California bighorn sheep.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may also be suppressing bighorn populations below population potential or preventing them from reaching self-sustaining levels. Currently, several collaborations between the Bureau of Land Management and NDOW to remove pinyon-juniper are scheduled. These removals are intended to improve bighorn sheep habitat, improve access to water sources, and to remove habitat that is ideal for mountain lions to focus on bighorn sheep.



Comments from FY 2022 Predator Report	NDOW supports continuing Project 22-01 until the local bighorn sheep populations reach viability as defined in the annual Predator Plan.
Methods	NDOW biologists, USDA Wildlife Services, and private contractors will collaborate to identify current and future California bighorn sheep locations and determine the best methods to reduce California bighorn sheep mortality. Traps, snares, baits, call boxes, and hounds will be used to proactively capture mountain lions as they immigrate into the defined sensitive areas.
Population Estimate	The population estimates for California Bighorn sheep in 011 are 20 and 013 is 40.
Anticipated Result	Decrease or prevent predation from mountain lions for all age classes of reintroduced California bighorn sheep, resulting in an established, viable population.
Staff Comment	Proactive mountain lion removal to assist struggling bighorn sheep populations is well documented within the scientific literature.
Project Direction	Fund project 22-01. Monitor population. Cease proactive removal efforts after the local bighorn sheep population reaches 60 in each area (011 and 013; table 1).

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

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

\*Indicates need for monitoring local mountain lion population.

Budget

<b><u>\$3 Predator Fee</u></b>	<b><u>Pittman-Robertson</u></b>	<b><u>Total</u></b>
\$100,000	N/A	\$100,000

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

Justification	Rocky Mountain bighorn sheep populations have been established in portions of Nevada, but mountain lion predation can be a significant source for mortality that may threaten the population's viability. One collared bighorn sheep has been killed by mountain lions in the past year. The area biologists believe that mountain lion predation is not currently limiting the small bighorn sheep population, but even a small amount of predation has the potential to affect its viability.
Project Manager	Kari Huebner, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Rocky Mountain bighorn sheep, mountain lion
Span More Than One Fiscal Year	Yes
Project Area	Unit 074
Limiting Factor Statement	Mountain lions are known predators of bighorn sheep (Rominger et al. 2004). Though predation is a naturally occurring phenomenon for bighorn sheep and other big game, their populations can be lowed or suppressed by abiotic factors such as dry climate and loss of quality habitat. Mitigating abiotic factors by removing predators is imperative for some bighorn sheep populations to stabilize (Rominger 2007).
Response Variable	The response variable will be the number of radio-marked bighorn sheep killed by mountain lions.
Project Goal	Bighorn sheep populations will be monitored on a continual basis and predator control will be implemented as deemed necessary at the discretion of the Area Biologist.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may also be suppressing bighorn populations below population potential or preventing them from reaching self-sustaining levels.
Comments from FY 2022 Predator Report	NDOW supports continuing Project 22-074 until the local bighorn sheep reaches population viability as defined in the annual Predator Plan.
Methods	NDOW biologists will identify current and future Rocky Mountain bighorn sheep locations and determine the best methods to monitor this population. Additional

	GPS collars will be purchased and deployed to monitor the bighorn sheep population. If mountain lion predation is identified as an issue, then traps, snares, baits, call boxes, and hounds will be used to lethally remove mountain lions from the area.
Population Estimate	The population estimate for Rocky Mountain Bighorn sheep is approximately 25 individuals in area 074.
Anticipated Results	1. Monitor the population of Rocky Mountain bighorn sheep. 2. If mountain lion predation is identified as an issue, conduct lethal removal.
Staff Comment	Proactive mountain lion removal to assist struggling bighorn sheep populations is well documented within the scientific literature. This project has evolved from a proactive lethal removal project to a monitoring project.
Project Direction	Fund project 22-074. Monitor population. Begin mountain lion removal efforts if mountain lion predation is detected (table 2). Evaluate efficacy of project 22-074 annually. The Department will allocate project 22-074 funds to project 37 if they are not spent by 1 March 2024.

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

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

\*Indicates need for monitoring local mountain lion population.

Budget

<b><u>\$3 Predator Fee</u></b>	<b><u>Pittman-Robertson</u></b>	<b><u>Total</u></b>
\$20,000	N/A	\$20,000

### Project 37: Big Game Protection-Mountain Lions

Justification	Predation issues frequently arise in a very short timeframe. These issues often occur within a fiscal year. By the time a project can be drafted, approved, and implemented, it may be too late to prevent or mitigate the predation issue. Removing mountain lions that prey on sensitive game populations quickly is a required tool to manage big game populations statewide.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Mountain lion, mule deer, bighorn sheep, antelope
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Mountain lions are known predators of bighorn sheep and other big game species (Rominger et al. 2004). Though predation is a naturally occurring phenomenon for bighorn sheep and other big game, their populations can be lowered or suppressed by abiotic factors such as dry climate and loss of quality habitat. Mitigating abiotic factors by removing predators is imperative for some bighorn sheep populations to stabilize (Rominger 2007).
Response Variable	Response variables may include reduction of prey taken by mountain lions, removal of a mountain lion that was documented consuming the concerned big game species, or a reduction in mountain lion sign. Because of the quick nature of the project, there may be times when no response variable will be measured.
Project Goal	Remove specific, problematic mountain lions to benefit game species.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may have reduced mule deer and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).
Comments from FY 2022 Predator Report	NDOW supports continuing Project 37 until local bighorn sheep populations become viable as defined in the annual Predator Report. NDOW supports the ability to remove mountain lions quickly.
Methods	NDOW will specify locations of mountain lions that may be influencing local declines of sensitive game populations. Locations will be determined with GPS collar points, trail cameras, and discovered mountain lion kill sites. Removal efforts will be implemented when indices levels are reached, these include low

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

Table 3. Indices used to initiate predator removal.

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

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$100,000	N/A	\$100,000

### Project 38: Big Game Protection-Coyotes

Justification	Predation issues frequently arise in a very short timeframe. These occurrences often occur within a fiscal year, therefore by the time a project can be drafted, approved, and implemented, to prevent or mitigate the predation issue, it may be too late. Removing problematic coyotes quickly is a required tool to manage big game populations statewide.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Coyote, mule deer, antelope, Greater Sage-grouse
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for mule deer and other big game, their populations can be lowered or suppressed by abiotic factors such as dry climate and loss of quality habitat. Predation from coyotes may further suppress these populations (Ballard et al. 2001).
Response Variable	Response variables may include reduction of prey taken by coyotes, removal of a coyote that was documented consuming the concerned big game species, or a reduction in coyote sign. Because of the quick nature of the project, there may be times when no response variable will be measured.
Project Goal	Conduct focused coyote removal to protect game species.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may have reduced mule deer and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).
Comments from FY 2022 Predator Report	NDOW supports continuing Project 38 pending available funding.
Methods	USDA Wildlife Services and private contractors, working under direction of NDOW, will use foothold traps, snares, fixed-wing aircraft and helicopters for aerial gunning, calling and gunning from the ground to remove coyotes in sensitive areas during certain times of the year. Work will be implemented when

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

Table 3. Indices used to initiate predator removal.

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

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$100,000	N/A	\$100,000

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

Justification	Continuing predator removal will complement previous coyote removal, feral horse removal, and habitat restoration to benefit mule deer populations.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Coyote, Greater Sage-grouse, mule deer, mountain lion
Span More Than One Fiscal Year	Yes
Project Area	MA 14
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for mule deer and other big game, their populations can be reduced or suppressed by abiotic factors such as dry climate and loss of quality habitat, these populations can be suppressed by predation from coyotes (Ballard et al. 2001).
Response Variable	The response variable will be the fawn to doe ratios in the Diamond Mountains. This ratio will be observed throughout the life of the project. The project will be altered or discontinued after three consecutive years of observed spring fawn:adult ratios averaging 50:100 or higher.
Project Goal	To increase mule deer and Greater Sage-grouse populations by removing coyotes and mountain lions.
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, fawning, and browsing habitat. These effects may have reduced mule deer below population potential. These effects may also be suppressing mule deer below population potential (Ballard et al. 2001).
Comments from FY 2022 Predator Report	NDOW supports continuing Project 40 until mule deer populations reach levels defined in the annual Predator Plan.
Methods	USDA Wildlife Services and private contractors working under direction of NDOW and Eureka County, will use foothold traps, snares, fixed-wing aircraft and helicopters for aerial gunning, and calling and gunning from the ground to remove coyotes in sensitive areas during certain times of the year.
Anticipated Result	Coyote removal will complement feral horse removal already conducted by the BLM, habitat improvement conducted by Eureka County, private coyote



	removal funded by Eureka County, and Wildlife Service coyote removal funded through Wildlife Heritage funds in 2011 and 2012.
Staff Comment	The Department supports multi-faceted management projects such as Project 40.
Project Direction	Fund Project 40. Evaluate efficacy of Project 40 annually.

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$150,000	N/A	\$150,000

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

Justification	Common ravens are the primary predator of Greater Sage-grouse nests and chicks (Coates and Delehanty 2010). Their populations have increased dramatically in Nevada, primarily due to human subsidies (Boarman 1993, Sauer et al. 2011). Understanding common raven density, distribution, and subsidy use will allow for intelligent management decisions to be made to reduce or alter common raven densities in Nevada. These efforts are intended to benefit Greater Sage-grouse, though desert tortoise may also benefit from this project.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimentation
Potentially Affected Species	Greater Sage-grouse, common raven, desert tortoise
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for Greater Sage-grouse, their populations can be suppressed by abiotic factors such as dry climate and loss of quality habitat. Increases in predator numbers can also cause decreases in Greater Sage-grouse populations; common raven abundance has increased throughout their native ranges, with increases as much as 1,500% in some areas (Boarman 1993, Coates et al. 2007, Sauer et al. 2011). Under these circumstances, common raven predation can have a negative influence of Greater Sage-grouse nesting success, recruitment, and population trend (Coates and Delehanty 2010). Common raven predation has also been documented to negatively impact desert tortoise populations (Boarman 1993, Kristan and Boarman 2003)
Response Variable	No response variable will be collected, this is an experimentation project.
Project Goals	<ol style="list-style-type: none"> <li>1. Increase understanding of common raven density, distribution, and subsidy use to maximize common raven management effectiveness.</li> <li>2. Develop a protocol to estimate common raven populations in Greater Sage-grouse habitat and monitor these populations.</li> <li>3. Increase the understanding of how human subsidies affect common raven movements and space use, particularly near Greater Sage-grouse leks and nesting areas.</li> <li>4. Develop a resource selection function model to identify landscape features that influence common raven abundance and that may be used in conjunction with Greater Sage-grouse priority habitat maps to locate sites where lethal treatments of common ravens may be applied with the greatest efficacy and efficiency.</li> </ol>

Habitat Conditions	Persistent drought throughout Nevada has reduced herbaceous cover, along with nesting and brood rearing habitat; these impacts are exacerbated through wildfire and the invasion of cheatgrass. Transmission lines, substations, and nearby agriculture production also threaten Greater Sage-grouse habitat.
Comments from FY 2022 Predator Report	Common raven predation may be the greatest limiting factor in Greater sage-grouse nest success, NDOW supports continuing Project 41.
Methods	<p><i>Population monitoring and space use</i> Point counts for common ravens will be conducted from March through July of each year, which corresponds with Greater Sage-grouse nesting and brood-rearing season. Surveys will be similar to Ralph et al. (1995): lasting 10 minutes; conducted between sunrise and 1400; conducted under favorable weather conditions; and stratified randomly across study areas (Luginbuhl et al. 2001, Coates et al. 2014). ARGOS backpack transmitters will be deployed to monitor common raven space use and space use.</p> <p><i>Development of Resource Selection Function (RSF)</i> An RSF will be developed using data on landscape features collected in habitats with varying observed abundance indices for common ravens. The abundance indices collected will include common raven point count and Greater Sage-grouse point counts. The landscape features that will be entered into the model will include 1 meter resolution digital elevation models and fire regime. The RSF for common ravens will be overlaid on polygons that feature Greater Sage-grouse priority habitats.</p> <p>Identifying habitats likely to support high numbers of common ravens where Greater Sage-grouse conservation is of highest priority will provide future locations where common raven removal may be warranted, land use activities may be modified, or more intensive Greater Sage-grouse monitoring may be focused.</p> <p><i>Utility line surveys</i> Various utility lines will be identified in and near Greater Sage-grouse habitat from February until June of each year, which corresponds with common raven nesting and brood rearing. Surveys will be conducted from OHV vehicles, variables including utility pole type, cross arm type, utility pole height, insulator position, perch deterrent effectiveness, and proximity to Greater Sage-grouse habitat will be recorded.</p>
Anticipated Results	1. Develop a protocol to estimate common raven populations in Greater Sage-grouse habitat and monitor these populations.

	<p>2. Increase the understanding of common raven density and distribution in the state of Nevada, and how human subsidies increase common raven density and distribution.</p> <p>3. Determine what common raven removal location will provide the greatest benefit to Greater Sage-grouse. Determine what time of the year is the optimal time to conduct common raven removal to optimize benefit to Greater Sage-grouse.</p>
Staff Comment	<p>Project 41 has resulted in on of the largest GPS location datasets for common ravens in history. It has also resulted in several peer-reviewed publications. The most recent list of these accomplishments may be found in the Appendix of the FY 2022 Predator Report.</p> <p>This project will develop a statewide population estimate for ravens, common raven growth rate, a common raven density map, detailed analysis of common raven movement and space use, and information necessary to increase the USFWS depredation permit.</p>
Project Direction	Fund Project 41.

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$75,000	\$225,000	\$300,000

## Project 42: Assessing Mountain Lion Harvest in Nevada

Justification	Nevada Department of Wildlife has a yearlong mountain lion hunting season limited by harvest quotas, although mountain lions are also lethally removed for livestock depredation and to limit predation on specific wildlife populations. Statewide annual adult female harvest is $\leq 35\%$ , which indicates that statewide harvests are unlikely to be reducing statewide mountain lion population abundance (Anderson and Lindzey 2005). Nevertheless, regional area harvests may be greater and can be more difficult to assess the effects due to small sample sizes. Conversely, current NDOW mountain lion removal projects may not be sufficiently intensive to reduce local mountain lion populations to attain reduced predation on prey populations. Improved understanding of mountain lion population dynamics in Nevada would allow for better informed management.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimentation
Potentially Affected Species	Mountain lion, mule deer, bighorn sheep, elk
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Habitat and prey availability likely limit mountain lion populations in the state of Nevada.
Response Variable	No response variable will be collected, this is an experimentation project.
Project Goals	<ol style="list-style-type: none"> <li>1. Develop a population model that incorporates NDOW mountain lion harvest data to predict the number of mountain lions that must be removed to reach desired goals in mountain lion removal projects.</li> <li>2. Identify limitations and gaps in the existing demographic data for mountain lions that precludes a more complete understanding of mountain lion population dynamics and limits NDOW's management ability with the greatest efficacy and efficiency.</li> <li>3. Create a user-friendly model interface for Department employees to model local populations and improve understanding.</li> <li>4. Draft and ideally publish work in a peer-reviewed manuscript.</li> </ol>
Habitat Conditions	This work would not be conducted in the field but would rely on statewide harvest data collected over time to include periods of normal and less-than-normal precipitation. Due to the span of the state data collection, habitat during the period of inference would also span a wide variety of conditions and vegetative communities.

Comments from FY 2022 Predator Report	Findings indicate Nevada has a stable mountain lion population.
Methods	A private contractor will use existing mountain lion harvest data collected by NDOW biologists to develop a harvest model. The modeling approach will involve Integrated Population Modeling (IPM) which brings together different sources of data to model wildlife population dynamics (Abadi et al. 2010, Fieberg et al. 2010). With IPM, generally a joint analysis is conducted in which population abundance is estimated from survey or other count data, and demographic parameters are estimated from data from marked individuals (Chandler and Clark 2014). Age-at-harvest data can be used in combination with other data, such as telemetry, mark-recapture, food availability, and home range size to allow for improved modeling of abundance and population dynamics relative to using harvest data alone (Fieberg et al. 2010). Depending on available data, the contractor will build a count-based or structured demographic model (Morris and Doak 2002) for mountain lions in Nevada. The model (s) will provide estimates of population growth, age and sex structure, and population abundance relative to different levels of harvest.
Anticipated Results	1. Estimate statewide population dynamics, age structure, and sex structure of mountain lions in the state of Nevada with existing NDOW data. 2. Recommend additional data that could be collected to improve the model and reduce uncertainty in model results in the future.
Staff Comment	Building an Integrated Population Model for mountain lions will allow the Department to manage mountain lions on a finer scale.
Project Direction	Fund Project 42.

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$5,000	\$15,000	\$20,000

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

Justification	Mesopredators including coyotes, striped skunks, and raccoons often consume waterfowl, pheasant, and turkey eggs. Consuming these eggs may limit fowl species population growth and could be causing a decline on Overton and Mason Valley Wildlife Management Areas.
Project Manager	Isaac Metcalf and Bennie Vann, Nevada Department of Wildlife
Project Type	Implementation
Potentially Affected Species	Assorted waterfowl, turkey, pheasant, coyote, striped skunk, raccoon
Span More Than One Fiscal Year	Yes
Project Area	Overton and Mason Valley Wildlife Management Areas
Limiting Factor Statement	Though predation is a naturally occurring phenomenon for waterfowl, turkeys, and pheasants, their populations can be lowed or suppressed by abiotic factors such as dry climate and loss of quality habitat.
Response Variable	The response variable for waterfowl, turkeys, and pheasants will be the number of females with clutches, and the number of young per clutch.
Project Goals	To increase clutch size and survival of waterfowl, turkeys, and pheasants on Overton and Mason Valley WMAs.
Habitat Conditions	Persistent drought throughout Nevada has reduced herbaceous cover, nesting, and browsing habitat.
Comments from FY 2022 Predator Report	NDOW recommends continuing project 43 pending funding availability.
Methods	USDA Wildlife Services and private contractors working under direction of NDOW, will use foothold traps, snares, calling and gunning from the ground to remove coyotes, striped skunks, and raccoons during waterfowl, turkey, and pheasant nesting seasons.
Anticipated Results	1. Increase the number of female turkeys, waterfowl, and pheasants that successful raise clutches. 2. Increase the number female turkeys, waterfowl, and pheasants that have clutches.

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

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$50,000	N/A	\$50,000



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

Justification	The local desert bighorn sheep population has been underperforming in the Delamar Mountains since the initial reintroduction in 1996 (M. Cox, <i>personal communication</i> ). Mountain lions may be a contributing factor to this underperformance.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimental Management
Potentially Affected Species	Mountain lion, bighorn sheep
Span More Than One Fiscal Year	Yes
Project Area	Areas 23 and 24
Limiting Factor Statement	Mountain lions are known predators of bighorn sheep and other big game species (Rominger et al. 2004). Though predation is a naturally occurring phenomenon for bighorn sheep and other big game, their populations can be lowered or suppressed by abiotic factors such as dry climate and loss of quality habitat. Mitigating abiotic factors by removing predators is imperative for some bighorn sheep populations to stabilize (Rominger 2007).
Response Variable	Response variables may include reduction of prey taken by mountain lions, removal of a mountain lion that was documented consuming the concerned big game species, or a reduction in mountain lion sign. Because of the quick nature of the project, there may be times when no response variable will be measured.
Project Goals	<ol style="list-style-type: none"> <li>1. Remove specific, problematic mountain lions to benefit desert bighorn sheep</li> <li>2. Deploy and maintain up to 20 GPS collars on mountain lions in proximity area to increase understanding of mountain lion diet, space use, and movement.</li> </ol>
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, lambing, and browsing habitat. These effects may have reduced bighorn sheep and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).
Comments from FY 2022 Predator Report	NDOW supports continuing Project 44 until the local bighorn sheep populations reach viability as defined in the annual Predator Plan. NDOW also supports reactive removal of offending mountain lions while learning more about local mountain lion diet. NDOW appreciates its ongoing collaboration with the US Geological Survey and Utah State University.
Methods	Mountain lions consuming bighorn sheep will be reactively removed; one bighorn sheep killed and that lion will be removed.

	Mountain lions will be captured with the use of hounds and/or foot snares. Captured mountain lions will be chemically immobilized and marked with a GPS collar.
Anticipated Results	<ol style="list-style-type: none"> <li>1. Remove any offending mountain lion known to be consuming bighorn sheep.</li> <li>2. Increase understanding of mountain lion movements, space use, and diet within the proximity area.</li> <li>3. Increase local bighorn sheep adult annual survival rates and fall young:female ratios.</li> <li>4. Increase understanding of mountain lion, feral horse, and mule deer interactions.</li> </ol>
Staff Comment	Determining mountain lion prey selection prior to lethal removal allows the Department to make more informed decisions on which mountain lion to remove. The Delamar based lions are consuming a substantial number of feral horses. The Department will increase our understanding of the effect mountain lions can have on feral horse populations.
Project Direction	NDOW supports continuing Project 44 until the local bighorn sheep populations reach viability as defined in the annual Predator Plan. NDOW also supports reactive removal of offending mountain lions while learning more about local mountain lion diet. NDOW supports seeking outside collaboration and funding sources.

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$ 125,000	N/A	\$ 125,000

## Project 45: Passive Survey Estimate of Black Bears in Nevada

Justification	Black bears are expanding numerically and geographically, and in so doing they are recolonizing historic ranges in Nevada. It is imperative the Department be able to estimate Nevada's black bear population and monitor growth and change. Being able to do so passively will ensure the Department can reach these objectives safely and cost efficiently.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimentation
Potentially Affected Species	Black bear
Span More Than One Fiscal Year	Yes
Project Area	Units 014, 015, 021, 192, 194, 195, 196, 201, 202, 203, 204, 291
Limiting Factor Statement	Black bears have recently expanded their distribution in western Nevada to include historical bear habitat in desert mountain ranges east of the Sierra Nevada and Carson Front (Beckmann and Berger 2003, Lackey et al. 2013). Nevada black bears are an extension of a California based metapopulation (Malaney et al. 2017), monitoring this rewilding is important for proper management.
Response Variable	No response variable will be collected, this is an experimentation project.
Project Goals	<ol style="list-style-type: none"> <li>1. Passively estimate the abundance of black bears in Nevada.</li> <li>2. Predict the density and occupancy of black bears in Nevada.</li> <li>3. Continue as a portion of project 46.</li> </ol>
Habitat Conditions	The study area consists of mountain ranges and associated basins that are characterized by steep topography with high granite peaks and deep canyons. Mountain ranges are separated by desert basins that range from 15–64 km across (Grayson 1993). These basins are often large expanses of unsuitable habitat (e.g., large areas of sagebrush) that bears and mountain lions do not use as primary habitat.
Comments from FY 2022 Predator Report	NDOW also recommends continuing Project 45 as a monitoring project.

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

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$5,000	\$15,000	\$20,000

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

Justification	Recent decades have seen Northwest Nevada’s mule deer herds decline, resulting in fewer tags issued and low-quality hunt experiences. Several factors may be contributing, including predation, drought, wildland fire, invasive plant species, and competition from feral horses. A combination of these factors are likely at play, it is the Department’s desire to better understand the situation.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimental Management
Potentially Affected Species	Mule deer, bighorn sheep, pronghorn, coyote, mountain lion, feral horse
Span More Than One Fiscal Year	Yes
Project Area	Units 021, 011, 012, 013, 014, 015, 032, 033, 034
Limiting Factor Statement	Predation, drought, fire, degraded habitat, and competition from feral horses may all be limiting factors.
Response Variable	For the first phase of this project, no treatment is expected, therefore no response variable will be collected.
Project Goals	<ol style="list-style-type: none"> <li>1. Accurately estimate mountain lion, feral horse, mule deer and/or pronghorn densities in specified areas.</li> <li>2. Increase understanding of how mountain lion, feral horse, mule deer and/or pronghorn densities changes throughout the course of a year.</li> <li>3. Deploy GPS transmitters on mountain lions within the study site, including the Sheldon NWR.</li> </ol>
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, fawning or lambing, and browsing habitat. These effects may have reduced mule deer and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).

Comments from FY 2022 Predator Report	Project 46 has the potential to greatly increase the understanding of flora and fauna communities in northwest Nevada.
Methods	In a collaboration with outside researchers, trail camera grids will be placed in strategic locations to determine densities of both predators and prey species.  The locations of these camera grids will be determined by using area biologist and input, existing mule deer GPS data, BLM feral horse estimates, and other forms of institutional knowledge.
Anticipated Results	<ol style="list-style-type: none"> <li>1. A better understanding of predator and prey densities across Northwest Nevada.</li> <li>2. Specific management recommendations.</li> </ol>
Staff Comment	Project 46 should be considered the analysis of a “check engine” light in Northwest Nevada. Upon completion the Department will have a better understanding of predator and prey densities in Northwest Nevada.
Project Direction	Fund Project 46 through FY 2027. Seek outside funding opportunities such as Heritage Grant funds.

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$40,000	\$120,000	\$160,000

**Project 47: Mule Deer Enhancement Program Mule Deer Protection- Mountain Lions and Coyotes**

Justification	Many of the projects proposed by MDEP subcommittees are for areas of low densities of mule deer or where populations have trended downward and/or have remained suppressed for extended periods of time.
Project Manager	Pat Jackson, Nevada Department of Wildlife
Project Type	Experimental Management
Potentially Affected Species	Mule deer, coyote, mountain lion
Span More Than One Fiscal Year	Yes
Project Area	Statewide
Limiting Factor Statement	Drought, fire, degraded habitat, and competition from feral horses may all be limiting factors. Predation and its interactions with these factors are the primary focus.
Response Variable	To Be Determined
Project Goals	<ol style="list-style-type: none"> <li>1. Address MDEP committee and sportsmen concerns.</li> <li>2. Increase mule deer population numbers or minimize loss to mule deer populations.</li> <li>3. Increase understanding of predator removal on mule deer populations.</li> </ol>
Habitat Conditions	Persistent drought combined with fires and human disturbances throughout Nevada have reduced herbaceous cover, fawning or lambing, and browsing habitat. These effects may have reduced mule deer and other big game populations below population potential. These effects may also be suppressing mule deer or big game populations below population potential (Ballard et al. 2001).
Comments from FY 2022 Predator Report	NA

Methods	<p>Underperforming mule deer populations will be identified by local mule deer enhancement program committees. Working with the mule deer oversight committee, NDOW staff, and outside collaborators, predation as a limiting factor will be assessed. If predation is determined to be a likely limiting factor, one of two steps may be taken:</p> <ol style="list-style-type: none"> <li>1. Address predation through projects 37 or 38.</li> <li>2. Working with an outside collaborator, conduct experimental management to address predation and create a model to inform the department when predator removal will and will not benefit mule deer populations.</li> </ol>
Anticipated Results	<ol style="list-style-type: none"> <li>1. Healthier mule deer populations</li> <li>2. A model to aid the Department in deciding when to and not to conduct predator control for the benefit of mule deer.</li> <li>3. Contribute to mule deer biology knowledge through written documents, oral presentations, and public outreach</li> </ol>
Staff Comment	NA
Project Direction	Fund Project 47

Budget

<u>\$3 Predator Fee</u>	<u>Pittman-Robertson</u>	<u>Total</u>
\$100,000	\$ TBD	\$100,000



## Overall FY 2024 Budget

Project	Predator Fee	PR Funds	Total
Department of Agriculture Administrative Support Transfer <sup>a</sup>	\$14,000	N/A	\$14,000
Project 21: Greater Sage-Grouse Protection (Common Raven Removal)	\$175,000	N/A	\$175,000
Project 22-01: Mountain Lion Removal to Protect California Bighorn Sheep	\$100,000	N/A	\$100,000
Project 22-074: Monitor Rocky Mountain Bighorn Sheep for Mountain Lion Predation	\$20,000	N/A	\$20,000
Project 37: Big Game Protection-Mountain Lions	\$100,000	N/A	\$100,000
Project 38: Big Game Protection-Coyotes	\$100,000	N/A	\$100,000
Project 40: Coyote and Mountain Lion Removal to Complement Multi-faceted Management in Eureka County	\$150,000	N/A	\$150,000
Project 41: Increasing Understanding of Common Raven Densities and Space Use in Nevada	\$75,000	\$225,000	\$300,000
Project 42: Assessing Mountain Lion Harvest in Nevada	\$5,000	\$15,000	\$20,000
Project 43: Mesopredator Removal to Protect Waterfowl, Turkeys, and Pheasants on Wildlife Management Areas	\$50,000	N/A	\$50,000
Project 44: Lethal Removal and Monitoring of Mountain Lions in Area 24	\$125,000	N/A	\$125,000
Project 45: Passive Survey Estimate of Black Bears in Nevada	\$5,000	\$15,000	\$20,000
Project 46: Investigating Potential Limiting Factors Impacting Mule Deer in Northwest Nevada	\$40,000	\$120,000	\$160,000
Project 47: Mule Deer Enhancement Program Mule Deer Protection and Assessment	\$100,000	N/A	\$100,000
<b>Total<sup>b</sup></b>	<b>\$1,059,000</b>	<b>\$375,000</b>	<b>\$1,434,000</b>

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

<sup>b</sup> The projects that contain lethal removal as a primary aspect, making them ineligible for Federal Aid funding.

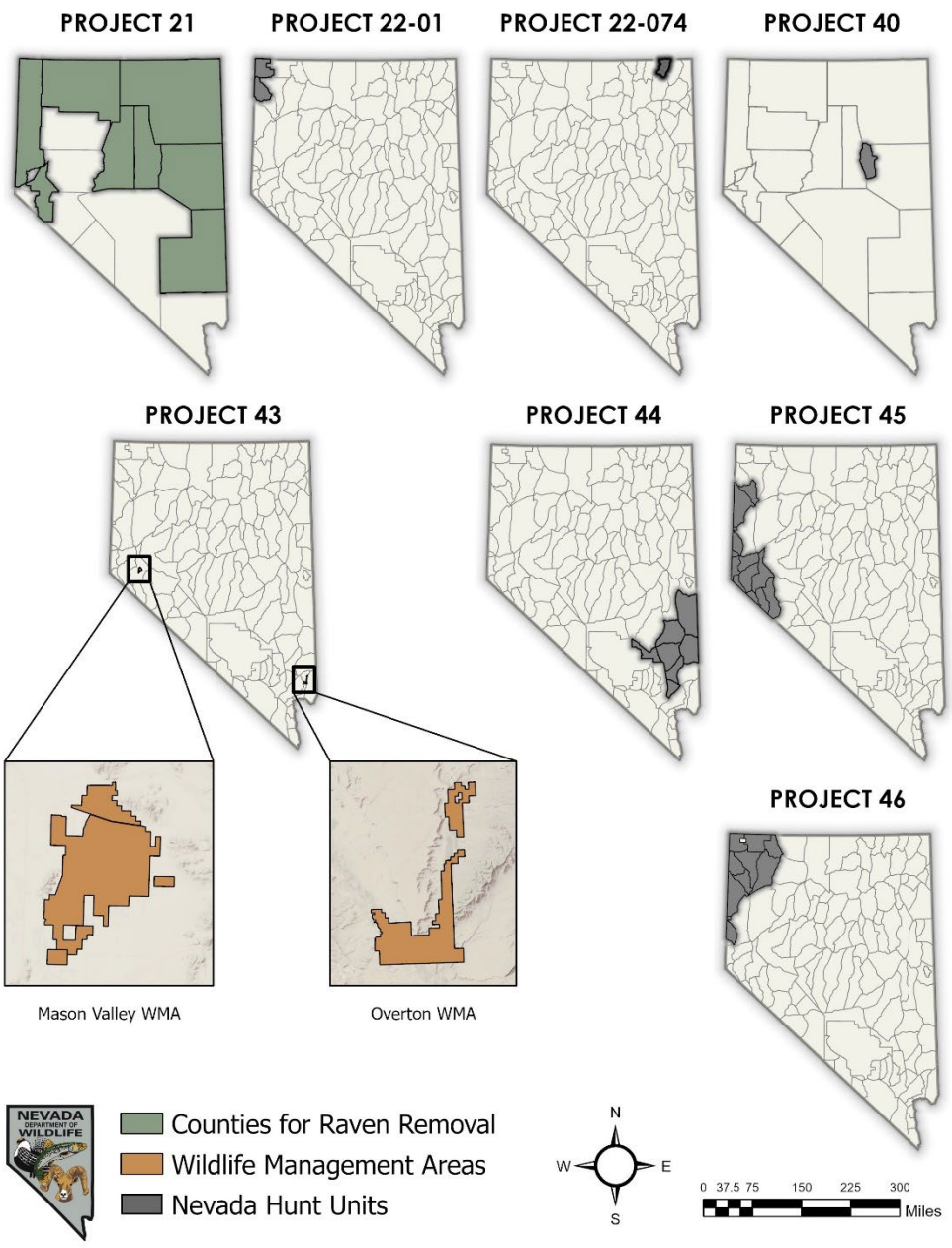
## Expected Revenues and Beginning Balance of \$3 Predator Fee

	FY 2021 Actual	FY 2022 Actual	FY 2023 Projected	FY 2024 Estimated
Beginning balance	\$363,670	\$622,969	\$647,482	\$399,495
Revenues	\$858,601	\$911,013	\$911,013	\$911,013
Plan Budget	\$854,000	\$886,500	\$1,159,000	\$1,059,000
Expenditures	\$599,299	\$886,500	\$1,159,000	\$1,059,000
Ending balance	\$622,969	\$647,482	\$399,495	\$251,508

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

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**MEMORANDUM**

**MARCH 1, 2023**

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

**From:** Mark Freese, Wildlife Staff Specialist, Habitat Division

**Title:** **Wildlife Heritage Grant Manual**

**Purpose:** The Commission will review recommendations made by the Heritage Committee to cap principal balance projects at 50% of the available balance per year.

**Summary**

NRS 501.3575 was updated in 2021, which includes the following, “In addition, the Department may, at any time, expend from the Account any portion of the amount of money in the Account which exceeds \$5,000,000.” At the June 24, 2022 Wildlife Heritage Committee Meeting, the committee recommended “to cap principal projects at 50% of the amount of available funds per year.”

**Brief Explanation of Proposed Guidance**

NDOW is conducting its annual review and edit of the Heritage Grant Manual, providing an opportunity to incorporate new guidance on the limitations of the amount of principal balance available annually. The Wildlife Heritage Committee has recommended a cap of 50% of the principal balance above \$ 5,000,000 per year. Any approved principal balance guidance provided by the Commission will be incorporated into the Heritage Grant Manual that will be presented to the Wildlife Heritage Committee at their May meeting.

**Recommendation**

The Department recommends that the Commission review and adopt the proposed Heritage Committee recommendation for inclusion in the Wildlife Heritage Grant Manual.



STATE OF NEVADA  
**DEPARTMENT OF WILDLIFE**

**Director's Office**

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**MEMORANDUM**

**FEBRUARY 23, 2023**

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

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

**Title:** **Commission Policies**

**Purpose:** 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 policy to be reviewed and amended is Commission Policy 23.

**Brief Explanation of Proposed Policies**

\*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 23 at their March 2022 and November 2022 meetings. The policy was simplified and removed repetitive language. One meeting of the year was removed, taking the number of Predator Plan Readings from eight meetings per year to seven. The policy will now be considered for a third reading by the Commission.

**Recommendation**

**Adopt**

Commission Policy 23

**STATE OF NEVADA  
BOARD OF WILDLIFE COMMISSIONERS**

**Commission Policy Number 23**

**Number:** P-23  
**Title:** Predation Management  
**Reference:** NRS 501.100, 501.105,  
501.181, 502.253  
**Effective Date:** December 7, 2013  
**Amended Date:** May 13, 2016

The Nevada Department of Wildlife (Department) and the Nevada Board of Wildlife Commissioners (Commission) recognize the need to effectively manage predators in Nevada. Predation Management actions are a viable and legitimate wildlife management tool that must be available to wildlife professionals when necessary. The Predation Management Program will incorporate the tools of predation management for the protection of nonpredatory game animals and sensitive wildlife species and conducting research necessary to determine successful techniques for managing and controlling predatory wildlife, including the use of proven and emerging science-based techniques of predator population management.

**PURPOSE**

The purpose of this policy is to inform the public and guide the Department in actions related to Predation Management. Should the Department make the decision to implement predation management actions, the management actions will be directed by the Predation Management Plan.

**NEED**

Where wildlife populations are failing to reach Department population management objectives, public expectations, or where evidence suggests that predation may be a significant factor inhibiting the ability of a prey population to reach expected population levels, the Department may consider implementing predation management actions. The Department will consider acting if declining population trends cannot be explained by habitat conditions, weather or climatic events, disease, or other factors. The Commission is aware of the diverse public opinions concerning predation issues and recognizes the need to facilitate a better understanding of predation management, including the effects of not managing predators.

**AUTHORITY FOR PREDATION MANAGEMENT**

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

In accordance with NRS 501.105 and 501.181, the Nevada Board of Wildlife Commissioners shall establish broad policies for a) The protection, propagation, restoration, transplanting, introduction and management of wildlife in this State, including big and small game mammals, upland and migratory game birds, fur-bearing mammals, game fish, and protected and

unprotected mammals, birds, fish, reptiles and amphibians, and b) The management and control of predatory wildlife. NRS 502.253 Additional fee for processing application for game tag; use of money collected.

1. In addition to any fee charged and collected pursuant to NRS 502.250, a fee of \$3 must be charged for processing each application for a game tag, the revenue from which must be accounted for separately, deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund and used by the Department for costs related to:
  - (a) Developing and implementing an annual program for the management and control of predatory wildlife;
  - (b) Wildlife management activities relating to the protection of nonpredatory game animals and sensitive wildlife species; and
  - (c) Conducting research necessary to determine successful techniques for managing and controlling predatory wildlife.
2. The Department of Wildlife is hereby authorized to expend a portion of the money collected pursuant to subsection 1 to enable the State Department of Agriculture to develop and carry out the programs described in subsection 1.
3. Any program developed, or wildlife management activity or research conducted pursuant to this section must be developed or conducted under the guidance of the Commission in accordance with the provisions of subsection 4 and the policies adopted by the Commission pursuant to NRS 501.181.
4. The Department:
  - (a) In adopting any program for the management and control of predatory wildlife developed pursuant to this section, shall first consider the recommendations of the Commission and the State Predatory Animal and Rodent Committee created by NRS 567.020.
  - (b) Shall not adopt any program for the management and control of predatory wildlife developed pursuant to this section that provides for the expenditure of less than 80 percent of the amount of money collected pursuant to subsection 1 in the most recent fiscal year for which the Department has complete information for the purposes of lethal management and control of predatory wildlife.
5. The money in the Wildlife Account credited pursuant to this section remains in the Account and does not revert to the State General Fund at the end of any fiscal year.

### **PREDATION MANAGEMENT POLICIES**

#### **POLICY FOR THE MANAGEMENT AND CONTROL OF PREDATORY WILDLIFE**

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



- to minimize specific predator-caused losses to wildlife populations.
4. The U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services (Wildlife Services), is the cooperating agency in lethal predatory wildlife control. Contractors may be used for predator population management, predator prey research, and predator population monitoring efforts.
  5. Control activities will be conducted where game and sensitive wildlife populations are at risk of being disproportionately affected by predation.
  6. Geographic locations for Project areas will be determined based on an objective analysis and on the needs of wildlife populations in the area.
  7. If needed, statewide and Project area estimates of terrestrial and avian predator populations or densities will be based on an objective analysis.

#### POLICY FOR CONDUCTING RESEARCH FOR MANAGING AND CONTROLLING PREDATORY WILDLIFE

1. Wildlife research activities will be undertaken in a targeted fashion to address questions regarding the effects of predator control on game populations, predator-prey relationships including improved control techniques, predator-prey responses to habitat restoration activities and specific influences of large and medium-sized predators on Nevada ecosystems.
2. Geographic locations for Project areas will be determined based on an objective analysis and on the needs of wildlife populations in the area, as well as the need for objective science on subjects related to Predation Management. Priority will be given in areas where other conservation efforts are being implemented.
3. Wildlife research efforts will be promoted that: a) provide wildlife managers with objective scientific analysis for making sound decisions regarding future wildlife population and habitat management; and b) provide insights into the role predators play in maintaining vigorous and healthy ecosystems.

#### **PREDATION MANAGEMENT PLAN**

The Department shall prepare an annual Predation Management Plan. The Predation Management Plan shall identify, (a) projects for the management and control of predatory wildlife for the benefit of other species of wildlife, and (b) research projects related to predatory wildlife, successful techniques, and effective programs for managing and/or controlling predatory wildlife.

Predation Management Plan Fiscal Year procedure and timeline:

1. The Department shall prepare a Draft Predation Management Plan outlining proposed actions needed for the protection, preservation, management, and restoration of wildlife populations. Descriptions of Control Projects and/or Research Projects shall include:
  - A. Project Number and Title
  - B. Justification (detailed description of the proposed project)
  - C. Project Purpose
  - D. Project Manager
  - E. Project Type (Implementation, Experimental Management, or Experimentation)

- F. Potentially Affected Species
  - G. Duration
  - H. Project Area (Unit(s), County, or Statewide)
  - I. Limiting Factor Statement
  - J. Response Variable (if applicable)
  - K. Project Goals including the criteria to adjust, alter or end a project based off the response variable or other considerations
  - L. Habitat Conditions (whether such habitat is a migratory corridor, summer range, winter range, fawning, calving, nesting or brood-rearing habitat or a combination of any of the above)
  - M. Comments From Previous Year's Predator Report
  - N. Methods and Timing
  - O. Staff Comment
  - P. Project Direction (Department Recommendation)
  - Q. Project Budget (\$3 Predator Fee, Pittman Robertson monies, private donations, etc.)
  - R. A project summary
2. The A Draft Plan shall be submitted to the Commission during its first meeting of the calendar year (typically January). In so doing, the Draft Plan will be made available to all "Stakeholders," including but not limited to contractors (including Wildlife Services), County Advisory Boards to Manage Wildlife (CABMWs), PARC, conservation organizations, and the general public. This Draft Plan shall serve as a vehicle to elicit suggestions for changes, adjustments, new ideas, and input from all Stakeholders.
  3. The Department shall attend a meeting of the PARC between the Commission's first meeting of the year and the Commission's March meeting to present and discuss the Draft Plan.
  4. The WDMC shall set a meeting in conjunction with the March meeting of the Commission to review all comments received on the Draft Plan. After consideration of findings and recommendations of the Department, and with respect to lethal control projects, recommendations of Wildlife Services and other contractors, PARC, as well as all comments and recommendations received, the Chairman of the WDMC shall make a preliminary report to the Commission on which projects should be funded in the subsequent Fiscal Year. At the March meeting, the Commission shall review the report of the WDMC and may vote to make a recommendation to the Department on the ranking of all projects. If the Commission determines that more projects are proposed than funding is available for the subsequent Fiscal Year, this will factor into their deliberations and recommendations to the Department.
  5. The Department shall prepare a Final Draft Predation Management Plan (Final Draft Plan) and present it to the WDMC and/or Commission at their May Meeting. The Final Draft Plan shall be posted on the Department's website and made available to the public and distributed to CABMWs and PARC. The Commission shall review the Final Draft Plan and shall take further comments from the Department, Stakeholders, PARC, and with respect to lethal Control Programs, from Wildlife Services and other contractors. After consideration of such comments, the Commission shall make its final recommendations to the Department on the Final Draft Plan at the March meeting. The Commission may approve the Draft Plan at the March Commission

meeting. If not approved at the March meeting, the Department will incorporate the Commission's recommendations and present the Final Draft Plan at the May Commission meeting for final approval.

6. On or before June 30, the Final Predation Management Plan shall be posted on the Department's website.
7. If, at any other time of the year, the Department, in consultation with the Committee, identifies additional or changing Predation Management needs and determines that money is available to fund additional Projects, the Department may approve Projects which are urgent in nature or which present unique opportunities.
8. In July of each year, contractors, or grantees of Projects from the previous Fiscal Year shall submit a report to the Department which should include a summary of work completed, including predators removed, habitat work conducted (if applicable), and viability of the project moving forward.
9. The Department shall prepare an annual Predation Management Status Report detailing results of the previous Fiscal Year's Projects. This report will include a summary of all lethal removal reports, excluding any sensitive data, proprietary information, or time-sensitive locational information. This Status Report shall be presented at the last Commission meeting of each calendar year.
10. This Status Report will be used in Department and Commission deliberations in subsequent years and in future Predation Management planning efforts. A summary of the status report will be included in the following years' Draft Predation Management Plan to make deliberations easier for the Committees and Commission.

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

**BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS' REGULAR SESSION,  
May 13, 2016.**



**Chairman Jeremy Drew  
Board of Wildlife Commissioners**



**STATE OF NEVADA  
DEPARTMENT OF WILDLIFE  
Wildlife Diversity Division**

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

**February 25, 2023**

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

**From:** Jennifer Newmark, Administrator, Wildlife Diversity Division

**Title:** **Commission General Regulation 506, Possession of Golden Eagles Under Certain Circumstances**

**Purpose:** The Commission will hold a second workshop to consider amending Nevada Administrative Code (NAC) 503 to allow for possession of a golden eagle under certain conditions.

**Summary**

This regulation will determine certain conditions that would allow for possession of a golden eagle, amending NAC 503.200-503.470 and 503.610.

**Brief Explanation of Proposed Regulation**

This regulation was created after the passage of Senate Bill 125 of the 81<sup>st</sup> Legislative Session. It would authorize a person who is licensed as a master falconer and who meets certain federal conditions to possess a golden eagle that is obtained from the wild under a new eagle permit if the golden eagle is obtained for rehabilitation purposes, is legally obtained in another state, is legally possessed by a master falconer in another state and that master falconer moves to this State, or if a golden eagle is transferred to the master falconer from another falconer in a manner authorized by this regulation and upon Department approval.

**Recommendation**

The Department recommends that the Commission review the proposed regulation and move forward for adoption.

NBWC Proposed  
Changes from  
Nov. 2022

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

**LCB File No. R160-22**

September 12, 2022

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

AUTHORITY: §§ 1, 2, 4, 6-12 and 14-20, NRS 501.105, 501.181, 503.582, 503.583 and 503.610; §§ 3, 5 and 13, NRS 501.105, 501.181, 503.582, 503.583, 503.597 and 503.610.

A REGULATION relating to wildlife; setting forth the requirements for possessing a golden eagle in this State, obtaining an eagle permit and using a golden eagle in the practice of falconry; establishing a civil penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes a person who is licensed as a master falconer and who meets certain federal conditions to possess a golden eagle that is obtained from the wild if the golden eagle: (1) is obtained for rehabilitation purposes; (2) is legally obtained in another state; (3) is legally possessed by a master falconer in another state and that master falconer moves to this State; or (4) is transferred to the master falconer from another falconer in a manner authorized by regulations adopted by the Board of Wildlife Commissioners. Existing law authorizes the Commission to adopt regulations that authorize such a person to transport, transfer, possess or use a golden eagle in falconry. If such transportation, transfer, possession or use in falconry is authorized, existing law further requires a person who possesses a golden eagle to obtain an eagle permit. An eagle permit: (1) is deemed to be a permit to possess a golden eagle for the purposes of certain provisions of federal law; and (2) authorizes the holder to lawfully transport, transfer, possess or use a golden eagle in falconry in the manner set forth in the eagle permit. (50 C.F.R. § 22.70, NRS 503.610)

**Section 3** of this regulation prohibits, with certain exceptions, a person from possessing a golden eagle that is obtained from the wild or using a golden eagle in falconry unless the person: (1) has a valid master falconry license and an eagle permit; and (2) if the person rehabilitates a golden eagle, has a valid permit to do so. **Section 3** further: (1) authorizes, under certain circumstances, a person who is not a resident of this State to use a golden eagle in the practice of falconry in this State; and (2) requires certain persons who move to this State with the intent to make this State their permanent residence to obtain a master falconry license and an eagle permit not later than 60 days after becoming a resident.

**Section 13** of this regulation makes a conforming change to create an exception to the requirement that a person who moves to this State obtain a falconry license from the Department of Wildlife not more than 30 days after becoming a resident.

**Section 17** of this regulation makes a conforming change to make an exception to the prohibition on the taking, transportation, possession or use of golden eagles in the practice of falconry.

**Section 2** of this regulation defines the term “eagle permit.”

**Section 4** of this regulation sets forth the requirements for an application for and the renewal of an eagle permit.

**Section 5** of this regulation sets forth the requirements for a person who is not a resident of this State to obtain authorization to use a golden eagle in the practice of falconry in this State.

**Section 6** of this regulation requires a master falconry licensee with an eagle permit to ensure that any golden eagle in his or her possession is in good condition.

Existing regulations set forth various requirements for each facility that houses a raptor. (NAC 503.375-503.395) **Section 7** of this regulation: (1) provides that such requirements apply to a golden eagle; and (2) requires a master falconry licensee who has an eagle permit to ensure that each facility that houses a golden eagle be at least 12 feet long, 12 feet wide and 8 feet tall. **Section 12** of this regulation makes a conforming change to indicate the proper placement of **section 7** in the Nevada Administrative Code.

**Section 8** of this regulation: (1) prohibits, with certain exceptions, a master falconry licensee from possessing a golden eagle for rehabilitation for more than 2 years after the date on which the master falconry licensee receives the golden eagle for rehabilitation; and (2) sets forth certain requirements for releasing a golden eagle from rehabilitation.

**Section 9** of this regulation authorizes the Department to suspend, revoke or deny the issuance or renewal of an eagle permit under certain circumstances.

**Section 10** of this regulation requires the Department to impose a civil penalty of \$1,000 against any person, firm, company, corporation or association who unlawfully kills, destroys, wounds, traps, injures, possesses dead or alive, or in any other manner catches, captures, takes or removes from the wild, or to pursue with such intent, the birds known as the bald eagle and the golden eagle, or takes or removes from the wild, injures, possesses or destroys the nests, eggs or newly hatched offspring of such birds.

**Section 11** of this regulation amends the definition of the term “raptor” so that it includes a golden eagle and so that the various regulations relating to raptors apply to golden eagles.

Existing regulations set forth certain conditions for retaining raptor feathers that are molted or are from raptors held in captivity that die and provides that such feathers may be retained and exchanged for imping purposes only. (NAC 503.205) **Section 12** provides that a master falconry licensee who has an eagle permit may only possess primary wing feathers and not more than 12 tail feathers of a golden eagle for imping purposes.

Existing regulations authorize the Department to deny the issuance or renewal of any class of falconry license or permit if the applicant has been convicted of a violation of the provisions of the Nevada Administrative Code relating to raptors. (NAC 503.235) **Section 14** of this regulation clarifies that such provisions include **sections 2-10**.

Existing regulations prohibit a master falconry licensee from possessing more than five raptors. (NAC 503.250) **Section 15** of this regulation prohibits, with certain exceptions, a master falconry licensee from possessing more than two golden eagles.

Existing regulations require a person holding a falconry license to allow the Department's employees to enter his or her premises at any reasonable hour to conduct certain inspections related to raptors, including the facilities that house raptors. (NAC 503.260) **Section 16** of this regulation clarifies that this provision also applies to facilities that house golden eagles.

**Section 18** of this regulation clarifies that the provisions of the Nevada Administrative Code that require each raptor to be housed in humane and healthful conditions also apply to golden eagles.

Existing regulations provide that the owner of a raptor that dies may: (1) keep or donate the feathers; (2) donate the body of the raptor to certain persons; (3) under certain circumstances, have the raptor mounted by a taxidermist; or (4) dispose of the body and feathers of the raptor. (NAC 503.460) **Section 19** of this regulation provides that if a golden eagle in the possession of a master falconry licensee dies, the licensee is required to surrender the body and feathers of the golden eagle to the Department not later than 5 business days after the discovery of the death.

Existing regulations provide that the provisions of the Nevada Administrative Code related to raptors must not be construed to exempt any person from the provisions of federal law relating to raptors or falconry. (NAC 503.470) **Section 20** of this regulation clarifies that this requirement also applies to the provisions of **sections 2-10**.

**Section 1.** Chapter 503 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this regulation.

**Sec. 2.** *As used in NRS 503.610 and NAC 503.200 to 503.470, inclusive, and sections 2 to 10, inclusive, of this regulation, "eagle permit" means a permit issued by the Department pursuant to NRS 503.610 authorizing a person who is a master falconry licensee to transport, transfer, possess or use a golden eagle in falconry.*

**Sec. 3. 1.** *Except as otherwise provided in this section, a person shall not possess ~~a golden eagle that is obtained from the wild~~ or use a golden eagle in falconry unless the person:*

*(a) Has a valid master falconry license issued by the Department pursuant to NAC 503.240;*

*(b) Has a valid eagle permit issued pursuant to section 4 of this regulation;*

*(c) Has a current and valid hunting license issued pursuant to chapter 502 of NRS; and*

(d) If the person rehabilitates a golden eagle, has a valid permit to rehabilitate raptors pursuant to NAC 503.315<sup>1</sup> or must be assisting a raptor rehabilitator pursuant to NAC 503.435.

2. A person who is not a resident of this State, holds a valid master falconry license issued by the appropriate agency of the jurisdiction in which the person resides and otherwise legally possesses a golden eagle in that jurisdiction may use the golden eagle in the practice of falconry in this State if the person:

(a) Possesses a valid nonresident hunting license issued pursuant to chapter 502 of NRS; and

(b) Obtains written authorization from the Department pursuant to section 5 of this regulation.

3. If a person moves to this State with the intent to make this State his or her permanent residence and lawfully brings a golden eagle into this State, the person must obtain a master falconry license pursuant to NAC 503.240 and an eagle permit pursuant to section 4 of this regulation not later than <sup>30</sup>~~60~~ days after becoming a resident of this State.

**Sec. 4. 1.** An applicant for an eagle permit must include on his or her application for the eagle permit:

(a) The name of the applicant.

(b) The physical and mailing address of the applicant's residence and address of eagle's location.

(c) The telephone number of the applicant's residence.

(d) The date of birth of the applicant.

~~(e) The driver's license number of the applicant, if he or she has been issued a driver's license.~~ The applicant's Client ID number.

~~(f) The social security number of the applicant.~~



*(g) A copy of the applicant's current and valid master falconry license.*

*(h) A copy of the applicant's current and valid hunting license issued pursuant to chapter 502 of NRS.*

*(i) If the applicant is a raptor rehabilitator, a copy of the applicant's permit to rehabilitate raptors issued pursuant to NAC 503.315A or letter from the licensed rehabilitator who is requesting and authorizing assistance from the applicant.*

*(j) Two letters of reference from persons who hold master falconry licenses in this State or another state and who lawfully possess a golden eagle in the United States. Each letter must:*

*(1) Assess the applicant's ability to care for golden eagles and fly golden eagles in falconry, and:*

*(2) Contain a concise history of the author's experience with golden eagles, including, without limitation, whether the author has experience in handling golden eagles in zoos, rehabilitating golden eagles or scientifically studying golden eagles.*

*(k) A narrative explanation of the applicant's direct experience with golden eagles or other large raptors. The narrative explanation must include, without limitation, information about the species of raptor with which the applicant has direct experience and the type and duration of activity in which the applicant acquired such direct experience.*

*(l) Proof that the facility in which the applicant currently houses raptors conforms to the applicable requirements of NAC 503.375 to 503.395, inclusive, and section 7 of this regulation.*

*(m) Proof that the facility in which the applicant will house a golden eagle conforms to the requirements of NAC 503.375 to 503.395, inclusive, and section 7 of this regulation.*

*(n) Any other information that the Department determines is necessary and related to whether the applicant will safely and humanely house, care for and possess a golden eagle.*

2. *An eagle permit is valid for 1 year.*

3. *A master falconry licensee with an eagle permit may apply to renew the eagle permit by submitting an application that ~~meets~~ <sup>includes copies of</sup> the requirements set forth in subsection 1A <sup>and submitted with their original approved application.</sup>*

**Sec. 5. 1.** *A person who is not a resident of this State, is licensed as a master falconer in another state, legally possesses a golden eagle in that state and wishes to use that golden eagle in the practice of falconry in this State pursuant to section 3 of this regulation shall submit to the Department a form prescribed by the Department that includes, without limitation, the date or dates on which the person wants to use the golden eagle in the practice of falconry in this State. Upon confirmation that the person meets the requirements set forth in section 3 of this regulation to use the golden eagle in the practice of falconry in this State, a representative of the Department must sign and return the form to the person.*

2. *Any person who is not a resident of this State who uses a golden eagle in the practice of falconry in this State shall have in his or her possession during the hunt and have ready for inspection by a game warden or representative of the Department:*

(a) *His or her master falconry license issued by his or her state of residence and any other documents from his or her state of residence that prove that he or she legally possesses the golden eagle;*

(b) *A nonresident hunting license issued pursuant to chapter 502 of NRS; and*

(c) *The form that is obtained and signed pursuant to subsection 1.*

**Sec. 6. 1.** *A master falconry licensee with an eagle permit must ensure that any golden eagle in his or her possession is in good condition.*

2. *Except as otherwise provided in this section, a golden eagle is not in good condition if:*

(a) *More than five primary flight feathers are broken;*

*(b) More than four tail feathers are broken;*

*(c) The body weight of the golden eagle indicates malnourishment, as determined by the Department; or*

*(d) The golden eagle has an excessive parasite load, as determined by the Department.*

*3. If the Department determines that a golden eagle that is in the possession of a master falconry licensee is not in good condition, the Department may:*

*(a) Remove the golden eagle from the possession of the master falconry licensee; or*

*(b) Provide the master falconry licensee with an opportunity to improve the condition of the golden eagle for a period not to exceed 6 months. If the Department provides a master falconry licensee such an opportunity, the master falconry licensee must, before the end of the period, provide the Department with written confirmation from a qualified veterinarian that the golden eagle is in good condition or the Department may remove the golden eagle from the possession of the master falconry licensee.*

*4. The provisions of this section do not prohibit a master falconry licensee who has an eagle permit and is a raptor rehabilitator to rehabilitate a golden eagle that has one or more of the conditions described in subsection 2.*

*Sec. 7. In addition to the requirements of NAC 503.375 to 503.395, inclusive, a master falconry licensee who has an eagle permit must ensure that each facility that houses an individual golden eagle in his or her possession is ~~at least 12 feet in length, 12 feet in width~~*

*and ~~8 feet in height~~.<sup>1</sup> large enough to allow the eagle to fly if it is untethered or, if tethered, to fully extend its wings or bate, without damaging its feathers or contacting other raptors.*

*Sec. 8. 1. Except as otherwise provided in this section, a master falconry licensee shall not possess a golden eagle for purposes of rehabilitation for more than 2 years after the date on which the master falconry licensee receives the golden eagle for rehabilitation.*

2. *A master falconry licensee that possesses a golden eagle for purposes of rehabilitation shall not release the golden eagle into the wild until the golden eagle has been declared rehabilitated by the Department or a licensed veterinarian, raptor rehabilitator or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service.*

3. *If a golden eagle is not rehabilitated within 2 years after being in the possession of the master falconry licensee, the master falconry licensee must notify the Department in the manner required by the Department. Such notification must be received by the Department not later than 30 days after the expiration of the 2-year period described in subsection 1. The Department may authorize the master falconry licensee to possess the golden eagle for more than 2 years.*

4. *A rehabilitated golden eagle must be released in a location that is as close as possible to where the golden eagle was captured, taken or removed from the wild, or at an appropriate location authorized by the Department.*

**Sec. 9. 1.** *The Department may deny issuance or renewal of an eagle permit or may suspend or revoke an eagle permit if the applicant or holder of the eagle permit:*

*(a) Made a material misstatement in or falsified any document required for an application for an eagle permit;*

*(b) Failed to provide or maintain the housing and care for a golden eagle that is required by NAC 503.375 to 503.395, inclusive, and section 7 of this regulation;*

*(c) Failed to ensure that a golden eagle was maintained in good condition, as described in section 6 of this regulation;*

*(d) Has been convicted of violating any provision of NAC 503.200 to 503.470, inclusive, and sections 2 to 10, inclusive, of this regulation; or*

*(e) Has been convicted of violating any law or regulation of any state or the federal government relating to animal welfare or wildlife.*

*2. A person whose eagle permit was denied, suspended or revoked by the Department may appeal to the Commission.*

**Sec. 10.** *The Department shall impose a civil penalty of \$1,000 against any person, firm, company, corporation or association who violates subsection 1 of NRS 503.610.*

**Sec. 11.** NAC 503.200 is hereby amended to read as follows:

503.200 As used in NAC 503.200 to 503.470, inclusive, *and sections 2 to 10, inclusive, of this regulation*, unless the context otherwise requires:

1. “Abatement” means the training and use of a raptor to flush, haze or take wildlife for the purpose of mitigating depredation and nuisance problems, including, without limitation, threats to human health and safety.

2. “Bate” means to attempt to fly while tethered.

3. “Captive-bred” or “bred in captivity” means raptors, including eggs, hatched in captivity from parents that mated or otherwise transferred gametes in captivity.

4. “Captivity” means a live raptor that is held in a controlled environment which is intensively manipulated by humans for the purpose of producing raptors of selected species, and which has boundaries designed to prevent raptors, eggs or gametes of the selected species from entering or leaving the controlled environment.

5. “Eyas” means a nestling bird not yet capable of flight.

6. “Facility” means an indoor or outdoor facility used for housing a raptor.

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

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

9. “Form 3-186A” means:

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

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

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

11. “Hybrid raptor” means a raptor that is:

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

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

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

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

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

15. “Raptor rehabilitator” means a person who has been issued a permit to rehabilitate raptors pursuant to NAC 503.315.

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

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

**Sec. 12.** NAC 503.205 is hereby amended to read as follows:

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

2. The Department shall not issue a license or permit authorizing a person to possess a raptor unless the facility at which the raptor will be housed satisfies the requirements of NAC 503.375 to 503.395, inclusive ~~H~~, *and section 7 of this regulation.*

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

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

5. Raptor eggs may not be taken or possessed, except that raptor eggs laid by a bird in the possession of a person who holds a permit for captive propagation of raptors may be possessed if

the holder of the permit notifies the headquarters of the Department in writing within 5 business days after the first egg has been laid. Eggs laid by a raptor held under the authority of a falconry license must be reported by the falconry licensee to the Department within 5 business days after the first egg has been laid. The falconry licensee will dispose of the egg as directed by the Department.

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

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

(b) A falconry licensee may:

(1) Possess feathers for each species of raptor he or she lawfully possesses or has possessed ~~;~~, ~~except that a master falconry licensee who has an eagle permit may only possess primary wing feathers and not more than 12 tail feathers of a golden eagle;~~ ;

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

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



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

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

(2) Burned, buried or otherwise destroyed.

**Sec. 13.** NAC 503.220 is hereby amended to read as follows:

503.220 1. It is unlawful, except by the written consent and approval of the Department, for any person at any time to receive, bring, or have brought or shipped into the State of Nevada, or to remove from one portion of this State to any other portion or to any other state, any raptor or any eggs or young of any raptor.

2. Any falconry licensee whose license lists the raptors in his or her possession may bring into this State or remove to any other state any raptor listed on the license without having a permit for importation or exportation if a seamless leg band or a permanent, nonreusable and numbered leg band which is supplied by the United States Fish and Wildlife Service or the Department, as appropriate, is attached to the raptor.

3. A falconry licensee who:

(a) Is a resident of this State;

(b) Possesses a raptor pursuant to his or her license; and

(c) Moves to another state and brings the raptor to the other state pursuant to subsection 2,

→ shall, not later than 30 days after the move, notify the Department of the move and provide to the Department his or her current residential address.

4. A person who is not a resident of this State and who holds a valid falconry license issued by the appropriate agency of the jurisdiction in which the person resides may bring into or remove from this State a raptor in his or her possession under the authority of that falconry license without having a permit for the importation or exportation of a raptor issued by the Department if a seamless leg band or a permanent, nonreusable and numbered leg band which is supplied by the United States Fish and Wildlife Service or the appropriate agency of the jurisdiction which issued the license if required, as appropriate, is attached to the raptor.

5. A person who:

(a) Moves to this State with the intent to make this State his or her permanent residence; and

(b) Brings a raptor into this State pursuant to subsection 4,

→ may , *except as otherwise provided in section 3 of this regulation*, continue to possess the raptor for not more than 30 days after becoming a resident of this State pursuant to NRS 502.015 before he or she must obtain a falconry license from the Department.

6. A raptor taken from the wild in Nevada by a resident of this State may not be permanently removed from this State unless the:

(a) Resident holds a valid license issued by the Department pursuant to NRS 503.583 and leaves this State to establish his or her domicile in another state; or

(b) Raptor has been held for at least 1 year.

**Sec. 14.** NAC 503.235 is hereby amended to read as follows:

503.235 1. Except as otherwise provided in subsection 9 and NAC 503.415, a person who is a resident of the State of Nevada and who practices falconry or trains birds of prey must obtain

a falconry license of the proper class from the Department. An applicant for a falconry license must include on his or her application:

- (a) The name of the applicant;
- (b) The physical and mailing address of the applicant's residence;
- (c) The telephone number of the applicant's residence;
- (d) The date of birth of the applicant;
- (e) The driver's license number of the applicant, if he or she has been issued a driver's license;
- (f) The social security number of the applicant;
- (g) The number of raptors the applicant possesses and the species of each;
- (h) The age of each raptor, if known;
- (i) The sex of each raptor, if known;
- (j) The source and date of acquisition of each raptor;
- (k) The leg band number, if required, of each raptor;
- (l) Except as otherwise provided in paragraph (m), the applicant's signature and the date on which he or she signed the application;
- (m) For an applicant who is less than 18 years of age, the signature of a parent or legal guardian of the applicant; and
- (n) For an application for an apprentice falconry license, a certification statement in substantially the following form:

I certify that I have read and am familiar with the provisions of Part 13 of Title 50 of the Code of Federal Regulations and any other applicable sections of Subchapter B of Chapter

I of Title 50 of the Code of Federal Regulations and that the information I have submitted is complete and accurate to the best of my knowledge and belief. I understand that any intentionally false statement herein may subject me to criminal penalties under federal law, as set forth in 18 U.S.C. § 1001.

2. If the applicant has moved to this State with the intention of making this State his or her permanent residence and the applicant holds a falconry license issued by the state from which he or she is moving, the applicant may attach a copy of his or her falconry license to his or her application in lieu of taking the examination required by subsection 4. If the applicant fails to attach a copy of his or her falconry license issued by the applicant's previous state of residence, he or she will be required to take the examination required by subsection 4.

3. If the applicant has moved to this State with the intent to make this State his or her permanent residence and the applicant holds a falconry license issued by a country other than the United States, the applicant must attach a copy of his or her falconry license to his or her application and must take the examination required by subsection 4 before being issued a falconry license. If the applicant correctly answers 80 percent of the questions on the examination, the Department shall determine, based on the requirements of NAC 503.240 and any documentation of experience in falconry submitted by the applicant, which class of falconry license to issue to the applicant.

4. Except as otherwise provided in subsections 2 and 3, before the Department issues a falconry license pursuant to this section or reinstates a falconry license pursuant to paragraph (b) of subsection 5, the applicant must correctly answer at least 80 percent of the questions on a supervised examination approved by the United States Fish and Wildlife Service and

administered by the Department. The examination will test the applicant's knowledge of basic biology, the care and handling of raptors, and the literature, laws, and regulations, and other subjects relating to falconry. Failure of the examination will result in a 30-day waiting period after the date of the written examination before reexamination.

5. If the falconry license of an applicant has been expired:

(a) For less than 5 years, the Department may reinstate the license at the class previously held by the applicant if the applicant provides evidence satisfactory to the Department that the applicant previously held that class of license; or

(b) For 5 years or more, the Department may reinstate the license at the class previously held by the applicant if the applicant:

(1) Provides evidence satisfactory to the Department that the applicant previously held that class of license; and

(2) Correctly answers at least 80 percent of the questions on the examination required by subsection 4.

6. A person must possess a valid falconry license when practicing falconry. In addition, a person who releases a raptor at game birds or game mammals during the open season must possess a valid hunting license issued by the Department.

7. The Department may deny issuance or renewal of any class of falconry license or permit if the applicant has been convicted of a violation of any provision of NAC 503.200 to 503.470, inclusive **H**, *and sections 2 to 10, inclusive, of this regulation*. An applicant whose license has been denied may appeal the denial to the Commission.

8. A person who is not a resident of the State of Nevada and who possesses a valid falconry license issued by the state or country of which he or she is a resident does not have to obtain a

falconry license of the proper class from the Department to practice falconry while visiting this State.

9. A person who possesses a raptor solely for commercial displays or exhibitions is not required to obtain a falconry license if:

(a) The species of raptor used or to be used in the commercial display or exhibition is not listed as a protected species by the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq.; and

(b) The raptor is not used for the sport of falconry.

**Sec. 15.** NAC 503.250 is hereby amended to read as follows:

503.250 1. An apprentice falconry licensee:

(a) Shall not possess more than one raptor nor obtain more than one raptor for replacement during any calendar year.

(b) May possess a raptor of any species of the order *Falconiformes* or *Strigiformes*, including, without limitation, wild, captive-bred or hybrid raptors, except a raptor of the following species:

- (1) Bald eagle (*Haliaeetus leucocephalus*);
- (2) Osprey (*Pandion haliaetus*);
- (3) White-tailed kite (*Elanus leucurus*);
- (4) Golden eagle (*Aquila chrysaetos*);
- (5) White-tailed eagle (*Haliaeetus albicilla*);
- (6) Steller's sea eagle (*Haliaeetus pelagicus*);
- (7) Any owl except a great horned owl (*Bubo virginianus*); or
- (8) Any species listed as endangered or threatened pursuant to the federal Endangered

Species Act of 1973, as amended, 16 U.S.C. §§ 1531 et seq.

(c) Except as otherwise provided in paragraphs (d) and (e), may possess a raptor which was originally taken from the wild.

(d) Shall not possess a raptor which was taken from the wild as a nestling.

(e) Shall not possess a raptor that is imprinted on humans.

2. A general falconry licensee:

(a) Shall not possess more than three raptors nor obtain more than two raptors for replacement during any calendar year.

(b) May possess a raptor of any species of the order *Falconiformes* or *Strigiformes*, including, without limitation, a wild, captive-bred or hybrid raptor, except a raptor of a species listed or described in paragraph (b) of subsection 1.

3. A master falconry licensee:

(a) Except as otherwise provided in paragraphs (b) ~~and (e)~~, (c) and (d), shall not possess more than five raptors taken from the wild nor obtain more than two raptors taken from the wild for replacement during any calendar year.

(b) ~~May~~ *Except as otherwise provided in paragraph (d), may* possess a raptor of any species of the order *Falconiformes* or *Strigiformes*, including, without limitation, wild, captive-bred or hybrid raptors, except a raptor of a species listed or described in paragraph (b) of subsection 1.

(c) May possess any number of captive-bred raptors if the master falconry licensee is actively using the raptors for hunting or training the raptors in the pursuit of game birds or game mammals.

*(d) If the master falconry licensee has an eagle permit, except as otherwise provided in subsection 4, may not possess more than two golden eagles of the five raptors that are authorized pursuant to paragraph (a).*

*4. The Department may authorize a master falconry licensee who has an eagle permit to possess more than two golden eagles if the master falconry licensee is a raptor rehabilitator and is rehabilitating any additional golden eagle. Nothing in this subsection authorizes a master falconry licensee who has an eagle permit to possess more than five raptors.*

**Sec. 16.** NAC 503.260 is hereby amended to read as follows:

503.260 1. Any person holding a falconry license must allow the Department's employees to enter his or her premises at any reasonable hour:

(a) To inspect equipment, mews or other raptor housing facilities to ensure compliance with the provisions of NAC 503.375 to 503.395, inclusive ~~§~~, *and section 7 of this regulation;*

(b) To inspect raptors possessed by the falconry licensee; and

(c) To inspect, audit or copy any permit, book or record required to be kept by the provisions of NAC 503.200 to 503.470, inclusive, *and sections 2 to 10, inclusive, of this regulation* or federal regulations relating to falconry.

2. Refusal to allow inspection of raptors, facilities and equipment during reasonable hours will result in the denial of issuance or revocation of the raptor license or permit and seizure of any raptor in the falconry licensee's possession.

**Sec. 17.** NAC 503.305 is hereby amended to read as follows:

503.305 A holder of a permit to take raptors is subject to the following conditions:

1. Except as otherwise provided in subsection 5, a general or master falconry licensee may take only raptors less than 1 year of age and only during the period specified by the Commission.



No more than two eyasses may be taken by a holder of a permit to take raptors during that period.

2. At least one eyas must be left in each nest or aerie from which any eyas is taken.
3. The physical characteristics of a nest or aerie from which any eyas is taken may not be altered.
4. Except as otherwise provided in subsection 6, passage birds may be taken only during the period specified by the Commission.
5. The only raptors over 1 year of age which may be taken are the American kestrel (*Falco sparverius*) and the great horned owl (*Bubo virginianus*), except that under a depredation (special purpose) permit which was jointly authorized by the United States Fish and Wildlife Service and the Department, any raptor other than raptors of threatened or endangered species may be taken for falconry purposes by a general or master falconry licensee.
6. An apprentice falconry licensee may take only passage birds of the species specified on the falconry license of the apprentice falconry licensee.
7. Except as otherwise provided in NAC 503.370, peregrine falcons may not be taken in Nevada. A peregrine falcon that is legally obtained may be imported and possessed under the terms and conditions of a falconry license issued by the Department.
8. Birds of the following species may not be taken, transported, possessed or used in the practice of falconry:
  - (a) Bald eagle (*Haliaeetus leucocephalus*);
  - (b) Osprey (*Pandion haliaetus*);
  - (c) White-tailed kite (*Elanus leucurus*);

(d) ~~{Golden}~~ *Except as otherwise provided in sections 2 to 10, inclusive, of this regulation,*  
*golden eagle (Aquila chrysaetos);*

(e) White-tailed eagle (*Haliaeetus albicilla*);

(f) ~~{Stellar's}~~ *Steller's* sea eagle (*Haliaeetus pelagicus*);

(g) Any owl except the great horned owl (*Bubo virginianus*); and

(h) Any species listed as endangered or threatened pursuant to the federal Endangered Species Act of 1973, as amended, 16 U.S.C. §§ 1531 et seq.

9. Except as otherwise provided in NAC 503.350 to 503.370, inclusive, if the holder takes a raptor that the holder is not authorized to possess, the holder shall release the raptor immediately.

10. Permits to take raptors are not transferable.

**Sec. 18.** NAC 503.375 is hereby amended to read as follows:

503.375 1. Each raptor possessed pursuant to NAC 503.200 to 503.470, inclusive, *and sections 2 to 10, inclusive, of this regulation* must be housed in humane and healthful conditions.

2. The owner of a raptor is responsible for the conditions in which the raptor is housed.

3. A facility that houses raptors must:

(a) Protect each raptor housed therein from wild and domesticated predators;

(b) Have available for each raptor housed therein a perch that is suitable for the raptor;

(c) Have at least one opening for sunlight; and

(d) Provide a healthy environment for each raptor housed therein.

4. Raptors that are not tethered while being housed may be housed in the same facility only if they are compatible with each other.

5. A raptor that is not tethered while being housed must be housed in a facility of sufficient size to allow the raptor to fly.

6. A raptor that is tethered while being housed must be tethered in a manner which allows the raptor to extend its wings fully or bate without damaging its wings or making contact with another raptor.

7. Each raptor must have continuous access to a pan of clean water unless weather conditions, the type of perch used or another circumstance makes continuous access to a pan of clean water unsafe for the raptor.

8. Subject to the provisions of this section, the owner of a raptor may house a raptor in a temporary facility for not more than 120 consecutive days.

**Sec. 19.** NAC 503.460 is hereby amended to read as follows:

503.460 1. ~~{An}~~ *Except as otherwise provided in subsection 2, an* owner of a raptor that dies may, without limitation:

(a) Keep or donate the feathers of the raptor pursuant to subsection 6 of NAC 503.205;

(b) Donate the body of the raptor to any person authorized by permit to acquire and possess the body of a raptor or to any person or institution exempt from that requirement pursuant to 50 C.F.R. § 21.12;

(c) If a leg band was attached to the raptor or the raptor had a microchip implanted in its body, have the raptor mounted by a taxidermist; or

(d) Dispose of the body and feathers of the raptor.

2. *If a golden eagle in the possession of a master falconry licensee dies, the master falconry licensee shall surrender the body and feathers of the golden eagle to the Department not later than 5 business days after the discovery of the death.*

3. If a taxidermist mounts the raptor:

- (a) The mount may be used in a conservation education program; and
- (b) The leg band must remain on the raptor or the microchip must remain in place.

~~3.~~ 4. If a taxidermist does not keep, donate or mount the body and feathers of the raptor, they must be burned, buried or otherwise destroyed not later than 10 days after:

- (a) The final examination by a veterinarian to determine the cause of death; or
- (b) If such an examination is not conducted, the death of the raptor.

**Sec. 20.** NAC 503.470 is hereby amended to read as follows:

503.470 The provisions of NAC 503.200 to 503.470, inclusive, *and sections 2 to 10, inclusive, of this regulation* must not be construed to exempt any person from the provisions of any federal law relating to raptors or falconry.



**STATE OF NEVADA  
DEPARTMENT OF WILDLIFE  
Game Division**

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**MEMORANDUM**

**FEBRUARY 14, 2023**

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

**From:** Russell Woolstenhulme, Staff Specialist, Game Division

**Title:** **Commission Regulation 23-13, Migratory Game Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Migratory Game Birds; Public hunting limited on Wildlife Management Areas and Designated State Lands – 2023–2024 Season**

**Purpose:** The Commission will consider recommendations for seasons, bag limits, and special regulations for migratory game birds for the 2023–2024 season and adopt regulations consistent with the proposed regulations framework for the 2023–2024 hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission Regulation will become final pending adoption of federal frameworks. The Commission will also consider rules regulating public hunting on Wildlife Management Areas and designated state lands.

**Summary**

Season regulations for hunting migratory waterfowl, doves, and crows differ from some other common species, like mule deer, that are not governed by the Migratory Bird Treaty Act. The U.S. Fish and Wildlife Service works with the states within designated flyways, and Nevada resides within the Pacific Flyway. Collectively, the Pacific Flyway develops regulatory sideboards known as the Federal Frameworks within which each state may promulgate seasons for hunting. Although the Federal Frameworks are generally established by the time the Commission acts on the Migratory Game Bird Commission Regulation, the federal government suffered delays this year and the proposed frameworks are still draft. Should the final approved frameworks require amendment to this CR, the Department will bring this CR back to the Commission before seasons are published. The Department is recommending no Changes to last season.

**Brief Description of Proposed Regulation**

Migratory Bird Season Recommendations:

## *Continental and Flyway Conditions*

Continent-wide, waterfowl abundance is similar to last year. The total 2022 duck population estimate (excluding scoters, eiders, long-tailed ducks, mergansers, and wood ducks) was 34.2 million birds. This population estimate is 132 lower than the 2019 estimate of 38.9 million, which was the last year the survey was conducted, and was 4% lower than the long-term average. Mallard, gadwall, and widgeon were below long-term average. Canvasback and green-winged teal were near long-term averages while redhead was above the long-term average. Most duck species remain in the liberal season package. Greater and lesser scaup were below their long-term average abundance and remain in a standard season package (86 days).

Western Canada Geese numbers continue to increase and are currently over population objectives as are Pacific Greater White-fronted Geese and Western Canadian Arctic Snow Geese.

Most waterfowl from the Pacific Flyway nest north of Nevada. Nearly all U.S. prairies experienced average precipitation during the 2021-2022 winter. Pond estimates throughout the prairie pothole region were 9% higher than the last survey in 2019.

The predicted abundance of mourning doves for September 2022 in the Western Management Unit were 45.8 million, which results in a standard regulatory alternative as prescribed by the harvest strategy.

## *Nevada*

2022 breeding waterfowl surveys in Nevada were suspended due to contract plane issues. No data are available.

## *Habitat*

In Nevada, 2021-2022 winter precipitation and run-off was nearly normal. Most wetlands in northern Nevada including the Carson Sink area (Stillwater National Wildlife Refuge, Carson Lake Wildlife Management Area) entered the breeding season with residual waters., and over summer water allocation within the Lahontan Valley was 80% of normal.

As of February 2023, year-to-date precipitation (Oct 1 – Feb 15) is slightly above average for Nevada. Lake Tahoe Basin precipitation was reported at 161% of normal, Walker River and Carson River Basins (including Lahontan Basin) were reported at 189% and 190% of normal respectively, and Eastern Nevada (Ruby Marshes) was reported at 157% of normal. Many Nevada marshes have residual water. Reservoir storage at Lahontan Reservoir is at 33% of capacity. Rye Patch is currently only at 5 percent.

## **Recommendation**

The Department recommends that the Commission review and adopt the proposed regulation as presented.

# STATE OF NEVADA

## BOARD OF WILDLIFE COMMISSIONERS

The Board of Wildlife Commissioners under the authority of Section 501.181, 503.090, 503.140 and 503.245 of the Nevada Revised Statutes, does hereby adopt the following regulations for the management of migratory game birds.

### CR 23-13 2023-2024

### SEASONS, BAG LIMITS, AND SPECIAL REGULATIONS FOR MIGRATORY GAME BIRDS

<b>MOURNING &amp; WHITE-WINGED DOVE</b>	
OPEN AREAS:	<b>Statewide</b>
2023 SEASON:	September 1 – October 30, 2023
LIMITS:	Daily bag limit 15 Possession 45
SHOOTING HOURS:	½ hour before sunrise to sunset.
SPECIAL REGULATIONS:	Limits for mourning dove and white-winged dove are singly or in the aggregate.

<b>AMERICAN CROW</b>	
OPEN AREAS:	<b>Statewide</b>
2023 FALL SEASON:	September 1 – November 17, 2023
2024 SPRING SEASON	March 1 – April 15, 2024
LIMITS:	Daily bag limit 10
SHOOTING HOURS:	Sunrise to sunset.
SPECIAL REGULATIONS:	May be hunted by archery, shotguns and falconry.  All crows must be retrieved and removed from the field.  Season closed on ravens

**Note regarding Waterfowl Zone designations:**

**NORTHEAST ZONE:** Elko, Eureka, Lander & White Pine Counties

**NORTHWEST ZONE:** Carson City, Churchill, Douglas, Humboldt, Lyon, Mineral, Pershing, Storey & Washoe Counties

**SOUTH ZONE:** Esmeralda, Lincoln, Nye & Clark Counties

<b>DUCKS AND MERGANSERS</b>	
<b>OPEN AREAS:</b>	<b>NORTHEAST ZONE</b>
<b>2023-24 SEASON:</b>	September 23, 2023 – November 28, 2023 December 9, 2023 – January 15, 2024
<b>OPEN AREAS:</b>	<b>NORTHWEST ZONE</b>
<b>2023-24 SEASON:</b>	October 14, 2023 – January 7, 2024 January 10, 2024 – January 28, 2024
<b>OPEN AREAS:</b>	<b>SOUTH ZONE – (except the Moapa Valley)</b>
<b>2023-24 SEASON:</b>	October 14, 2023 – October 22, 2023 October 25, 2023 – January 28, 2024
<b>OPEN AREAS:</b>	<b>SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers</b>
<b>2023-24 SEASON:</b>	October 28, 2023 – January 28, 2024
<b>LIMITS (daily / possession)</b>	
<b>General Duck Limits:</b>	7 / 21
Included within the general duck limit, but not to include more than:	
<b>Pintail:</b>	1 / 3
<b>Hen Mallard/ Mexican duck</b>	2 hen mallards or Mexican ducks.
<b>Redhead:</b>	2 / 6
<b>Canvasback:</b>	2 / 6
<b>Shooting hours:</b>	½ hour before sunrise to sunset
<b>Special Regulations:</b>	Open to Nonresidents

<b>SCAUP (Lesser and Greater)</b>	
<b>OPEN AREAS:</b>	<b>NORTHEAST ZONE</b>
<b>2023-24 SEASON:</b>	September 23, 2023 – November 28, 2023 December 9, 2023 – December 27, 2023
<b>OPEN AREAS:</b>	<b>NORTHWEST ZONE</b>
<b>2023-24 SEASON:</b>	November 2, 2023 – January 7, 2024 January 10, 2024 – January 28, 2024
<b>OPEN AREAS:</b>	<b>SOUTH ZONE – (except the Moapa Valley)</b>
<b>2023-24 SEASON:</b>	November 4, 2023 – January 28, 2024
<b>OPEN AREAS:</b>	<b>SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers</b>
<b>2023-24 SEASON:</b>	November 4, 2023 – January 28, 2024
<b>LIMITS (daily/possession):</b>	2 / 6 (Included within general duck limit, not in addition to)
<b>Shooting hours:</b>	½ hour before sunrise to sunset
<b>Special Regulations:</b>	Open to Nonresidents



<b>SPECIAL YOUTH WATERFOWL HUNT</b>	
<b>OPEN AREAS:</b>	<b>NORTHEAST ZONE</b>
<b>2023-24 SEASON:</b>	September 16 & 17, 2023
<b>OPEN AREAS:</b>	<b>NORTHWEST ZONE</b>
<b>2023-24 SEASON:</b>	September 30, 2023 & February 10, 2024
<b>OPEN AREAS:</b>	<b>SOUTH ZONE (including the Moapa Valley portion of the Overton Wildlife Management Area)</b>
<b>2023-24 SEASON:</b>	February 10 & 11, 2024
<b>OPEN AREAS:</b>	<b>Moapa Valley portion of the Overton Wildlife Management Area.</b>
<b>2023-24 SEASON:</b>	October 21, 2023
<b>LIMITS:</b>	<p>Daily bag limit is the same as that for the general season for ducks, mergansers, scaup, snipe, geese, coots and moorhens.</p> <p>Youth hunters possessing a valid Nevada Swan Permit may hunt swans in open swan areas (see swan regulation), provided the trumpeter swan quota has not been reached.</p> <p>Limits singly or in the aggregate for Canada geese and Brant.</p> <p>Limits singly or in the aggregate for Snow and Ross' geese.</p> <p>Snow and Ross' geese are closed in Ruby Valley within Elko and White Pine Counties.</p>
<b>SHOOTING HOURS:</b>	½ hour before sunrise to sunset
<b>SPECIAL REGULATIONS:</b>	<p>Open to hunters 17 years of age or younger.</p> <p>Youth hunters 16 years of age and older must possess a federal duck stamp.</p> <p>Youth must be accompanied by an adult who is at least 18 years old.</p> <p>Adults are not allowed to hunt during this season.</p> <p>Open to Nonresidents.</p>

<b>COOTS AND GALLINULES</b>	
OPEN AREAS:	<b>NORTHEAST ZONE</b>
2023-24 SEASON:	September 23, 2023 – November 28, 2023 December 9, 2023 – January 15, 2024
OPEN AREAS:	<b>NORTHWEST ZONE</b>
2023-24 SEASON:	October 14, 2023 – January 7, 2024 January 10, 2024– January 28, 2024
OPEN AREAS:	<b>SOUTH ZONE – (except the Moapa Valley)</b>
2023-24 SEASON:	October 14, 2023 – October 22, 2023 October 25, 2023– January 28, 2024
OPEN AREAS:	<b>SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers</b>
2023-24 SEASON:	October 28, 2023 – January 28, 2024
LIMITS (daily/possession):	25 / 75
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

<b>SNIPE</b>	
OPEN AREAS:	<b>NORTHEAST ZONE</b>
2023-24 SEASON:	September 23, 2023 – November 28, 2023 December 9, 2023 – January 15, 2024
OPEN AREAS:	<b>NORTHWEST ZONE</b>
2023-24 SEASON:	October 14, 2023 – January 7, 2024 January 10, 2024– January 28, 2024
OPEN AREAS:	<b>SOUTH ZONE – (except the Moapa Valley)</b>
2023-24 SEASON:	October 14, 2023 – October 22, 2023 October 25, 2023– January 28, 2024
OPEN AREAS:	<b>SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers</b>
2023-24 SEASON:	October 28, 2023 – January 28, 2024
LIMITS (daily/possession):	8 / 24
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

<b>CANADA AND CACKLING GEESE AND BRANT</b>	
OPEN AREAS:	<b>NORTHEAST ZONE</b>
2023-24 SEASON:	September 23, 2023 – November 28, 2023 December 9, 2023 – January 15, 2024
OPEN AREAS:	<b>NORTHWEST ZONE</b>
2023-24 SEASON:	October 14, 2023 – January 7, 2024 January 10, 2024– January 28, 2024
OPEN AREAS:	<b>SOUTH ZONE – (except the Moapa Valley)</b>
2023-24 SEASON:	October 14, 2023 – October 22, 2023 October 25, 2023– January 28, 2024
OPEN AREAS:	<b>SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers</b>
2023-24 SEASON:	October 28, 2023 – January 28, 2024
Limits (daily/possession)	5 / 15
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

<b>WHITE-FRONTED GEESE</b>	
OPEN AREAS:	<b>NORTHEAST ZONE</b>
2023-24 SEASON:	September 23, 2023 – November 28, 2023 December 9, 2023 – January 15, 2024
OPEN AREAS:	<b>NORTHWEST ZONE</b>
2023-24 SEASON:	October 14, 2023 – January 7, 2024 January 10, 2024– January 28, 2024
OPEN AREAS:	<b>SOUTH ZONE – (except the Moapa Valley)</b>
2023-24 SEASON:	October 14, 2023 – October 22, 2023 October 25, 2023– January 28, 2024
OPEN AREAS:	<b>SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers</b>
2023-24 SEASON:	October 28, 2023 – January 28, 2024
Limits (daily/possession)	10 /30
Shooting hours:	½ hour before sunrise to sunset
Special Regulations:	Open to Nonresidents

<b>SNOW AND ROSS' GEESE</b>	
<b>OPEN AREAS:</b>	<b>NORTHEAST ZONE</b>
<b>2023-24 SEASON:</b>	September 23, 2023 – November 28, 2023 December 9, 2023 – January 15, 2024
<b>OPEN AREAS:</b>	<b>NORTHWEST ZONE</b>
<b>2023-24 SEASON:</b>	November 4, 2023 – January 7, 2024 January 10, 2024– January 28, 2024 February 19, 2024 – March 10, 2024
<b>OPEN AREAS:</b>	<b>SOUTH ZONE – (except the Moapa Valley)</b>
<b>2023-24 SEASON:</b>	October 14, 2023 – October 22, 2023 October 25, 2023– January 28, 2024
<b>OPEN AREAS:</b>	<b>SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers</b>
<b>2023-24 SEASON:</b>	October 28, 2023 – January 28, 2024
<b>Limits (daily/possession)</b>	20 / 60
<b>Shooting hours:</b>	½ hour before sunrise to sunset
<b>Special Regulations:</b>	Open to Nonresidents CLOSED: Ruby Valley within Elko and White Pine Counties CLOSED: The following WMAs are closed during the February 19, 2024 – March 10, 2024 season: Mason Valley and Scripps/ Washoe State Park.
<b>Special Regulations:</b>	Restrictions on three shotshell capacity and recorded or amplified bird calls do not apply during the light goose season from February 19, 2024 until March 10, 2024 (Three shotshell capacity remains in effect on open Nevada Wildlife Management Areas)

<b>FALCONRY SEASONS FOR MIGRATORY GAME BIRDS</b>	
<b>OPEN AREAS:</b>	<b>NORTHEAST ZONE</b>
<b>2023-24 SEASON:</b>	September 23, 2023 – November 28, 2023 December 9, 2023 – January 15, 2024
<b>OPEN AREAS:</b>	<b>NORTHWEST ZONE</b>
<b>2023-24 SEASON:</b>	October 14, 2023 – January 7, 2024 January 10, 2024– January 28, 2024
<b>OPEN AREAS:</b>	<b>SOUTH ZONE – (except the Moapa Valley)</b>
<b>2023-24 SEASON:</b>	October 14, 2023 – October 22, 2023 October 25, 2023– January 28, 2024
<b>OPEN AREAS:</b>	<b>SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers</b>
<b>2023-24 SEASON:</b>	October 28, 2023 – January 28, 2024
<b>Limits (daily/possession)</b>	3 / 9
<b>Hunting hours:</b>	½ hour before sunrise to sunset
<b>Special Regulations:</b>	Migratory birds allowed for take include: geese, ducks, mergansers, coots, moorhens and snipe. Limits for all permitted migratory birds are singly or in the aggregate. Open to Nonresidents.

<b>SWAN</b>	
<b>OPEN AREAS:</b>	<b>Churchill, Lyon and Pershing Counties</b>
<b>2023-24 SEASON:</b>	October 14, 2023 – January 7, 2024 January 10, 2024– January 28, 2024
<b>LIMITS:</b>	One swan per swan hunt permit, Maximum two swan hunt permits per season One swan per day
<b>SHOOTING HOURS:</b>	½ hour before sunrise to sunset
<b>Special Regulations:</b>	<p><b>Successful swan hunters are required to validate their permit pursuant to NAC 502.380, and then present at least the head and neck of their swan to an NDOW agent at selected sites for species verification within three (3) days of harvest. Mandatory inspection sites and requirements will be provided with the swan hunt permits.</b></p> <p><b>If a total harvest of ten (10) trumpeter swans is reached, the swan season is closed for the remainder of the season.</b></p> <p>Open to Non-residents.</p> <p>Residents must possess a valid Nevada hunting or combination license, a Nevada HIP number and a current Federal Migratory Game Bird Hunting Stamp, when required, to hunt swan in Nevada.</p> <p>Nonresidents must possess a valid Nevada Combination license or a Nonresident 1-day Combination license, a Nevada HIP number and a Federal Migratory Waterfowl Stamp, when required, to hunt swan in Nevada.</p>

# **PUBLIC HUNTING LIMITED ON WILDLIFE MANAGEMENT AREAS AND DESIGNATED STATE LANDS**

## **ALKALI LAKE WILDLIFE MANAGEMENT AREA (WMA), ARGENTA WMA, BRUNEAU RIVER WMA, CARSON LAKE WMA, FERNLEY WMA, FRANKLIN LAKE WMA, HUMBOLDT WMA, SCRIPPS WMA, STEPTOE VALLEY WMA and WAYNE E. KIRCH WMA**

1. Hunting is allowed every day for wildlife species upon which there is an established open season

### **MASON VALLEY WMA**

1. Before or after any waterfowl season, hunting is allowed every day for wildlife species upon which there is an established open season.
2. During any waterfowl season open within the hunt zone, hunting is permitted only on:
  - a) Saturdays, Sundays and Wednesdays,
  - b) the following legal State holidays: Nevada Day, Veterans Day, Thanksgiving, Family Day (day after Thanksgiving), Christmas, New Year's Day, and Martin Luther King Day,
  - c) during any youth waterfowl hunt.
  - d) Hunters with a valid turkey tag for the Mason Valley WMA may hunt each day of the established turkey season.

### **FT. CHURCHILL COOLING POND COOPERATIVE WMA**

1. The Ft. Churchill Cooperative Cooling Pond Wildlife Cooperative WMA is closed year-round to all hunting.
2. From October 1, through the Friday preceding the second Saturday of February, the area shall be closed to trespass.

### **OVERTON WMA**

1. Before or after any waterfowl season, hunting is allowed every day for wildlife species upon which there is an established season.
2. Waterfowl hunting is permitted on the Moapa Valley portion of the area on:
  - a) the opening day of the earliest opening waterfowl season,
  - b) even days thereafter through the end of regular duck and goose seasons,
  - c) the final two days of the second duck and goose season, and
  - d) during any youth waterfowl hunt.
3. Upland game bird and rabbit hunting is prohibited during the regular duck and goose seasons, except for persons possessing a valid wild turkey tag to hunt turkeys in the Moapa Valley of Clark County. These persons may hunt turkeys every day for which the tag is valid. These persons are prohibited from pursuing any other upland game birds or rabbits during such time that the fall turkey season is concurrent with the waterfowl season.
4. During the waterfowl season on the Moapa Valley portion of the area, hunters must hunt from assigned hunt locations (blinds) constructed by the Department of Wildlife. A maximum of up to four hunters are permitted at each hunt location. Assigned hunt locations are marked by numbered stakes. Hunters shall hunt only within their assigned hunt location and moving to vacant locations is prohibited. The only exception involves reasonable accommodation of the disabled.
5. During the opening day and the first weekend of the dove season, the maximum capacity for the Moapa Valley portion of the area is 60 hunters by reservation. Vacancies will be filled by stand-by hunters on a first-come, first-served basis.
6. On Overton Hunt days, only persons authorized to hunt waterfowl may use vessels on the portion of the area inundated by Lake Mead.

## **KEY PITTMAN WMA**

1. Before or after any waterfowl season, hunting is allowed every day for wildlife species upon which there is an established season.
2. Waterfowl hunting is permitted on:
  - a) the opening weekend of the earliest opening waterfowl season within the hunt zone,
  - b) odd-numbered days thereafter through the end of regular duck and goose seasons,
  - c) the final two days of the second duck and goose season, and
  - d) during any youth waterfowl hunt.
3. The maximum hunter capacity during the opening day of duck season and the opening day of goose season will be 55 at any time.
4. All hunters will check-in and out at the main entrance and will park in designated parking areas only. No vehicles are allowed on the area during the hunting season.
5. The area is closed to fishing during the waterfowl season.
6. No motorized boats are allowed on the area during the waterfowl season.

## **OVERTON-KEY PITTMAN HUNTER RESERVATION SYSTEM**

1. To guarantee an opportunity to hunt, reservations must be made for the following specified days of each hunt listed:

### The Key Pittman WMA

- a) The earliest opening day of the general duck and goose seasons.

### The Moapa Valley portion of the Overton WMA

- a) Opening day and the first weekend of the dove season.
- b) The entirety of any open waterfowl season.

Special Regulation for the Moapa Valley Portion of the Overton WMA: A person or their representative applying for reservations for group hunting will be limited to up to four hunters per party.

2. Waterfowl Remainder of Season Reservation Process:

[\(Remainder of season reservation process is defined as that portion of the season following the opening day and weekend applications at Overton WMA and Key-Pittman WMA\)](#)

Reservations for the remainder of the waterfowl hunting season at the Overton WMA will be available the Monday prior to the opening of the waterfowl season and can be made by calling 1-855-542-6369 Monday through Friday 8:00 AM – 4:30 PM pacific time. [Hunters that are successful during the Overton WMA Opening Day and Weekend application process must use those reservations before making reservations for the remainder of the season.](#) An individual may reserve no more than one assigned hunt location on the Moapa Valley portion of the area for no more than four individuals to hunt as a party and this reservation must be utilized prior to reserving another hunt day. The reservations must be in the hunter's possession and be shown to the check station attendant to constitute a valid reservation for the day specified. At the Key Pittman WMA, reservations for hunting will be required only on the earliest opening day of the regular duck season and goose seasons. All hunters will check in at the main entrance on the opening day of waterfowl season. For the remainder of the waterfowl season, hunters will complete a reservation card obtained from the Frenchy Lake or Nesbitt Lake check station box and deposit the card in an appropriate drop box for each day hunted. Failure to turn in a completed card at the Key Pittman WMA or failure to check out at the Overton WMA may result in a citation being issued, and the loss of hunting privileges for the remainder of the season. No vehicles are allowed on the areas during the hunting season.

3. During the waterfowl season at the Overton WMA, an assigned hunt location program will be in effect. Hunters will make a reservation for one of three types of hunt locations (field, pond or bulrush plot) and the specific hunt location will be determined by a drawing at the check station prior to each day's hunt.



NDOW reserves the right to adjust blind availability and blind assignments based on the conditions present on the day of the hunt.

4. A hunter with a reservation will be considered as a "no-show" if they do not present themselves at the check station by one full hour before shooting time, except that at the Overton WMA, a hunter with a reservation will be considered a "no-show" if they do not present themselves at the checking station one and one-half hours before shooting time during the waterfowl season.
5. Standby hunters must register at the check station upon arrival.
6. All reservations, permits and assigned hunting locations are nontransferable.



**STATE OF NEVADA  
DEPARTMENT OF WILDLIFE  
Game Division**

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**MEMORANDUM**

**FEBRUARY 14, 2023**

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

**From:** Shawn Espinosa, Acting Administrator, Game Division

**Title:** **Commission Regulation 23-04 Amendment #1, 2023-24 and 2024-25  
Emergency Big Game Seasons**

**Purpose:** The Commission will review, revise, and adopt the 2023-24 and 2024-25 Emergency Big Game Hunt structure.

**Summary**

The emergency big game seasons and harvest quotas were inadvertently left out of CR 23-04. The purpose of this amendment is to add the emergency big game seasons to CR 23-04.

**Recommendation**

The Department recommends that the Commission review and adopt the proposed regulation as presented.

**2023 and 2024 EMERGENCY BIG GAME HUNTS**

Species	MULE DEER	PRONGHORN ANTELOPE	ELK	BIGHORN
Legal Weapon	To be determined by hunt.			
Hunt Number	Hunt number #1104 for antlerless mule deer, hunt number #1105 for antlered mule deer, and hunt number #1106 for either class of mule deer.	Hunt number #2104 for pronghorn antelope with horns shorter than ears, hunt number #2105 for pronghorn antelope with horns longer than ears, and hunt number #2106 for either class of pronghorn antelope.	Hunt number #4104 for antlerless elk, hunt number #4105 for antlered elk, hunt number #4106 for either class of elk, and hunt number #4108 for spike only elk.	Hunt number #3104 for bighorn ewe, hunt number #3105 for bighorn ram, hunt number #3106 for either class of bighorn.
Class of Animal	To be determined by the Department for each designated emergency hunt.			
Open Season	Emergency hunts may occur between July 1 and June 30 of the following year.			
Tag Quota	Not to exceed 2,000 tags statewide for the species listed.			
Awarding Emergency Big Game Hunt Tags	Emergency hunt tags will be awarded by draw order sequence of unsuccessful applicants who applied in the current year's main big game draw with applications that meet similar criteria to season date, location, and weapon class of the emergency hunt.			