

Nevada Board of Wildlife Commissioners' Meeting Agenda

Meeting Location:

Boys & Girls Club of Winnemucca
1973 Whitworth Way
Winnemucca, NV 89445

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

Public comment will be taken on each action item following Commission discussion and before any action is taken. The Chair may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. Persons are invited to submit written comments on items prior to the meeting at wildlifecommission@ndow.org or make comment during the meeting and are asked to complete a speaker card and present it to the Recording Secretary. Public comment will not be restricted based on viewpoint. To ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments to avoid the appearance of deliberation on topics not listed for action on the agenda. Minutes of the meeting will be produced in summary format.

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

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

Friday, June 25, 2021 – 9:00 a.m.

- 1. Call to Order, Pledge of Allegiance, Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairwoman East**
- 2. Approval of Agenda – Chairwoman East – For Possible Action**
The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.
- 3.* Approval of Minutes – Chairwoman East – For Possible Action**
Commission minutes may be approved from the April 16, 2021 and May 7 and 8, 2021 meetings.
- 4. Member Items/Announcements and Correspondence – Chairwoman East – Informational**
Commissioners may present emergent items. No action may be taken by the Commission. Any item requiring Commission action may be scheduled on a future Commission agenda. The Commission will review and may discuss correspondence sent or received by the Commission since the last regular meeting and may provide copies for the exhibit file (Commissioners may provide hard copies of their correspondence for the written record). Correspondence sent or received by Secretary Wasley may also be discussed.
- 5. County Advisory Boards to Manage Wildlife (CABMW) Member Items – Informational**
CABMW members may present emergent items. No action may be taken by the Commission. Any item requiring Commission action will be scheduled on a future Commission agenda.

6. Humboldt County Elk Sub-plan COT Member Approval – Game Division Elk Staff Biologist Cody McKee – For Possible Action

The Commission will review and may take action to approve replacement members to fill vacancies on the Humboldt County Elk Sub-Plan Coordination and Oversight Team. Replacement members have been recommended by the appropriate organizations represented by the vacant positions to be approved by the Nevada Wildlife Commission as per language in the Humboldt County Elk Plan.

7. Nevada Department of Wildlife Project Updates – Secretary Wasley – Informational

The Commission has requested that the Department provide regular project updates for ongoing projects and programs as appropriate based on geography and timing of meetings. These updates are intended to provide additional detail in addition to the summaries provided as part of the regular Department Activity Report and are intended to educate the Commission and public as to the Department's ongoing duties and responsibilities.

8. Reports – Informational

A. Department Activity Report – Secretary Wasley 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.* Legislative Update Report – Committee Chairwoman Tiffany East

A report will be provided on the final Legislative Committee Meeting and Legislative session update.

D. Recovering America's Wildlife Act – Secretary Wasley and Wildlife Diversity Division Administrator Jen Newmark – Informational

An update will be provided on Recovering America's Wildlife Act, H.R. 2773, a bipartisan act that, if passed, would provide up to \$1.3 Billion in funding to fully conserve Species of Greatest Conservation need and fully implement state Wildlife Action Plans.

E. Effects of Wild Horse and Livestock Use on Greater Sage-Grouse in Northwestern Great Basin - Doctoral Candidate Phillip Street, University of Nevada, Reno – Informational

Phillip Street with the University of Nevada, Reno will provide a presentation on the results of research work conducted in northwestern Nevada and south-central Oregon on the effects of wild horse use, as well as cattle grazing, on Greater Sage-Grouse demography.

9. Wildlife Heritage Committee – Vice Chair and Committee Chairman Tom Barnes - Informational

A. Wildlife Heritage Committee Report – Vice Chair and Committee Chairman Tom Barnes – Informational

The Commission will hear a report on the Committee's recent meeting.

B. Heritage Project Extension Requests – Vice Chair and Committee Chairman Tom Barnes – For Possible Action

The Commission will review Committee recommendations and may approve extension request from projects approved in previous fiscal years.

C. Heritage Funding Reallocation – Vice Chair and Committee Chairman Tom Barnes – For Possible Action

The Commission will review Committee recommendations and may approve reallocation of any unused Heritage funds from previously approved projects to other previously approved projects from the same fiscal year.

D. Fiscal Year 2022 Heritage Project Proposals – Vice Chair and Committee Chairman Tom Barnes – For Possible Action

The Commission will hear recommendations from the Committee and may take action to approve up to \$1,268,276.61 for projects submitted for FY 2022 funding from the Committee are listed below and may be approved by the Commission.

- 2021-2022 Bighorn Sheep and Mountain Goat Capture, Transplant, Test, Remove, Monitoring, and Research Programs (\$161,950)
- Wildlife Related Restoration and Seed Purchase (\$150,000)
- Wildlife Water Development – Emergency Water Haul (\$50,000)
- Izzenhood WMA Mule Deer Winter Habitat Restoration Project (\$71,850)
- Area 10 Mule Deer Migration Corridor Habitat Enhancement (\$75,000)
- Pole Canyon Conservation Easement (\$200,000)
- Nelson Creek Mule Deer Improvement (\$57,750)
- Smith Valley Habitat Restoration (\$75,000)
- Whistler Mountain Pinyon/Juniper Hand Thinning (\$40,000)
- Argenta Rim Mule Deer Enhancement Project (\$75,000)
- Optimizing management towards maximizing brood habitat for Greater Sage-Grouse (\$50,000)
- Mule Deer radio-collaring study in Northwest Nevada (\$324,099.24)
- Area 6 Elk Mortality Investigation (\$85,000)
- Moose Monitoring (\$20,000)
- Common Raven Monitoring (\$30,000)
- Investigating Potential Limiting Factors Impacting Mule Deer in Northwest Nevada (\$30,000)

Proposals Submitted by Others

- Milk Ranch Spring and Habitat Enhancement (\$90,000)
- Cave Valley Ranch Pinyon Juniper Removal (\$50,000)
- Survey and Maintenance of Existing Big Game Guzzlers (\$41,000)
- Restoration, foraging ecology, and mating behavior in Greater Sage-Grouse (phase 2) (\$69,521)
- Quantifying the influence of feral horses on Greater Sage-Grouse populations in Nevada (\$5,900)

10. Finance Committee – Committee Chairman Gil Yanuck – For Possible Action

A. Finance Committee Report – Committee Chairman Gil Yanuck

The Commission will hear a report on the Committee's recent meeting.

B.* Fiscal Year 2022 County Advisory Board Budget Requests – Committee Chairman Gil Yanuck

The Commission may approve an estimated amount of \$36,526 to be added to the reported cash balance on hand for County Advisory Boards, as requested, to Manage Wildlife budgets for Fiscal Year 2022

11. Wildlife Contests – Commissioner McNinch – For Possible Action

The Commission may discuss Wildlife Contests. The Commission may provide direction to the Department regarding Wildlife Contests for consideration by the Commission at a future meeting.

12. 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.

Friday, June 25, 2021 – Tour will begin at the close of Agenda Item #12

Commission Tour – Informational

The Commission will tour the urban fishing pond in Winnemucca. An informational presentation will be made, but 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.

Saturday, June 26, 2021 – 9:00 a.m.

13. Call to Order, Pledge of Allegiance, Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairwoman East

14. Approval of Agenda – Chairwoman East – For Possible Action

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

15. Member Items/Announcements and Correspondence – Chairwoman East – Informational

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

16. 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.

17. Status Update for Greater Sage-Grouse and their Habitat – Wildlife Staff Specialist Shawn Espinosa – Informational

The Game Division will provide an update on sage-grouse populations throughout their range in Nevada as well as provide information on habitat conditions, availability, and threats.

18. Duck Stamp Request – Wildlife Staff Specialist Mike Zahradka and Habitat Division Administrator Alan Jenne

The Commission will review and may take action to approve up to \$118,600 for projects submitted for FY 2022 funding from the Duck Stamp Account. The specific Duck Stamp projects that may be approved are listed below:

- Carson Lake and Pasture Infrastructure Improvement (\$40,000)
- Ducks Unlimited Wetlands Conservation Support FY22 (\$10,000)
- Eastern Complex Weed Control (\$10,000)
- Key Pittman WMA Wildlife Food Plots (\$2,600)
- Mason Walley WANA Prescribed Burn (\$20,000)
- Stillwater National Wildlife Refuge Water Conveyance Improvement Projects (\$20,000)
- Washoe Dam Repairs (\$16,000)

19. Upland Game Bird Stamp Request – Wildlife Staff Specialist Shawn Espinosa and Habitat Division Administrator Alan Jenne – For Possible Action

The Commission will review and may take action to approve up to \$341,081 for projects submitted for FY 2022 funding from the Upland Game Bird Stamp account. The specific Upland Game Bird Stamp projects that may be approved are listed below:

- Bi-State Sage-Grouse Coordinator (45,000)
- Bi-State Sage-Grouse Monitoring within the Mount Grant and Desert Creek Population Management Unit (\$22,500)
- Desert Creek Weed Treatment (\$2,500)
- Estimating Greater Sage-Grouse Vital Rates (\$22,500)
- Greater Sage-Grouse monitoring (\$44,440)
- Key Pittman WMA Wildlife Food Plots (\$3,900)
- Monitoring Greater Sage-Grouse Response to the Martin Fire (\$22,500)
- Monitoring the Effects of Landscape Level Treatments on Greater Sage-Grouse in the Desatoya Mountains of Central Nevada (\$22,500)
- Montana-Humboldt SGI Spring Protection (\$15,000)
- Native Seed Acquisition for Private Landowner Transition to Native Seed Production (\$14,000)
- Nine-Mile Unit Riparian Monitoring (\$19,400)
- Upland Game Translocation and Monitoring (\$19,400)
- Virginia Mountains Greenstrip 2021 (\$22,500)
- Mormon Mountains Post-Fire Restoration (\$20,000)
- Assessing Impacts to Sage-Grouse from Anthropogenic Noise in Nevada (\$50,000)
- Nelson Creek Habitat Improvement (\$18,750)

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

A.* Commission Regulation 20-12, Amendment #1, 2021-2022 Upland Game and Furbearer Seasons and Bag Limits – Wildlife Staff Specialists Shawn Espinosa and Russell Woolstenhulme – For Possible Action

The Commission will establish and may vote to amend regulations for upland game birds and mammals as well as furbearers for the 2021-2022 season. This regulation may also include modifications to the fall wild turkey seasons for 2021 and spring wild turkey seasons for 2022.

B.* Commission Regulation 21-07 Amendment #1, 2022 Heritage Tag Vendors – Committee Chairman Tom Barnes – For Possible Action

The Commission will review the Wildlife Heritage Committee's recommendations regarding Heritage Tag Vendor proposals for 2022 and may take action on the proposals.

C.* Commission Regulation 21-13 Amendment #1, 2021-2022 Seasons, Bag Limits and Special Regulations for Migratory Game Birds – Management Analyst Megan Manfredi – For Possible Action

The Commission will consider amending the Overton WMA dove application portion of the Commission Regulation to allow for application to be submitted electronically and for the draw to be conducted by the Department's licensing vendor, Kalkomey, for the 2021 season.

21.* Biennial Upland Game Release Plan for Fiscal Years 2022 and 2023 – Wildlife Staff Specialist Shawn Espinosa – For Possible Action

The Commission will review and may take action to approve the Department's proposed biennial upland game release plan for fiscal years 2022 and 2023.

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

The next Commission meeting is scheduled for August 13 and 14, 2021, in Tonopah. 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 chairwoman may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

23. Public Comment Period

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

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

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

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MEMORANDUM

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

From: Craig Burkett, Senior Deputy Attorney General

Date: June 9, 2021

Subject: Litigation Update

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

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

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

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

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

On May 28, 2015, the District Court ruled that the United States' action to acquire federal reserved water rights for the Walker River Paiute Tribe and several smaller tribes within the Walker River watershed were to be dismissed on "preclusion"; a doctrine that means the U.S. had its chance to make claims at the time of the original decree but failed to do so and thus cannot make them now.

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

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

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

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

On May 22, 2018, the Ninth Circuit Court of Appeals reversed the District Court holding that Mineral County did not have standing to pursue the public trust claim. However, rather than ruling on the substantive issues, the

Court held that the Public Trust Doctrine is a state-law issue that has not been squarely decided in Nevada. The Appeals Court sent one Certified Question to the Nevada Supreme Court. On August 22, 2018, the Ninth Circuit Court of Appeals amended its order and added a second Certified Question. Those two questions are as follows.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Department:

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

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

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

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

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

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

Smith filed an Amended Complaint, adding the entities named as Plaintiffs in the Ridgetop Holdings LLC v. Wakeling case in California, as Plaintiffs in this case. NDOW and the individually named Defendants Answered Plaintiff's First Amended Complaint on August 29, 2018. The parties have conducted extensive discovery. Defendants filed a Motion for Summary Judgment, and a Motion for Dismissal as Sanction for Discovery Abuses.

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

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

The parties have scheduled a mediation before Robert Enzenberger, mediator. The mediation is scheduled to take place June 25, 2021.

The Second Judicial District Court has placed the case on a stacked calendar for trial. Pursuant to the Court's calendar, the trial is tentatively scheduled to initiate August 24, 2021.

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

This action, filed by multiple non-profit "environmental" entities seeks to challenge a decision issued by the U.S. Fish and Wildlife Service in March, 2020, withdrawing a 2013 proposed rule to list the Bi-State distinct population segment (DPS) of greater sage-grouse in California and Nevada (the Bi-state Sage Grouse) as threatened under the Endangered Species Act.

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

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

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

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

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

| Bill/Item | Description | Sponsors | Status/Action | Explanation | Committee Position/Platform Recommendation | Committee Position/Platform Adoption |
|--|---|--|--|--|---|--|
| AB 286/ BDR 21 | Revises provisions governing firearm safety. | Assemblywoman Jauregui | Delivered to Governor | prohibiting a person from engaging in certain activities relating to unfinished frames or receivers under certain circumstances, prohibiting a person from engaging in certain acts relating to firearms which are not imprinted with a serial number under certain circumstances, revising provisions relating to the confiscation and disposal of dangerous weapons, providing penalties | No Position Taken 03.30.21 | No Position Taken 04.16.21 |
| SB125/ BDR 158 | Revises provisions governing falconry. | Senator Setlemeyer | Delivered to Governor | Authorizing persons who have been issued a falconry license to take, transport, possess or use golden eagles in falconry in certain circumstances. AMENDED BY NNOV | Supports a rehabilitation platform (4-0 Vote. Member Smith Absent) | Supports rehabilitation platform (8-0 Vote. Commissioner Almborg Absent) |
| AB64/ BDR R-467 | JR: Urges Congress to designate certain land in Spring Valley as a National Heritage Area | Legislative Committee on Public Lands | Delivered to Secretary of State | Urging Congress to designate certain land containing swamp cedars in Spring Valley as a National Heritage Area | Support (4-0 Vote. Member Smith Absent) | Support (8-0 Vote. Commissioner Almborg Absent) |
| AB89/ BDR 588 | Revises provisions relating to wildlife | Assemblywoman Triss | Signed by Governor, Effective (4) May 27, 2021 for purposes of adopting regulations and any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and (b) On July 1, 2021, for all other purposes | Authorizing the Board of Wildlife Commissioners to establish a program which authorizes a person to transfer his or her tag to hunt a big game mammal to a qualified organization for use by certain persons | Support (5-0 Vote) | Support (8-0 Vote. Commissioner Almborg Absent) |
| AB229/ BDR 733 | Revises provisions relating to wildlife | Assemblywoman Bilyay-Achrod | DID NOT PASS DEADLINE | Providing for the issuance of a salvage permit to certain persons for the salvage and possession of certain animals hit and killed by a motor vehicle | No Position Taken | Oppose Language as written (7-0 Vote. Commissioner Almborg and Hubbs Absent) Position remains 04.16.21 |
| AB211/ BDR 795 | Makes various changes relating to wildlife | Assemblywoman Jauregui | Delivered to Governor | Requires subdividers maps be submitted to NNOV for comment on impacts to wildlife and habitat | Oppose as amended and maintain a platform of 30-day window and cost recovery 4.14.21 (4-0 Vote. Commissioner Rogers Absent) | Oppose as amended and maintain a platform of 30-day window and cost recovery (8-0 Vote. Commissioner Almborg was absent) 4.16.21 |
| SB 344/ BDR 50-871 | Enacts provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals. | Senator Ohrenshell | Delivered to Governor | Relating to animals, enacting provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals | No Position Taken 3.30.21 | No Position Taken 04.16.21 |
| SB 52/ BDR 35-422 | Requires the establishment of a program for awarding a dark sky designation to certain sites in this State | Committee on Natural Resources on behalf of the Lieutenant | Signed by Governor, Effective May 10, 2021 | Requiring the Administrator of the Division of Outdoor Recreation in the State Department of Conservation and Natural Resources to establish a program for awarding a dark sky designation to certain sites | Support (4-0 Vote. Member Smith Absent) | Support (8-0 Vote. Commissioner Almborg Absent) |
| AB 3 | Urges various actions relating to the protection and conservation of land and water | Assemblywoman Gonzalez | Enrolled and Delivered to Secretary of State | Recommendation to protect 30 percent of the lands and waters in the State by 2030 | Support (4-0 Vote. Member Smith Absent) | No Position Taken |
| SB 406/ BDR 1089 | Makes various changes relating to wildlife. | Office of Finance (on behalf of Department of Wildlife) | Delivered to Governor | Revising provisions governing the Wildlife Trust Fund; authorizing a tag to be in an electronic format under certain circumstances; revising the requirements for an annual resident specialty combination hunting and fishing license | Support a platform for senior licenses and eTags but would prefer the Wildlife Trust Fund portions be added back in. (4-0 Vote. Commissioner Rogers Absent) | Oppose bill as amended. Would support the bill with the inclusion of the Wildlife Trust Fund portions. (9-0 Vote) |
| AB 477/ BDR 1097 | Revises provisions relating to off-highway vehicles. | Office of Finance | To Enrollment | Account for Off-Highway Vehicles; abolishing the Revolving Account for the Assistance of the Department | did not discuss | did not discuss |
| AB 84 | Revises provisions relating to wildfires | Committee on Government Affairs | Delivered to Governor | AN ACT relating to wildfires; authorizing the State Forester to forward to enter into certain public-private partnership | Support Bill (4-0 Vote. Commissioner Rogers Absent) | Support Bill (9-0 Vote) |
| AB 2/ BDR 18-437 | Revises provisions relating to appointments to public bodies | Committee on Government Affairs | Signed by Governor, Effective May 25, 2021 | NACCO - lets people serve on more than one board or Commission | No Position Taken 3.30.21 | No Position Taken 04.16.21 |
| AB 202 | Revises provisions relating to charitable lotteries and charitable games | Assemblyman Jaeger | Delivered to Governor | relating to gaming; revising provisions relating to the registration of a qualified organization to operate a charitable lottery or charitable game | No Position Taken 4.13.21 | Support Bill (9-0 Vote) |
| SCR 10 | An interim study concerning the development of hydrogen and lithium as energy resources in this State | Senator Spearman | DID NOT PASS DEADLINE | Directs the Legislative Committee on Energy to conduct an interim study concerning the development of hydrogen and lithium as energy resources in this State | tracking | tracking |
| DEAD LINES - Tracked by Committee | | | | | | |
| AB117/ BDR 45-68 | Revises provisions governing wildlife tags | Assemblywoman Triss | DID NOT PASS FIRST COMMITTEE DEADLINE | Requires license vendor representative to be in Nevada when conducting the draw | Oppose language as written (5-0 Vote) | Oppose Language as written (8-0 Vote. Commissioner Almborg Absent) |
| SB 180/ BDR 42-601 | Revises provisions relating to fire prevention. | Senators Sevens Gansert and Kitchelher | DID NOT PASS FIRST COMMITTEE DEADLINE | use of canners for early fire prevention | Support (3-0 Vote. Chairwoman East Absent and Member Smith Absent) | Support (6-0 Vote. Chairwoman East Absent, Commissioner Hubbs and Almborg Absent) |

| Bill/BDR | Description | Sponsors | Statute Location | Expiration | Committee Position/Parliamentary Recommendation | Committee Position/Parliamentary Action |
|---|--|--|---|---|--|--|
| AB 433/ BDR 1104 | Revises provisions relating to the Sagebrush Ecosystem Program. | Office of Finance | DID NOT PASS FIRST COMMITTEE DEADLINE | Relating to natural resources; authorizing the Sagebrush Ecosystem Council to establish a fee for the program established by the Council to mitigate damage to sagebrush ecosystems in this State | Support (4-0 Vote: Commissioner Rogers Absent) 3.30.21 | |
| AB 234 | Revises provisions relating to charitable lotteries | Assemblyman Ellison, Dickeman, Truss O'Neill, and McArthur | DID NOT PASS FIRST COMMITTEE DEADLINE | Revising an exception to authorize certain organizations to operate a charitable lottery without registering with the Chair of the Nevada Gaming Control Board **Companion Bills (AB 285, AB 293 also died)* AB 202 MADE IT | No Position Taken 3.30.21 | Support (7-0 Vote: Commissioners Almborg and Hubbs Absent)**Commission sent in letter of support from Commission** |
| SB 78/ BDR 45-107 | JR: Urges Congress to provide funding to reduce the wild horse and burro populations to appropriate management levels. | Legislative Committee on Public Lands | DID NOT PASS FIRST HOUSE PASSAGE DEADLINE | Urging Congress to provide funding to reduce the wild horse and burro populations to appropriate management levels | Committee opposed as amended but would support the bill as originally drafted 4.14.21 (4-0 Vote: Commissioner Rogers Absent) | Support (7-0 Vote: Commissioners Almborg and Hubbs Absent)**Commission sent in letter of support from Commission** |
| SB 170/43-464 | Expands the membership of the Board of Wildlife Commissioners. | Senator Golcoochoa | DID NOT PASS FLOOR DEADLINE | Adds one member who is a licensed master guide and one member who is an elected officer representing a local political subdivision | Oppose language as written (5-0 Vote) | Oppose Amended Bill (9-0 Vote) |
| SB 170/43-464 | Makes various changes relating to off-highway vehicles. | Legislative Committee on Public Lands (NRS 218F.510) | DID NOT PASS FLOOR DEADLINE | requiring certain children to wear a helmet when operating, using or riding an off-highway vehicle; revising the membership of the Commission on Off-Highway Vehicles; transferring certain duties related to the registration and regulation of off-highway vehicles from the Department of Motor Vehicles to the Off-Highway Vehicles Program | Support (3-1 Vote: Commissioner Piarini in opposition, Member Smith Absent) | Support (8-0 Vote: Commissioner Almborg Absent) |
| OTHER BILLS/BDRS TRACKED BY ANDOV | | | | | | |
| BILLS/BDRS TRACKED BY FRAGGINS LIST BY LEGISLATIVE COMMITTEE | | | | | | |
| AB 78/ BDR 16 | Revises provisions governing firearms. | Assemblyman Ellison | | Revises NRS 202.2547 as it relates to the sale or transfer of a firearm to persons with a permit to carry a concealed firearm. | Remove From Tracking Sheet | |
| AB 80/ BDR 73 | Revises provisions governing firearms. | Assemblyman Hatlen | | Relates to firearms on school property | Remove From Tracking Sheet | |
| SB192/ BDR 15-633 | Revises provisions relating to firearms. | Senator Sattelmeyer | | CCW on Driver's License | Remove From Tracking Sheet | |
| AB 170/ BDR 50-762 | Revises provisions governing animals | Assemblywoman Biltway-Axelrod | | Animal rescue - falls under Dept. of Ag. | Remove From Tracking Sheet | |
| BDR 858 | Revises provisions governing boards and commissions. | Assemblywoman Alexis Hansen | Never Introduced | | | |

**STATE OF NEVADA
NEVADA DEPARTMENT OF WILDLIFE
NEVADA BOARD OF WILDLIFE COMMISSIONERS**

NOTICE OF HEARING FOR ADOPTION OF COMMISSION REGULATIONS

The Nevada Board of Wildlife Commissioners will hold a public hearing at 9:00 am, on June 26, 2021 at the Boys & Girls Club of Winnemucca, 1973 Whitworth Way, Winnemucca, Nevada 89445. Video Streaming and Teleconferencing available at the Nevada Department of Wildlife, Southern Region Office, 3373 Pepper Lane, Las Vegas, Nevada 89120. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of commission regulations. If a person who is directly affected by the proposed action fails to appear to request to make an oral presentation, the Nevada Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

Commission Regulation 20-12 Amendment #1, 2021 - 2022 Upland Game and Furbearer Seasons and Bag Limits

The Commission will consider and may vote to amend regulations for upland game birds and mammals as well as furbearers for the 2021 season. This regulation may also include modifications to the fall wild turkey seasons for 2021 and spring wild turkey seasons for 2022.

Commission Regulation 21-07 Amendment #1, 2022 Heritage Tag Vendors

The Commission will review the Wildlife Heritage Committee's recommendations regarding Heritage Tag Vendor proposals for 2022 and may take action on the proposals.

Commission Regulation 21-13 Amendment #1, 2021-2022 Seasons, Bag Limits and Special Regulations for Migratory Game Birds

The Commission will consider amending the Overton WMA dove application portion of the Commission Regulation to allow for applications to be submitted electronically and for the draw to be conducted by the Department's licensing vendor, Kalkomey, for the 2021 season.

The regulation dates and language are subject to change following the discussions and deliberations of the Commission.

Persons wishing to comment upon the proposed action of the Nevada Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary of the Nevada Board of Wildlife Commissioners, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511. Written submissions must be received at least five days before the scheduled public hearing.

A copy of the regulations to be adopted will be on file at the State Library, 100 N. Stewart Street, Carson City, Nevada and at each Nevada county library in which an office of the agency is not maintained, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada, 89511 for inspection and copying by members of the public during business hours. Copies will be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

These regulations will also be available at the following website:

http://www.ndow.org/Public_Meetings/Public_Notices/

A copy of this notice and the regulations will be available for inspection at the following Nevada Department of Wildlife offices:

1100 Valley Road, Reno, Nevada 89512 (775) 688-1506

60 Youth Center Road, Elko, Nevada 89801 (775) 777-2300

3373 Pepper Lane, Las Vegas, Nevada 89120 (702) 486-5127

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Director's Office, in writing, at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511, by phone at (775) 688-1597 or through email to Alejandra Medina at amedina@ndow.org.

05/27/2021

SFY 2022 NDOW CAB Budget Requests

| County | Reported Cash Balance | FY22 Budget Request | NDOW Preliminary Recommendation (Rounded) |
|---------------|-----------------------|---------------------|--|
| Carson City | \$ 4,608.70 | | \$ 2,781.04 |
| Churchill | \$ 3,757.00 | \$ 3,416.24 | \$ 1,000.00 |
| Clark | \$ 5,770.05 | \$ 7,994.24 | \$ 3,224.19 |
| Douglas | \$ 6,360.67 | \$ 5,560.72 | \$ 1,000.00 |
| Elko | \$ 2,829.86 | \$ 5,842.08 | \$ 4,012.22 |
| Esmeralda | | | \$ 1,000.00 |
| Eureka | \$ 5,433.57 | \$ 5,227.06 | \$ 1,000.00 |
| Humboldt | \$ 4,132.12 | \$ 5,356.00 | \$ 2,223.88 |
| Lander | | | \$ 2,437.87 |
| Lincoln | \$ 4,544.41 | \$ 4,505.28 | \$ 1,000.00 |
| Lyon | \$ 1,678.98 | \$ 6,918.00 | \$ 6,239.02 |
| Mineral | \$ 5,068.35 | \$ 5,818.81 | \$ 1,751.00 |
| Nye | | | \$ 1,894.87 |
| Pershing | \$ 4,922.43 | \$ 5,273.72 | \$ 1,351.29 |
| Storey | \$ - | \$ - | \$ 1,000.00 |
| Washoe | \$ 7,030.41 | \$ 7,739.04 | \$ 1,708.63 |
| White Pine | \$ 3,856.21 | \$ 5,758.20 | \$ 2,901.99 |
| Total: | \$ 59,992.76 | \$ 69,409.39 | \$ 36,526.00 |

| | |
|--|---------------------|
| FY 22 Governor Recommends Budget: | \$ 36,526.00 |
| Balance: | \$ - |



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

May 26, 2021

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

From: Mike Scott, Administrator, Game Division

Title: **Commission Regulation CR20-12 Amendment #1 (Upland Game Seasons) and the Department's Biennial Small Game Release Plan for Fiscal Years 2022 and 2023 – For Possible Action**

Description: The Commission will review and may take action to approve the Department's recommendation to modify CR20-12 for upland game seasons and bag limits for certain upland game species and the proposed biennial small game release plan for fiscal years 2022 and 2023.

Presenter: Wildlife Staff Specialist Shawn Espinosa

Summary:**CR20-12 Amendment #1**

The Department's Game Division has prepared recommendations to amend the existing Commission Regulation (CR20-12 Amendment #1) for upland game seasons and bag limits for the 2021-2022 season that include the following changes:

Greater Sage-grouse

- Re-opening Hunt Unit 051 in Humboldt County (2-day season)
- Reducing season length for Hunt Units 154 and 155 of Lander County to a 2-day season
- Reducing season length for Hunt Units 143, 154 and 155 of Eureka County to a 2-day season
- Reducing season length for Hunt Units 011-015 of Washoe County to a 2-day season
- Closing Hunt Unit 144 in Eureka County
- Closing Hunt Unit 076 in Elko County
- Reducing the season length in the following Hunt Units from a 16-day season to a 9-day season extending from September 25 to October 3, 2021:

- Hunt Units, or those portions of Hunt Units, 062, 064, 065, 067, 071-075, 077, 101-103 and 109 in Elko County;
- Hunt Units, or those portions of Hunt Units, 162 and 163 in Eureka County;
- Hunt Units, or those portions of Hunt Units, 161, 162, 172 and 173 in Lander County;
- Hunt Units, or those portions of Hunt Units, 161-163, 172 and 173 in Nye County.
- Closing Hunt Units 104 and 121 in Elko and White Pine County
- Closing Hunt Units 108, 111-113, and 131 in White Pine County
- Reducing the number of reservations available for the Sheldon Special Sage-grouse Hunt from 45 to 35 for both 2-day seasons that are available to apply for.

Wild Turkey

- Altering the Junior wild turkey season for the Mason Valley Wildlife Management Area to begin on the first Saturday in April and continue through the second Sunday in May;
- Discontinue (temporarily) the second Junior wild turkey season for Hunt Unit 115 in White Pine County and modify the first season to extend through the first Sunday in May;
- Increase the quota for the Spring Limited Entry Hunt for 2022 for Hunt Units 151 and 152 in Lander County from 3 to 5;
- Increase the quota for the Lincoln County Limited Entry Hunt for 2022 from 12 to 15;
- Alter the season dates for the Mason Valley Wildlife Management Area Spring Limited Entry Hunt to begin one week later for each available season and reduce quotas available for each hunt from 5 to 3;
- Discontinue (temporarily) the second season for the Spring Limited Entry Hunt for Hunt Unit 115 of White Pine County. Extend the hunt period for the first season to continue through the first Sunday in May and reduce the quota from 8 to 4.

Biennial Small Game Release Plan for Fiscal Years 2022 and 2023

The Department has also prepared the Biennial Small Game Release Plan for Fiscal Years 2022 and 2023 for review and approval by the Nevada Board of Wildlife Commissioners. This plan summarizes releases conducted during the past biennium (FY2020 and 2021) and identifies proposed releases of several species and locations for 2022 and 2023.

This release plan contains recommendations for each of the following:

California quail

Statewide

- For release of sub-urban California quail into suitable habitats in northern Nevada. For augmentation or introduction purposes within range of the species.

Mountain quail

Lincoln County

- One release site in the Clover Mountains to establish a population in this region of the State.

Rio Grande Turkey

Lyon County

- One release site within the Walker River Recreation Area south of Yerington.

- One release to augment the existing population of Rio Grande turkeys on the Mason Valley Wildlife Management Area.

Lincoln County

- Two separate release sites. One in the Delamar Mountains and one in the Wilson Creek Range.

Merriam's Turkey

White Pine County

- One proposed release in Hunt Unit 114 of White Pine County.

Lyon County

- One proposed release into the Pine Nut Mountains (Hunt Unit 291).

Nye County

- One proposed release into the Monitor Range (Hunt Unit 162)

Elko County

- One proposed release to augment the population in the South Ruby Mountains (XJ Ranch).

Gray (Hungarian) Partridge

Churchill County

- One proposed release to establish Hungarian partridge into the Desatoya Range of Churchill and Lander County.

Ruffed Grouse

Elko County

- One proposed release into the Elk Mountain portion of Hunt Unit 072 to establish a population of ruffed grouse and expand their distribution in Elko County.

Humboldt County

- One proposed release into the Pine Forest Range to augment the existing population.

American Beaver

Statewide

- For release of American Beaver into suitable waters for restoration purposes.

Recommendation:

The Department recommends that the Commission **VOTE TO APPROVE THE RECOMMENDATIONS PROVIDED IN CR20-12 AMENDMENT #1 AND APPROVE THE BIENNIAL SMALL GAME RELEASE PLAN FOR FISCAL YEARS 2022 AND 2023 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 game birds, small game, and furbearing mammals.

CR 20-12 Amendment #1

2021-2022

SEASONS, BAG LIMITS, AND SPECIAL REGULATIONS FOR UPLAND GAME BIRDS, RABBITS, WILD TURKEY, FURBEARERS AND FALCONRY SEASONS FOR UPLAND GAME BIRDS AND RABBITS.

THIS AMENDMENT MODIFIES GREATER SAGE GROUSE OPEN AND CLOSED HUNT UNITS, SEASON LENGTHS AND WILD TURKEY QUOTAS AND SEASONS FOR SOME HUNT UNITS.

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

UPLAND GAME

(Units referenced are Game Management Units)

| SAGE-GROUSE | |
|----------------------|--|
| OPEN AREAS: | Hunt Unit 031 of Humboldt County <i>Hunt Unit 051 of Humboldt County</i> Hunt Unit 141 of Eureka and Lander County <i>Hunt Unit 154 and 155 of Lander County</i> <i>Hunt Unit 143, 154 and 155 of Eureka County</i> <i>Hunt Units 011-015 of Washoe County</i> <i>Hunt Unit, or that portion of Hunt Unit 012, in Humboldt County</i> Hunt Unit 144 of Eureka and White Pine County |
| SEASON DATES: | First Saturday and Sunday in October |
| LIMITS: | Daily bag limit 2. Possession limit 4. |
| SHOOTING HOURS: | Sunrise to sunset daily. |
| SPECIAL REGULATIONS: | Closed to nonresidents. |

| SAGE-GROUSE | |
|----------------------|---|
| OPEN AREAS: | <p>Hunt Units, or those portions of Hunt Units, 062, 064, 065, 067, [071-077] 071-075, 077, 101-103 and 109 in Elko County</p> <p>Hunt Units, or those portions of Hunt Units, 162 and 163 in Eureka County</p> <p>Hunt Units, or those portions of Hunt Units, 161, 162, 172 and 173 in Lander County</p> <p>Hunt Units, or those portions of Hunt Units, 161-163, 172 and 173 in Nye County</p> |
| SEASON DATES: | September 25 – [October 11] <i>October 3, 2021</i> |
| LIMITS: | Daily bag limit 2. Possession limit 4. |
| SHOOTING HOURS: | Sunrise to sunset daily. |
| SPECIAL REGULATIONS: | Closed to nonresidents. |

| SAGE-GROUSE | |
|----------------------|--|
| OPEN AREAS: | <p>[Hunt Units 104 and 121 in Elko County]</p> <p>[Hunt Units, or those portions of Hunt Units, 143, 145 and 155 in Eureka County]</p> <p>[Hunt Unit, or that portion of Hunt Unit, 012 in Humboldt County]</p> <p>[Hunt Units, or those portions of Hunt Units, 154 and 155 of Lander County]</p> <p>[Hunt Units, or those portions of Hunt Units, 011-015 in Washoe County]</p> <p>[Hunt Units, or those portions of Hunt Units, 104, 108, 111-113, 121, 131 in White Pine County]</p> |
| SEASON DATES: | [September 25 – October 3, 2021] |
| LIMITS: | [Daily bag limit 2. Possession limit 4.] |
| SHOOTING HOURS: | [Sunrise to sunset daily.] |
| SPECIAL REGULATIONS: | Closed to nonresidents. |

| SHELDON NATIONAL WILDLIFE REFUGE SPECIAL SAGE-GROUSE HUNT | |
|--|---|
| OPEN AREAS: | Unit 033 of Washoe and Humboldt Counties (Sheldon National Wildlife Refuge) excluding the Little Sheldon and other areas as posted. |
| HUNT PERIOD | |
| SEASON DATES: | September 18-19, 2021 |
| LIMITS: | Daily bag limit 2. Possession limit 4. |
| SHOOTING HOURS: | Sunrise to sunset daily. |
| SPECIAL REGULATIONS: | <p>Open to nonresidents.</p> <p>Limited to [45] 35 reservations awarded through random draw.</p> <p>Unless his or her privilege is limited or revoked pursuant to law, any resident or nonresident is eligible to apply once for the Sheldon Special Sage Grouse Hunt in a year.</p> <p>Up to 4 applicants may apply as a party. Parties may be comprised of a combination of residents and nonresidents.</p> <p>Sheldon Special Sage-grouse Hunt applications must be submitted online through www.ndowlicensing.com. Paper applications will not be accepted. Applications will be accepted until 11:00 p.m. the first Friday in August. Successful applicants will be notified via e-mail.</p> |

| SHELDON NATIONAL WILDLIFE REFUGE SPECIAL SAGE-GROUSE HUNT | |
|--|---|
| OPEN AREAS: | Unit 033 of Washoe and Humboldt Counties (Sheldon National Wildlife Refuge) excluding the Little Sheldon and other areas as posted. |
| HUNT PERIOD | |
| SEASON DATES: | September 25 – 26, 2021 |
| LIMITS: | Daily bag limit 2. Possession limit 4. |
| SHOOTING HOURS: | Sunrise to sunset daily. |
| SPECIAL REGULATIONS: | <p>Open to nonresidents.</p> <p>Limited to [45] 35 reservations awarded through random draw.</p> <p>Unless his or her privilege is limited or revoked pursuant to law, any resident or nonresident is eligible to apply once for the Sheldon Special Sage Grouse Hunt in a year.</p> <p>Up to 4 applicants may apply as a party. Parties may be comprised of a combination of residents and nonresidents.</p> <p>Sheldon Special Sage-grouse Hunt applications must be submitted online through www.ndowlicensing.com. Paper applications will not be accepted. Applications will be accepted until 11:00 p.m. the first Friday in August. Successful applicants will be notified via e-mail.</p> |

WILD TURKEY

2021 & 2022 SPRING TURKEY APPLICATION PROCEDURES FOR RESIDENT AND NONRESIDENT HUNTS:

Unless his or her privilege is limited or revoked pursuant to law, an eligible person may apply once for a type of hunt for Wild Turkey during a draw period.

Only one person may apply on an application.

Except for those Wild Turkey hunts requiring the landowner to sign the application, Wild Turkey applications must be submitted online through www.ndowlicensing.com. Hand delivered applications will not be accepted. Applications will be accepted until 11:00:00 p.m. on the first Tuesday in February. Applications for bonus points only will be accepted until 11:00:00 p.m. on the second Tuesday in February. The release date will be the first Friday in March.

Except as specified for the Junior Wild Turkey Hunts and Landowner Hunts, any remaining tags will be available on a first come, first serve basis through www.ndowlicensing.com. Remaining tags will be sold until seven (7) weekdays prior to the close of the season.

Only one Wild Turkey tag can be awarded to an individual within a calendar year.

JUNIOR WILD TURKEY 2021 & 2022 SPRING - HUNT 0138

| | | |
|---|---|----------------|
| PHYSICAL CHARACTERISTICS: | Bearded Wild Turkey | |
| LIMIT: | 1 by tag only. | |
| SHOOTING HOURS: | One half hour before sunrise to sunset daily | |
| SPECIAL REGULATIONS: | <p>Youth must be 12 prior to the opening of the hunt season indicated and not attain their 18th birthday until after the last day of the hunt season indicated, pursuant to NAC 502.063.</p> <p>Applications for these tags or bonus points will only be accepted during the draw application periods. Remaining tags will not be issued.</p> <p>Closed to nonresidents.</p> | |
| OPEN AREAS: | Season Dates | Quota |
| Mason Valley Wildlife Management Area | Last Saturday in March through first Sunday in May First Saturday in April through second Sunday in May | 3 |
| Moapa Valley of Clark County* | Last Saturday in March through second Friday in April | 3 |
| Hunt Units 102 & 065 within Elko County | Last Saturday in March through first Sunday in May | 1 |
| Hunt Unit 115 within White Pine County** | Last Saturday in March through first Sunday in May [second Sunday in April] | 1 |
| [Hunt Unit 115 within White Pine County**] | [Third Saturday in April through first Sunday in May] | [1] |
| Pershing County* | Last Saturday in March through first Sunday in May | 2 |
| Unit 152 of Lander County* | Last Saturday in march through first Sunday in May | 1 |
| Lincoln County | Last Saturday in March through first Sunday in May | 4 |

** Applicants are advised that a significant portion of the turkey population occurs on private lands and permission should be obtained from a landowner before applying for this hunt.*

*** Applicants are advised that a significant portion of the turkey population occurs on Great Basin National Park lands. Hunting is not permitted within park boundaries.*

| WILD TURKEY 2021 SPRING – LIMITED ENTRY – HUNTS 0131 & 0132 | | | |
|--|---|-----------------------|--------------------------|
| PHYSICAL CHARACTERISTICS: | Bearded Wild Turkey | | |
| LIMIT: | 1 by tag only | | |
| SHOOTING HOURS: | One half hour before sunrise to sunset daily | | |
| UNITS 151 and 152 of LANDER COUNTY* | | | |
| | Seasons | Tag Quota | |
| | | Resident Hunt 0131 | Nonresident Hunt 0132 |
| Hunt Periods: | Last Saturday in March – first Sunday in May | {3} 5 | - |
| UNIT 154 of LANDER COUNTY | | | |
| | Seasons | Tag Quota | |
| | | Resident Hunt 0131 | Nonresident Hunt 0132 |
| Hunt Periods: | Last Saturday in March – first Sunday in May | 3 | - |
| LINCOLN COUNTY | | | |
| | Seasons | Tag Quota | |
| | | Resident Hunt 0131 | Nonresident Hunt 0132 |
| Hunt Periods: | Last Saturday in March – first Sunday in May | {12} 15 | 1 |
| MASON VALLEY WILDLIFE MANAGEMENT AREA ONLY OF UNIT 203 | | | |
| | Seasons | Resident Hunt 0131 | Nonresident Hunt 0132 |
| Hunt Periods: | {Last Saturday in March through first Sunday in April} First Saturday in April through second Sunday in April | {5} 3 | - |
| | {Second Saturday in April through third Sunday in April} Third Saturday in April through fourth Sunday in April | {5} 3 | 1 |
| | {Fourth Saturday in April through first Sunday in May} First Saturday in May through second Sunday in May | {5} 3 | - |
| <i>*Applicants are advised that a significant portion of the turkey population occurs on private lands and permission should be obtained from a landowner before applying for this hunt.</i> | | | |

| WILD TURKEY 2021 & 2022 SPRING – LIMITED ENTRY – HUNTS 0131 & 0132 | | | |
|---|---|--|-----------------------|
| PHYSICAL CHARACTERISTICS: | | Bearded Wild Turkey | |
| LIMIT: | | 1 by tag only | |
| SHOOTING HOURS: | | One half hour before sunrise to sunset daily | |
| MOAPA VALLEY PORTION OF CLARK COUNTY* | | | |
| | Seasons | Tag Quota | |
| | | Resident Hunt 0131 | Nonresident Hunt 0132 |
| Hunt Periods: | March 20 – March 26, 2021 | 3 | 1 |
| | March 19 – March 25, 2022 | 3 | - |
| | March 26 – April 1, 2022 | 3 | 1 |
| | April 2 – April 8, 2022 | 3 | - |
| PERSHING COUNTY* | | | |
| | Seasons | Tag Quota | |
| | | Resident Hunt 0131 | Nonresident Hunt 0132 |
| Hunt Periods: | Last Saturday in March through first Sunday in May | 10 | 1 |
| UNIT 115 OF WHITE PINE COUNTY** | | | |
| | Seasons | Tag Quota | |
| | | Resident Hunt 0131 | Nonresident Hunt 0132 |
| Hunt Periods: | Last Saturday in March through the [second Sunday in April] first Sunday in May | [8] 4 | - |
| | [Third Saturday in April through first Sunday in May] | [8] | - |
| *Applicants are advised that a significant portion of the turkey population occurs on private lands and permission should be obtained from a landowner before applying for this hunt. | | | |
| **Applicants are advised that a significant portion of the turkey population occurs on Great Basin National Park lands. Hunting is not permitted within park boundaries. | | | |



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division
6980 Sierra Center Parkway, Ste. 120 • Reno, Nevada 89511
(775) 688-1500 Fax (775) 688-1987

MEMORANDUM:

May 7, 2021

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

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

Title: Commission Regulation 21-07 A1, 2022 Heritage Tag Vendors

Description: The Commission will review, revise, and adopt recommendations of the Heritage Committee for the assignment of the 2022 Heritage Tags to proposed vendors for sale by auction.

Summary: This regulation amendment is to establish the assignment of the Heritage Tags to vendors to be sold by auction. The vendor proposal packets were received before the April 19, 2021 deadline and reviewed by the Heritage Committee at the May 6, 2021 meeting. The regulation amendment reflects the Committee's recommendations and decision to present those recommendations to the County Advisory Boards and the Commission at the June meeting.

Brief Explanation of the Proposed Regulation

The Heritage Committee recommends assigning 1 Mule Deer and 1 Wild Turkey tag to Wildlife & Habitat Improvement of Nevada, 1 Mule Deer tag to Mule Deer Foundation, 1 Pronghorn Antelope and 1 Nelson Bighorn Sheep tag to Wild Sheep Foundation & Fraternity of the Desert Bighorn, 1 Pronghorn Antelope and 1 Wild Turkey tag to Safari Club International Las Vegas, 1 Rocky Mountain Elk and 1 Nelson Bighorn Sheep tag to Nevada Bighorns Unlimited Reno, 1 Rocky Mountain Elk and 1 Wild Turkey tag to Meadow Valley Wildlife Unlimited, 1 California Bighorn Sheep tag to Nevada Bighorns Unlimited Fallon, 1 Wild Turkey tag to Las Vegas Woods & Waters, 1 Wild Turkey tag to Muley Fanatic Foundation Sierra Front.

All tags mentioned are 2022 Heritage Tags and quotas that were approved in the January 29-30, 2021 Commission Meeting.

The Department has amended the year of the 2022 Wild Turkey Heritage Tag season from 2021 to 2022.

The Department added clarification language stating that portions of hunt units 181, 252, 280, 281, and 282 that do not fall within the boundaries of Fallon Naval Air Station (NAS) and Nevada Test and Training Range (NTTR) are open to the public.

Recommendation:

The Department recommends that the Commission review and adopt the proposed regulation amendment provided by the Heritage Committee.

**CR 21-07 Amendment #1
2022 Wildlife Heritage Tag Seasons and Quotas**

The Nevada Board of Wildlife Commissioners, under the authority of Section 501.181, 502.140, 502.250 and 503.140 of the Nevada Revised Statutes (NRS), does hereby adopt the following regulation for the management of wildlife resources in the State of Nevada.

2022 Wildlife Heritage Tags

Hunting Hours: Big game mammals and wild turkey may be hunted from one-half hour before sunrise to one-half hour after sunset as listed on government sunrise-sunset tables.

Take Limit: One animal allowed per tag.

Legal Weapon: Any legal firearm or bow as described in NRS 503.150 and Nevada Administrative Code (NAC) 503.141, 503.142, 503.143 and 503.144 may be used throughout the big game season. Additionally, any legal weapon or shotgun or bow as described in NAC 503.187 may be used throughout the wild turkey season.

****Unit Closures:** The Tag Allocation and Application Hunt Committee and Commission directive on unit closures is for the following: close units of harvest during the previous year's California Bighorn Sheep, and Nelson Bighorn Sheep tags #1 and #2 hunts will be closed for the subsequent year's hunt if the quota in that unit for the prior year is less than ten (10) for Nelson Bighorn Sheep or seven (7) for California Bighorn Sheep. This closure is subject to change on a yearly basis.

| Species | Class | Unit Group | Season | Quota | Organization |
|---|----------------------------------|---|---|-------|--|
| Male Deer | Any male deer | Any hunt unit with an antelope or mule deer season. | August 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Male Deer hunt. | 2 | Wild Sheep Foundation & Fraternity of the Desert Bighorn |
| Pronghorn Antelope | Any pronghorn antelope | Any hunt unit with a pronghorn antelope with horns longer than ears season. | August 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Pronghorn Antelope hunt. | 2 | Safari Club International - LV |
| Rocky Mountain Elk | Any elk with at least one antler | Any hunt unit with an antelope or elk season except for unit 051. | August 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the Rocky Mountain Elk hunt. | 2 | Nevada Bighorns Unlimited - Reno |
| Nelson (Desert) Bighorn Sheep Heritage Tag No. 1* | Any ram | Any hunt unit with a Nelson (desert) bighorn sheep open season except unit 263.** | July 1, 2022 through December 31, 2022, in compliance with the dates set for each hunt unit group for the Nelson (Desert) bighorn sheep any ram hunt. | 1 | Nevada Bighorns Unlimited - Reno |

| | | | | | |
|---|-----------------|--|---|-----------|---|
| Nelson (Desert) Bighorn Sheep Heritage Tag No. 2* | Any ram | Any hunt unit with a Nelson (Desert) bighorn sheep season except unit 283. | December 1, 2022 through January 31, 2022 in compliance with the dates set for each hunt unit group for the Nelson (Desert) bighorn sheep any ram hunt. | 1 | Nevada Bighorn Sheep Unlimited - Fallon |
| California Bighorn Sheep Heritage Tag No. 1* | Any ram | Any hunt unit with a California bighorn sheep season except unit 041.** | July 1, 2022 through December 31, 2022 in compliance with the dates set for each hunt unit group for the California bighorn sheep any ram hunt. | 1 | Nevada Bighorns Unlimited - Fallon |
| Wild Turkey | Any wild turkey | Any hunt unit with a wild turkey season. | March 24, 2022 through May 3, 2022 in compliance with the dates set for each hunt unit group for the Wild Turkey hunt. | 5 | Nevada Bighorn Sheep Unlimited - Fallon |
| Total | | | | 14 | |

* There are portions of hunt unit 181 in Naval Air Station (NAS) Fallon where public access is **restricted**. To hunt Nelson (desert) bighorn sheep in the NAS portions of this unit, the tag holder is required to attend a NAS hunter safety briefing. Those portions of hunt unit 181 that do not fall within the boundaries of NAS Fallon are open to the public.

Portions of Hunt units 252, 280, 281, 282 are within the Nevada Test and Training Range (NTTR) where public access is **restricted**. Hunters and everyone in their respective hunting parties must comply with all Nevada hunting requirements and all NTTR safety and security requirements including the following: 1) consent to and pass a criminal history background check; 2) be at least 14 years old on opening day of the respective hunting season; 3) attend the Nellis Air Force Base hunter safety briefing; and 4) within the NTTR portion of unit 252 limit party size to 5 including tag holder. Additional party members may complete background check and safety briefing, but only maximum of 5 party members including tag holder may be present within the NTTR portion of unit 252 at any given time. Those portions of hunt units 252, 280, 281, and 282 that do not fall within the boundaries of NTTR are open to the public.

Hunters and members of their parties who fail to comply with these requirements may be denied access to the NTTR. Hunters and members of their parties may not access the NTTR after a tag is filled and animal has been removed and in possession of tag holder. No pets are allowed on NTTR. It is the hunter's responsibility to meet and/or comply with all NTTR eligibility requirements. In some units there may be adjustments to season dates to accommodate Department of Defense operations. The Nevada Board of Wildlife Commissioners hereby delegates authority to the Nevada Department of Wildlife to adjust season dates to accommodate Department of Defense operations so long as there is no change to the overall length of the season.

Bighorn Sheep tag holders will be notified by the Department of Wildlife of the date, time and location of the Indoctrination classes. Attendance at one Bighorn Sheep Indoctrination Class is mandatory for tag holders or their representative guides or sub-guides. A person represented by a guide or sub-guide at the Indoctrination class may only hunt under the direct supervision of the guide or sub-guide who attended the class on their behalf. Tags will only be issued upon completion of an Indoctrination class. Although attendance in mandatory, tag holders, guides, and sub-guides who can prove they have attended previous Bighorn seminars are exempt from attending future seminars.



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Data and Technology Services Division
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MEMORANDUM:**May 25, 2021**

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

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

Title: Commission Regulation 21-13 A1, Migratory Waterfowl Overton Wildlife Management Area (WMA) Dove Draw

Description: The Commission will review, revise, and adopt recommendations to the Migratory Waterfowl regulation allowing for the Overton WMA Dove draw and application process to be conducted electronically.

Brief Explanation of the Proposed Regulation

The Department is proposing the change from accepting Overton WMA Dove hunt applications via mail to the Department of Wildlife Headquarters location to be accepted solely online through www.ndowlicensing.com. The Department also recommends allowing the Overton WMA Dove draw be conducted by the Department's contracted licensing vendor, Kalkomey.

Recommendation:

The Department recommends that the Commission review and adopt the proposed regulation amendment provided by the Heritage Committee.

**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 21-13
2021-2022**

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

| MOURNING & WHITE-WINGED DOVE | |
|---|--|
| OPEN AREAS: | Statewide |
| 2021 SEASON: | September 1 – October 30, 2021 |
| LIMITS: | Daily bag limit 15 Possession 45 |
| SHOOTING HOURS: | ½ hour before sunrise to sunset. |
| SPECIAL REGULATIONS: | Limits for mourning dove and white-winged dove are singly or in the aggregate. |

| AMERICAN CROW | |
|-----------------------------|--|
| OPEN AREAS: | Statewide |
| 2021 FALL SEASON: | September 1 – November 17, 2021 |
| 2022 SPRING SEASON | March 1 – April 15, 2022 |
| 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

| SPECIAL YOUTH WATERFOWL HUNT | |
|-------------------------------------|--|
| OPEN AREAS: | NORTHEAST ZONE |
| 2021-22 SEASON: | September 11 & 12, 2021 |
| OPEN AREAS: | NORTHWEST ZONE |
| 2021-22 SEASON: | October 2, 2021 & February 12, 2022 |
| OPEN AREAS: | SOUTH ZONE (to include the Moapa Valley portion of the Overton Wildlife Management Area) |
| 2021-22 SEASON: | February 12 & 13, 2022 |
| OPEN AREAS: | Moapa Valley portion of the Overton Wildlife Management Area. |
| 2021-22 SEASON: | October 23, 2021 |
| LIMITS: | <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> |
| SHOOTING HOURS: | ½ hour before sunrise to sunset |
| SPECIAL REGULATIONS: | <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> |

| DUCKS AND MERGANSERS | |
|--|---|
| OPEN AREAS: | NORTHEAST ZONE |
| 2021-22 SEASON: | September 25, 2021 – October 13, 2021 October 23, 2021 – January 16, 2022 |
| OPEN AREAS: | NORTHWEST ZONE |
| 2021-22 SEASON: | October 16, 2021 – January 2, 2022 January 5, 2022– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – (except the Moapa Valley) |
| 2021-22 SEASON: | October 16, 2021 – October 24, 2021 October 27, 2021– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers |
| 2021-22 SEASON: | October 30, 2021 – January 30, 2022 |
| LIMITS (daily / possession) | |
| General Duck Limits: | 7 / 21 |
| Included within the general duck limit, but not to include more than: | |
| Pintail: | 1 / 3 |
| Mallard (total/female): | 2 hen mallards daily and 6 in possession. |
| Redhead: | 2 / 6 |
| Canvasback: | 2 / 6 |
| Shooting hours: | ½ hour before sunrise to sunset |
| Special Regulations: | Open to Nonresidents |

**bag limits are established by the USFWS in late July and are based upon latest available population data.*

| SCAUP (Lesser and Greater) | |
|-----------------------------------|---|
| OPEN AREAS: | NORTHEAST ZONE |
| 2021-22 SEASON: | September 25, 2021 – October 13, 2021 October 23, 2021 – December 28, 2021 |
| OPEN AREAS: | NORTHWEST ZONE |
| 2021-22 SEASON: | November 4, 2021 – January 2, 2022 January 5, 2022– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – (except the Moapa Valley) |
| 2021-22 SEASON: | November 6, 2021 – January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers |
| 2021-22 SEASON: | November 6, 2021 – January 30, 2022 |
| LIMITS (daily/possession): | 2 / 6 (Included within general duck limit, not in addition to) |
| Shooting hours: | ½ hour before sunrise to sunset |
| Special Regulations: | Open to Nonresidents |

| COOTS AND COMMON MOORHENS (Common Gallinules) | |
|--|---|
| OPEN AREAS: | NORTHEAST ZONE |
| 2021-22 SEASON: | September 25, 2021 – October 13, 2021 October 23, 2021 – January 16, 2022 |
| OPEN AREAS: | NORTHWEST ZONE |
| 2021-22 SEASON: | October 16, 2021 – January 2, 2022 January 5, 2022– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – (except the Moapa Valley) |
| 2021-22 SEASON: | October 16, 2021 – October 24, 2021 October 27, 2021– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers |
| 2021-22 SEASON: | October 30, 2021 – January 30, 2022 |
| LIMITS (daily/possession): | 25 / 75 |
| Shooting hours: | ½ hour before sunrise to sunset |
| Special Regulations: | Open to Nonresidents |

| SNIFE | |
|----------------------------|---|
| OPEN AREAS: | NORTHEAST ZONE |
| 2021-22 SEASON: | September 25, 2021 – October 13, 2021 October 23, 2021 – January 16, 2022 |
| OPEN AREAS: | NORTHWEST ZONE |
| 2021-22 SEASON: | October 16, 2021 – January 2, 2022 January 5, 2022– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – (except the Moapa Valley) |
| 2021-22 SEASON: | October 16, 2021 – October 24, 2021 October 27, 2021– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers |
| 2021-22 SEASON: | October 30, 2021 – January 30, 2022 |
| LIMITS (daily/possession): | 8 / 24 |
| Shooting hours: | ½ hour before sunrise to sunset |
| Special Regulations: | Open to Nonresidents |

| CANADA GEESE AND BRANT | |
|----------------------------------|---|
| OPEN AREAS: | NORTHEAST ZONE |
| 2021-22 SEASON: | September 25, 2021 – October 13, 2021 October 23, 2021 – January 16, 2022 |
| OPEN AREAS: | NORTHWEST ZONE |
| 2021-22 SEASON: | October 16, 2021 – January 2, 2022 January 5, 2022– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – (except the Moapa Valley) |
| 2021-22 SEASON: | October 16, 2021 – October 24, 2021 October 27, 2021– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers |
| 2021-22 SEASON: | October 30, 2021 – January 30, 2022 |
| Limits (daily/possession) | 4 / 12 |
| Shooting hours: | ½ hour before sunrise to sunset |
| Special Regulations: | Open to Nonresidents |

| WHITE-FRONTED GEESE | |
|----------------------------------|---|
| OPEN AREAS: | NORTHEAST ZONE |
| 2021-22 SEASON: | September 25, 2021 – October 13, 2021 October 23, 2021 – January 16, 2022 |
| OPEN AREAS: | NORTHWEST ZONE |
| 2021-22 SEASON: | October 16, 2021 – January 2, 2022 January 5, 2022– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – (except the Moapa Valley) |
| 2021-22 SEASON: | October 16, 2021 – October 24, 2021 October 27, 2021– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers |
| 2021-22 SEASON | October 30, 2021 – January 30, 2022 |
| Limits (daily/possession) | 10 /30 |
| Shooting hours: | ½ hour before sunrise to sunset |
| Special Regulations: | Open to Nonresidents |

| SNOW AND ROSS' GEESE | |
|----------------------------------|---|
| OPEN AREAS: | NORTHEAST ZONE |
| 2021-22 SEASON: | October 23, 2021 – January 16, 2022 February 19, 2022 – March 9, 2022 |
| OPEN AREAS: | NORTHWEST ZONE |
| 2021-22 SEASON: | November 5, 2021 – January 2, 2022 January 5, 2022– January 30, 2022 February 19, 2022 – March 9, 2022 |
| OPEN AREAS: | SOUTH ZONE – (except the Moapa Valley) |
| 2021-22 SEASON: | October 16, 2021 – October 24, 2021 October 27, 2021– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers |
| 2021-22 SEASON: | October 30, 2021 – January 30, 2022 |
| Limits (daily/possession) | 20 / 60 |
| Shooting hours: | ½ hour before sunrise to sunset |
| Special Regulations: | Open to Nonresidents CLOSED: Ruby Valley within Elko and White Pine Counties CLOSED: The following WMAs are closed during the February 19, 2022 – March 9, 2022 season: Mason Valley and Scripps/ Washoe State Park. |
| Special Regulations: | Restrictions on three shotshell capacity and recorded or amplified bird calls do not apply during the light goose season from February 19, 2022 until March 9, 2022 (Three shotshell capacity remains in effect on open Nevada Wildlife Management Areas) |

| FALCONRY SEASONS FOR MIGRATORY GAME BIRDS | |
|--|--|
| OPEN AREAS: | NORTHEAST ZONE |
| 2021-22 SEASON: | September 25, 2021 – October 13, 2021 October 23, 2021 – January 16, 2022 |
| OPEN AREAS: | NORTHWEST ZONE |
| 2021-22 SEASON: | October 16, 2021 – January 2, 2022 January 5, 2022– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – (except the Moapa Valley) |
| 2021-22 SEASON: | October 16, 2021 – October 24, 2021 October 27, 2021– January 30, 2022 |
| OPEN AREAS: | SOUTH ZONE – Moapa Valley to the confluence of the Muddy and Virgin Rivers |
| 2021-22 SEASON: | October 30, 2021 – January 30, 2022 |
| Limits (daily/possession) | 3 / 9 |
| Hunting hours: | ½ hour before sunrise to sunset |
| Special Regulations: | Migratory birds allowed for take include: geese, ducks, mergansers, coots, common moorhens and common snipe. Limits for all permitted migratory birds are singly or in the aggregate. Open to Nonresidents. |

| SWAN | |
|-----------------------------|---|
| OPEN AREAS: | Churchill, Lyon and Pershing counties |
| 2021-22 SEASON: | October 16, 2021 – January 2, 2022 January 5, 2022– January 30, 2022 |
| LIMITS: | One swan per swan hunt permit, Maximum two swan hunt permits per season One swan per day |
| SHOOTING HOURS: | ½ hour before sunrise to sunset |
| Special Regulations: | <p>A total of 650 swan hunt permits will be available through a first-come-first serve basis.</p> <p>Permits will be sold beginning on August 23, 2021 until the close of season or until all permits are sold, whichever comes first.</p> <p>Permits will be available from NDOW offices and online at https://nevada.licensing.kalkomey.com/ until a total of 650 permits have been sold.</p> <p>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.</p> <p>If a total harvest of ten (10) trumpeter swans is reached, the swan season is closed for the remainder of the season.</p> <p>Open to Non-residents.</p> <p>Residents must possess a valid Nevada hunting or combination license 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 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), BRUNEAU RIVER WMA, CARSON LAKE & PASTURE, 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.

name included on one application for each hunt day for which reservations are required. A person whose name appears on more than one application for each hunt day for which reservations are required will be rejected from the drawing. For the Overton WMA, hunters will be permitted to draw only one reservation through the mail-in application process unless there are available blinds on a day for which mail-in reservations are required. Applications for these waterfowl hunt days shall be received at the Headquarters Office in Reno (through a postal service only) no later than the second Wednesday in September. A public drawing will be held at the Headquarters Office in Reno at 10:00 a.m. on the last Wednesday in September. Successful applicants will receive a reservation confirmation by return mail. Successful reservation holders will be allowed to substitute one person of a hunt party but that substitute must not have been included in an application of the mail-in process or part of a stand-by group.

4. Waterfowl Remainder of Season Reservation Process:

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 mail-in application process for the first two hunt days 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.

5. 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.
6. 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.
7. Standby hunters must register at the check station upon arrival.
8. All reservations, permits and assigned hunting locations are nontransferable.

IRA HANSEN
SENATOR
District No. 14



State of Nevada
Senate
Eighty-First Session

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Predators and Nevada's Deer Herd
1826-2021
Part Two

May 20, 2021

Dear Commissioners and Staff: A growing concern among sportsmen has been the long term decline in Nevada's mule deer. This paper provides some historical background on these trends.

1947 was a watershed year for Nevada's sportsmen and wildlife. The Nevada Fish and Game Commission was created and statewide game management programs were inaugurated.

Cattle prices were high, attracting movie stars like Bing Crosby and Jimmy Stewart into purchasing huge ranches in Elko County. (Bing Crosby was honorary Mayor in Elko for over a decade.) And deer populations were rapidly rising. Three full time professional lion hunters were hired by the U.S. Biological Survey. And a highly effective canine specific toxicant, "1080," was put into full time field use.

Elko County was soon on the national radar for being the premier deer hunting location in the U.S. "A Sportsmen's Paradise."

At the time, few questioned the strong correlation between aggressive predator control efforts and a booming deer herd.

Writing in the quarterly "Pittman-Robertson Progress Report," dated January 15, 1950, the Nevada Fish and Game Commission (NF&G) gave credit where credit is due. "....Since the new chemical "1080" was first used in the winter of 1946-47, the coyote population has been reduced throughout Nevada to a point where they are not considered a serious predator on the deer or livestock herds as they were in previous years. The success of this coyote control has been reflected in the fawn and kid survival of our deer and antelope herds. It can also be added that the sage grouse season in 1949, the first since 1943, was due in the considerable part to the effectiveness of this predator control work." (NF&G had an Elko County only hunt for sage grouse in 1949, with an estimated 10,000 birds harvested.)

"1080" was placed in horse carcasses, one per township, across Nevada. In colder climates where coyotes survive on carrion, it was deadly effective. Coyote populations plunged. The top two predators of mule deer, mountain lions and coyotes, were aggressively reduced; lions by hunting, coyotes by 1080.

And the deer herd responded explosively. In 1946, 4,690 deer were harvested. In 1950, 11,275 deer were harvested. In 1955, 34,500 deer were harvested.

To chart the changes, note these deer harvest records:

| | |
|------------|-------------|
| 1920—N/A | 1945—4,670 |
| 1929—407 | 1950—15,000 |
| 1930—454 | 1955—34,500 |
| 1935—476 | |
| 1940—1,717 | |

Consider: Nevada's statewide harvest had climbed from less than 500 in 1935, to 34,500 in 20 years. This is nothing short of a biological miracle.

Tag sales show the same trend. In 1936, 3,671 tags were sold with hunter success estimated at 20%. By 1955, 43,994 tags were sold, with a 75% hunter success rate.

In the 1955-1960 window, a Nevada hunter could legally purchase up to 15 tags a year. NF&G was desperately trying to maximize harvest to keep herd numbers in balance with available habitat. Doe harvests were strongly encouraged to prevent the deer from "eating themselves out of house and home."

In 1960-61, NF&G estimated 300,000 deer were in Nevada. And harvest numbers reflect that.

In 1959, 32,677 deer were harvested, with 51,534 tags sold.

In 1960, 31,000 deer were harvested, with 57,864 tags sold.

In 1961, 35,441 deer were harvested, with 61,136 tags sold.

In 1962, 36,372 deer were harvested, with 63,302 tags sold.

In 1963, 34,269 deer were harvested, with 66,021 tags sold.

By way of comparison, in 2020, 6,855 deer were harvested, 17,660 tags were sold and hunter success was 36%.

But, by 1964, there were storm clouds on the horizon. Many biologists questioned the wisdom of constant predator control when herd numbers were nearly beyond carrying capacity. And the inhumanity of traps and poisons, always a concern, was raised to politically significant levels.

In 1964, the "Leopold Report," highly critical of the government-sponsored "war on predators," was released. The whole "environmental movement" was rapidly expanding. Predator control was both criticized for being too effective (Kiabab Plateau) to being totally ineffective.

1965 is described by the predator control agencies as "the year of the big change." Essentially all traditional practices were rapidly and thoroughly scaled way back. All toxicants, including "1080", were reduced to token levels. (In 1972, President Nixon outlawed "1080" completely.) The entire program, once heralded as the miracle-maker, was rapidly reduced and treated as a pariah. Mountain lions, allegedly near extinction, were removed from being "predators" and re-classified as "big game."

Deer populations began a rapid decline. By 1970, harvest had dropped to 21,672 and tag sales slipped to 43,038. NF&G felt the herd had declined to 190,000.

And it got worse. By 1974, harvest had declined to 10,077, despite tag sales of 51,000. Buck ratios as low as 10 per hundred does were recorded in several major herds. The NF&G responded by totally revamping their deer strategy. No longer were tags purchased across the counter. A quota system began, and restrictions of both hunter numbers and harvests by specific area was initiated.

Deer numbers, estimated at 300,000 in 1960, had plunged to a low of 81,747 in 1975.

From 1946-1974, the private harvest of "long haired" furbearers, coyotes and bobcats, was almost non-existent as the fur market demand was also non-existent.

That quickly reversed as fickle fashion rebounded. Starting in 1975, the private harvest, dormant since 1946, rapidly increased as coyote pelt prices spiked. And Western State Federal politicians, responding to a huge outcry from both livestock producers and sportsmen, helped reestablish some levels of funding for both experimental and traditional control efforts, minus most toxicants however.

Coyote harvest, by both ADC and private harvest, reached an all-time low of 3,646 for Nevada in 1970. As pelt prices rose, by 1975, that number reached 10,000, and for the next 12 years, did not drop below 10,000. Indeed, 1979 was the highest year since 1944, with 21,000 coyotes harvested.

Deer herds responded as well:

1975— 81,747

1980— 135,313

1985— 181,856

The highest deer population since 1960 was recorded in 1988, when 251,000 were estimated by NDOW. (In 1979, the Nevada Fish and Game was renamed the Nevada Department of Wildlife (NDOW).

However, fickle fashion returned in 1988, when coyote pelt prices dropped back to token levels. While "Animal Damage Control" (ADC) as the government trappers were renamed, continued to harvest problem coyotes, total harvest dropped sharply. Indeed, with the lone exception of 1993, between 1988 and 2005, harvest never exceeded ten thousand and averaged less than half the harvest of 1975-1987.

And the deer herd declined yet again:

1990—202,000
1995—118,000
2000—133,000
2005—107,000
2010—107,000
2015— 99,000
And, in 2021, NDOW estimated 84,000

Coyote pelt prices from 1988 to current have remained low. Private harvest reflects that. Recent trends are even worse; from 2008-2020, both government and private harvests combined have never exceeded 10,000.

What about habitat? The 1990's started with a serious drought, which ended with the severe winter of '92-'93. The deer herd declined substantially. However, bad winters mean great moisture conditions, and NDOW predicted rapid recovery.

The rest of the 1990's had wet, mild winters. Habitat conditions were picture perfect. NDOW every year from 1993 predicted rapid herd growth.

Low populations plus excellent habitat conditions is the exact formula for strong, consistent herd growth. But the opposite happened:

| | |
|---------|---------|
| 1991-92 | 183,494 |
| 1992-93 | 148,659 |
| 1993-94 | 126,569 |
| 1994-95 | 137,429 |
| 1995-96 | 132,176 |
| 1996-97 | 132,176 |
| 1997-98 | 135,530 |
| 1998-99 | 134,000 |

Not only did the herd not recover, it actually declined further. Yet habitat conditions by NDOW's own description were ideal!

Obviously, the number of young animals that are born and survive into adulthood drive this trend. This is called "recruitment." And the recruitment levels were abysmal. To any outside observer, something was effecting the young of

the year, and with habitat excellent, the obvious candidate is a predator that excels at eating young fawns.

With mountain lions removing adult deer and coyotes removing fawns, a downward trend can be expected.

And the numbers clearly reflect that:

| | |
|--------|---------|
| 2000— | 133,000 |
| 2005— | 107,000 |
| 2010— | 107,000 |
| 2015— | 99,000 |
| 2020-- | 92,000 |
| 2021-- | 84,000 |

In NDOW's 2020-21 "Big Game Status Book," they wrote: *"Nevada's mule deer populations have been on a downward trend in recent decades largely due to lack of consistent precipitation, large-scale range fires, conversion of native shrubs to invasive grasses, and degraded range conditions from feral horses and burros. In response to these declines, the NDOW recently chartered a Mule Deer Enhancement Program led by teams of game and habitat biologists, stakeholders, and members of the public. The overall goal of this effort is to identify factors limiting mule deer herds."*

Now dear reader, I assume you noted one key word missing in the above: "Predators." While all of the factors listed are also effecting the herd, note the total absence of what has been a major, if not the major factor, in Nevada deer populations.

As this brief historical review has shown, predators can have major impacts on Nevada's mule deer. Until we deal with that reality, expect a continual reduction in this once magnificent deer herd.