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DATE: January 9, 2026
TO: Assemblymember Natha C. Anderson
FROM: Research Division Staff, Legislative Counsel Bureau
SUBJECT: **Natural Resource Related Appointments in Nevada and Other States**

You requested information on the appointment of state officials responsible for managing natural resources, in Nevada and other states, with a specific interest in appointments related to the management of water resources. This memo and the attached Excel sheet respond to this request.

In summary, across the 12 Western states analyzed in this memo, the most common process for appointing department-level officials is nomination or appointment by the Governor, with confirmation or approval required by the state Senate.¹ However, other methods—such as appointment solely by the Governor, appointment by a board or commission, or appointment by some combination thereof, as well as elected positions—also exist. For natural resource entities below the department level (i.e. a division within the department) appointment by the department head is the most common process. Other methods include appointment by the department head with the approval of either a board or commission, or the Governor.

Specifically in Nevada, state statute establishes the Governor's power to appoint the Director of the Nevada Department of Wildlife (NDOW) and the Director of the Department of Conservation and Natural Resources (DCNR). State statute also vests the appointment of the State Engineer to the Director of DCNR. However, state statute grants the State Board of Agriculture the power to appoint the Director of the Nevada Department of Agriculture (NDA), with approval of the Governor.

¹ States use varied terminology in reference to top-tier entities of the executive branch, and there is not always consistency within a state. For example, in California, the term "agency" is often used rather than department to indicate the top-tier entity, however, standalone departments that are not under the auspices of a larger agency also exist. Similarly, states use varied terminology to refer to divisions within the top-tier entity, such as office, section, or program. These differences are reflected in the Excel sheet but for consistency, "department" and "division" are used throughout this memo.

Appointments in Other States

This memo and the attached Excel sheet examined appointments to executive leadership positions in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington and Wyoming for water rights, agriculture, natural resources, environmental protection, fish and wildlife, and parks and recreation. With the exception of water rights, these entities were selected for inclusion in this memo based on information compiled by the Conference of State Governments in *The Book of the States*, "[Table 4.10 Selected State Administrative Officials: Methods of Selection](#)" (2023).

The table below summarizes how different Western states appoint top officials to the selected natural resource entities. The number in each box reflects how many Western states utilize the method of selection listed on the left for the specific natural resource entity listed in the top row. Please note, this table does not capture nuances in executive branch department structure—which differs from state to state—or department-level appointments versus division-level appointments. Differences in structure, legislative session length, and Senate authority for advice and consent, are discussed in the accompanying Excel sheet.²

	Water	Agriculture	Natural Resources ³	Environmental Protection	Fish & Wildlife	Parks & Recreation
Appointed by the Governor	1 (CO)	1 (CA)	1 (NV)		2 (CA, NV)	
Appointed by the Governor/ Approval by the Senate	6 (AZ, ID, NM, OR, UT, WY)	8 (AZ, CO, ID, MT, OR, UT, WA, WY)	5 (CA, CO, MT, NM, UT)	9 (AZ, CA, CO, ID, MT, NM, UT, WA, WY)	2 (MT, ⁴ WY)	4 (AZ, CA, MT, WY)
Appointed by the Department Head	3 (MT, NV, WA)			1 (NV)		1 (NV)
Appointed by a Board or Commission	1 (CA)	1 (NM)		2 (OR, TX)	6 (AZ, ID, NM, OR, TX, ⁵ WA)	4 (ID, OR, TX, WA)
Appointed by the Department Head/Approval by a Board or Commission	1 (TX)				1 (UT)	1 (UT)
Appointed by a Board or Commission/Approval by the Department Head					1 (CO ⁶)	1 (CO)
Appointed by the Department Head/Approval by the Governor						1 (NM)
Appointed by a Board or Commission/Approval by the Governor		1 (NV)				
Elected		1 (TX)	1 (WA ⁷)			

² Neither the memo nor the Excel sheet fully examines potential differences in Senate confirmation/approval processes (i.e. whether the full Senate is required, a percentage of the Senate, or whether the appointment may be made via Senate committee; interim versus session appointments, et. cetera). I would be happy to research further if this is of interest.

³ Out of 12 states analyzed, only 7 have an actual "Department of Natural Resources."

⁴ In Montana, fish, wildlife and parks are a combined department.

⁵ In Texas, parks and wildlife are a combined department.

⁶ In Colorado, parks and wildlife is a combined division within the Department of Natural Resources.

⁷ State statute provides that the official responsible for the Department of Natural Resources is an elected commissioner, however, the commissioner is required to appoint a supervisor for the department with the advice and consent of the Board of Natural Resources. Please see the accompanying Excel sheet for further information.

Appointments in Nevada

In Nevada, the Governor's authority to appoint state agency directors is established across various chapters of *Nevada Revised Statutes* (NRS). For department-level natural resource entities, these statutes are summarized in the table below.

Statute(s)		Summary
DCNR	NRS 232.040 and 232.050	The Director is appointed by the Governor and must be selected with special reference to training, experience, capacity and interest in conservation or natural resources and must have the demonstrated ability to administer a major public agency.
NDOW	NRS 501.333	The Director is appointed by the Governor, and is required to have an academic degree in wildlife management or a related field, experience in wildlife management, and ability to administer a major public agency.
NDA	NRS 561.115 and 561.125	The Director is appointed by the State Board of Agriculture with approval of the Governor and must be a graduate of an accredited college or university with at least 5 years' experience in official agricultural or livestock regulatory work, public administration, accounting, or business administration.

Division of Water Resources

[Chapter 532](#) of NRS governs the appointment of the State Engineer. Specifically, [NRS 532.020](#) provides that the State Engineer is appointed by the Director of DCNR, while [NRS 532.030](#) specifies that the State Engineer must be a licensed professional engineer. Statute does not account for any potential internal procedures or policies related to making the appointment (i.e. whether interviews are involved, consultations held with the Governor, previous positions within the Division of Water Resources or similar offices in other states considered, et. cetera).

Conclusion

I hope this information is helpful. Should you have any further questions, please contact the Research Division at (775) 684-6825.

Enclosures. 1

State	Legislative Sessions	Advice & Consent	Water	Agriculture	Natural Resources	Environmental Protection	Fish & Wildlife	Parks & Recreation	Additional Information
For appointments that involve two individuals or bodies, the appointment or nominating authority is listed first; the individual or body with the power to approve, consent or confirm the appointment is listed second, for example: Governor/Senate.									
Arizona	Annual sessions of 100 days	The Senate does not appear to have broad advice and consent powers pursuant to the state constitution, although certain positions positions do require Senate confirmation, such as certain judicial commission members and the mine inspector. <i>Arizona Revised Statutes</i> 38-211 requires the Governor to appoint officers with the consent of the Senate when such is provided by law.	Department of Water Resources	Department of Agriculture	N/A	Department of Environmental Quality	Game and Fish Department	State Parks & Trails	There does not appear to be a singular role titled "State Engineer" within the Department of Water Resources. The majority of natural resources related agencies are at the department-level, including the Department of Mines and Minerals and the Department of State Lands. The members of the Game and Fish Commission are appointed by the Governor with the consent of the Senate, see <i>Arizona Revised Statutes</i> 17-201.
			Governor/Senate	Governor/Senate	N/A	Governor/Senate	Commission	Governor/Senate	
California	One legislative session is two-years, with recesses	The Senate does not appear to have broad advice and consent powers under the state constitution, however, the constitution specifies certain commission positions that require Senate approval.	State Water Resources Control Board	Department of Agriculture	Natural Resources Agency	Environmental Protection Agency	Department of Fish and Wildlife	Department of Parks and Recreation	The Water Resources Control Board is the entity responsible for managing water rights in the state; members are appointed by the Governor pursuant to <i>CA Water Code</i> Sec. 175, one of whom must be a water rights attorney and two of whom must be engineers. Pursuant to WC Sec. 186 the Board is required to appoint Deputy Directors or division chiefs for each division of the Board, however, the ability to delegate day to day operations to an Executive Director is authorized via Board Resolution 99-048 and is not in statute. Many natural resources related entities fall under the umbrella of the California Natural Resources Agency, including the Department of Water Resources (which focuses on water infrastructure), the Department of Fish and Wildlife and the Department of Parks and Recreation. The Department of Agriculture appears to be a stand-alone entity; the Secretary of the department is authorized to appoint deputies pursuant to <i>CA Food and Agriculture Code</i> Sec. 101. Similarly, the Director of the Department of Parks and Recreation is also authorized to appoint deputies (see <i>CA Public Resources Code</i> Sec. 506). However, the appointment of Deputy Director for the Department of Fish and Wildlife is made by the Governor pursuant to <i>CA Fish and Game Code</i> Sec. 701.3. While it appears that heads of agencies must be confirmed by the Senate, at the department-level within the agency, there does not appear to be consistency in statute as to whether the Senate must confirm the appointment
			Board	Governor	Governor/Senate	Governor/Senate	Governor	Governor/Senate	
Colorado	Annual legislative sessions of 120 days	Article IV, Section 6 of the state constitution	Department of Natural Resources - Division of Water Resources	Department of Agriculture	Department of Natural Resources	Department of Public Health & Environment	Department of Natural Resources - Parks & Wildlife	Department of Natural Resources - Parks & Wildlife	Many natural resources related entities fall under the umbrella of the Department of Natural Resources, including the Division of Water Resources and the Division of Parks & Wildlife. Note that the State Engineer is appointed by the Governor, despite being at the division-level of government. Environmental protection related divisions fall under the umbrella of the Department of Public Health & Environment, including the Water Quality Control Division and the Air Pollution Control Division, among others.
			Governor	Governor/Senate	Governor/Senate	Governor/Senate	Commission/Department Head	Commission/Department Head	
Idaho	Annual legislative sessions, no timeframe established in law	Article IV, Section 6 of the state constitution, also see <i>Idaho Code</i> 67-2404	Department of Water Resources	Department of Agriculture	N/A	Department of Environmental Quality	Department of Fish and Game	Department of Parks and Recreation	It appears most natural resource related entities are at the department-level. Note, Idaho does not have a Department of Natural Resources, however various department heads form the Governor's Natural Resources Cabinet. Although the Directors of the Department of Fish and Game and Department of Parks and Recreation are chosen by commission, commission members are appointed by the Governor with the consent of the Senate (see <i>Idaho Code</i> 36-102 and 67-4221, respectively).
	Adjournment targets are set by legislative leadership		Governor/Senate	Governor/Senate	N/A	Governor/Senate	Commission	Commission	

Montana	Bi-ennial legislative sessions of not more than 90 legislative days	Part VI, Section 8 of the state constitution, also see <i>Montana Code Annotated</i> 2-15-111	Department of Natural Resources and Conservation - Water Resources Division	Department of Agriculture	Department of Natural Resources and Conservation	Department of Environmental Quality	Department of Fish, Wildlife, and Parks	Department of Fish, Wildlife, and Parks	The majority of natural resource related entities appear to be at the department-level, however the Water Resources Division is contained with the Department of Natural Resources & Conservation.
			Department Head	Governor/Senate	Governor/Senate	Governor/Senate	Governor/Senate	Governor/Senate	
Nevada	Bi-ennial legislative sessions of 120 days	N/A	Division of Water Resources	Department of Agriculture	Department of Conservation and Natural Resources	Division of Environmental Protection	Department of Wildlife	Division of Outdoor Recreation	The Division of State Parks, which is a separate division within DCNR, has not been included. Also see NRS 232.010 to 232.139 for additional statutory authority related to DCNR appointments.
			Department Head	Board/Governor	Governor	Department Head	Governor	Department Head	
New Mexico	Annual legislative sessions, 60 day session in odd-numbered years and 30-day session in even-numbered years	Article V, Section 5 of the state constitution	Office of the State Engineer	Department of Agriculture	Energy, Minerals and Natural Resources Department	Environment Department	Department of Game and Fish	Energy, Minerals and Natural Resources - Division of State Parks	Pursuant to <i>New Mexico Statutes Annotated</i> 72-2-1, the State Engineer serves for a two-year term. The Board that appoints the Director of the Department of Agriculture is the board of regents of New Mexico State University, which in turn is appointed by the Governor with the consent of the Senate pursuant to the New Mexico Constitution, Article XII, Section 13. Pursuant to NMSA 17-1-2, the members of the State Game Commission are appointed by the Governor with the advice and consent of the Senate. The Division of State Parks is within the Energy, Minerals and Natural Resources Department.
			Governor/Senate	Board	Governor/Senate	Governor/Senate	Commision	Department Head/Governor	
Oregon	Annual legislative sessions, odd-numbered years must not exceed 160 calendar days and even-numbered years must not exceed 35 calendar days in duration	Article III, Section 4 of the state constitution	Water Resources Department	Department of Agriculture	N/A	Department of Environmental Quality	Department of Fish and Wildlife	Parks and Recreation Department	It appears that most natural resource related entities are at the department level in Oregon, including the Department of Forestry and Department of Geology and Minerals. There is therefore not a singular natural resources department. Note, members of the Environmental Quality Commission, State Fish and Wildlife Commission, and State Parks and Recreation Commission are appointed by the Governor with confirmation by the Senate (see <i>Oregon Revised Statutes</i> 468.010, 496.090, and 390.114, respectively).
			Governor/Senate	Governor/Senate	N/A	Commission	Commission	Commission	
Texas	Bi-ennial legislative sessions of 140 days	Article 4, Section 12 of the state constitution (this section also indicates that an appointment of the Governor must be made with two-thirds of the Senate present)	Texas Commission on Environmental Quality - Office of Water	Department of Agriculture	N/A	Texas Commission on Environmental Quality	Parks & Wildlife Department	Parks & Wildlife Department	The Texas Commission on Environmental Quality (TCEQ) oversees the Office of Water, Office of Air, and Office of Waste, amongst others. The Office of Water is responsible for water rights, watermasters, water districts, water quality monitoring, amongst other duties. A separate entity, the Texas Water Development Board, is responsible for water science, planning, infrastructure, and supply. Although unable to find a statute or regulation that explicitly addressed how the head of the Office of Water is chosen, <i>TX Water Code</i> Section 5.223 notes that the Executive Director of TCEQ has the authority to organize divisions of the commission, subject to the Commission's approval. Section 5.052 of the <i>Water Code</i> indicates that members of the Commission on Environmental Quality are appointed by the Governor with the advice and consent of the Senate. However, <i>TX Parks and Wildlife Code</i> Sec. 11.012 specifies that the members of the Parks and Wildlife Commission are appointed by the Governor with the advice and consent of two-thirds of the Senate present and voting.
			Department Head/Commission	Elected	N/A	Commission	Commission	Commission	
Utah	Annual legislative sessions of 45 days	Article VII, Section 10 of the state constitution provides that the Governor is responsible for appointing officers	Department of Natural Resources - Division of Water	Department of Agriculture and Food	Department of Natural Resources	Department of Environmental Quality	Department of Natural Resources - Division of Wildlife Resources	Deparment of Natural Resources - Division of Outdoor Recreation	Pursuant to <i>Utah Code</i> 73-2-1, the term of State Engineer is four years. It appears the majority of natural resource related entities fall under the umbrella of the Department of Natural Resources,

		established by the constitution with the consent of the Senate, additional authority can be found in <i>Utah Code</i> 67-1--1 and 67-1-1.5.	Governor/Senate	Governor/Senate	Governor/Senate	Governor/Senate	Department Head/Board	Department Head/Board	including wildlife, energy and mining. There is also a division for State Parks separate from Outdoor Recreation. Division heads within the Department of Environmental Quality are appointed by the Executive Director pursuant to UC 19-1-105. However, division heads within the Department of Natural Resources are either appointed by the Executive Director with the concurrence of the board that has authority over the division or are appointed by the Governor with the advice and consent of the Senate (see UC 79-2-
Washington	Annual legislative sessions of not more than 105 consecutive days in odd-numbered years and 60 days in even-numbered years	While Article XIII, Section 2 of the state constitution provides the Senate with advice and consent powers for certain offices, it is unclear whether the Senate has broader constitutional advice and consent powers.	Department of Ecology Water Resources Program	Department of Agriculture	Department of Natural Resources	Department of Ecology (various programs)	Department of Fish & Wildlife	State Parks and Recreation Commission	The individual in charge of the Department of Natural Resources is an elected commissioner pursuant to <i>Revised Code of Washington</i> 43.30.105. The commissioner must appoint a supervisor for the department with the advice and consent of the Board of Natural Resources pursuant to RCW 43.30.155. Membership on the Board of Natural Resources is defined by state statute, see RCW 43.30.205. The Director of the Department of Agriculture is responsible for appointing division heads pursuant to RCW 43.23.010. The Director of the Department of Ecology is also responsible for division appointments pursuant to RCW 43.21A.100. While the Director of the Department of Fish & Wildlife is appointed by the Fish and Wildlife Commission, members of the commission are appointed by the Governor with the advice and consent of the Senate pursuant to RCW 77.04.030. There is also a recreation program within the Department of Natural Resources that is separate from the State Parks and Recreation Commission.
			Department Head	Governor/Senate	Elected (see notes)	Governor/Senate	Commission	Commission	
Wyoming	Annual legislative sessions, a general session is typically held in odd-numbered years for 40 days and a budget session is held in even-numbered years for 20 days but cannot exceed 60 days in a biennium	The Senate does not appear to have broad advice and consent powers under the state constitution, rather, the Senate has constitutional advice and consent powers for specific offices, including certain board and commision members, as well as the State Engineer. Additional authority is found in <i>Wyoming Statutes</i> 28-12-101, requiring the Governor to submit appointments for public office to the Senate if Senate advice and consent is required either by the constitution or by statute.	State Engineer's Office	Department of Agriculture	N/A	Department of Environmental Quality	Game & Fish Department	State Parks & Cultural Resources	Although referred to as an office rather than a department, it appears the State Engineer's Office is a standalone entity. The office is separated into divisions pursuant to Article 8, Section 4 of the state constitution, which mandates the legislature to divde the state into four water divisions and provide for the appointment of superintendents of each division.
			Governor/Senate	Governor/Senate	N/A	Governor/Senate	Governor/Senate	Governor/Senate	