

**ADOPTED REGULATION OF
THE BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R066-08

Effective September 18, 2008

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

AUTHORITY: §§1-5, NRS 501.105, 501.181, 502.130, 502.140 and 502.160.

A REGULATION relating to wildlife; revising the circumstances under which a resident of Nevada or a nonresident is eligible to apply for a tag to hunt antelope, bighorn sheep, elk or mountain goat; and providing other matters properly relating thereto.

Section 1. NAC 502.341 is hereby amended to read as follows:

502.341 1. Unless his privilege is limited or revoked pursuant to law, any resident of Nevada or nonresident is eligible to apply ~~[once]~~ in any year for ~~[one of the following tags:~~

~~—(a) A tag for the general hunt for antelope if he did not receive a tag or replacement tag for the general hunt for antelope during the 5 previous years.~~

~~—(b) A tag for the archery hunt for antelope.~~

~~—2.—Any person who obtains a tag or replacement tag for the general hunt for antelope during a season is not eligible to apply for another tag for the general hunt for antelope during the next five open seasons.~~

~~—3.]~~ *a tag to hunt antelope.*

2. Except as otherwise provided in NRS 502.215 and NAC 502.321, any person who harvests an antelope ~~[in the general hunt or in the archery hunt for antelope]~~ *with horns longer than its ears using a tag specified in subsection 1* is not eligible to apply for another tag ~~[for the~~

~~general hunt or the archery hunt]~~ *to hunt antelope with horns longer than its ears* during the next ~~[five open seasons.]~~ *5 years.*

Sec. 2. NAC 502.345 is hereby amended to read as follows:

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

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

↪ if, *in the immediately preceding 10 years*, he did not receive a tag or replacement tag for that subspecies ~~[in the previous 5 open seasons or kill a bighorn sheep of that subspecies in the previous 10 open seasons.]~~ *of bighorn sheep.*

2. Except as otherwise provided in subsection 3 or 4, if an applicant, upon a drawing, becomes eligible for a tag for a bighorn sheep in any management area, he or his guide or subguide who is licensed by this State must attend an indoctrination course relating to bighorn sheep. The tag ~~[will]~~ *must* be issued upon the completion of the course.

3. An applicant, upon a drawing, who becomes eligible for a tag for a bighorn sheep in any management area, is not required to attend an indoctrination course if:

- (a) Upon a drawing conducted in 1990, or later, he was eligible to draw a tag for a bighorn sheep in any management area; and
- (b) He attended and completed an indoctrination course relating to bighorn sheep after the date that he became eligible for the tag.

4. A master guide or subguide licensed by the Department who attends and completes an indoctrination course relating to bighorn sheep in 1998, or later, ~~[will]~~ is not ~~[be]~~ required to attend another such indoctrination course.

5. Any person electing to have a licensed guide or subguide attend the indoctrination course may hunt only under the direct supervision of the guide or subguide who attended the course.

6. Each hunter shall possess a binocular with a minimum power of 5 magnifications or a spotting scope with a minimum power of 15 magnifications while hunting bighorn sheep.

7. A person who kills a bighorn sheep, regardless of subspecies, shall, within 5 days after killing it, personally present the skull and horns of the animal to a representative of the Department for inspection. The inspector shall permanently attach a seal to or permanently brand an identification number on one of the horns. It is unlawful for any person to possess or sell the horns without a seal having been so attached or number so branded.

8. Any person who transfers ownership of a skull of a bighorn sheep to which a seal has been attached or an identification number has been branded pursuant to this section shall give written notice of the transfer to the Department within 10 days after the transfer.

Sec. 3. NAC 502.361 is hereby amended to read as follows:

502.361 1. Except as otherwise provided in subsection 3 or unless his privilege is limited or revoked pursuant to law, a person is eligible to apply ~~[once]~~ for a bull elk tag in any year if he did not receive a bull elk tag or a replacement tag for a bull elk in the previous 5 years. Unless his privilege is limited or revoked pursuant to law, a person is eligible to apply ~~[once]~~ for an antlerless elk tag in any year.

2. Unless his privilege is limited or revoked pursuant to law, a person is eligible to apply ~~[once]~~ for a spike elk tag in any year if he did not receive a spike elk tag or a replacement tag for a spike elk in the previous year.

3. A person who obtains a bull elk tag or a replacement tag for a bull elk and is successful in harvesting a bull elk is not eligible to apply for another bull elk tag during the next 10 years.

Sec. 4. NAC 502.364 is hereby amended to read as follows:

502.364 1. Before a person may hunt a mountain goat, he must obtain a tag from the Department. Except as otherwise provided by a regulation of the Commission or title 45 of NRS, a person may apply ~~[once]~~ for a mountain goat tag in any year ~~[. Except as otherwise provided by NRS 502.215 and NAC 502.321, a person who obtains a mountain goat tag or replacement tag for a mountain goat may not apply for another mountain goat tag during his lifetime.]~~ *if, in the immediately preceding 10 years, he did not receive a tag or replacement tag for a mountain goat.*

2. A person who harvests a mountain goat shall, within 5 days after harvesting it, personally present the skull, hide and any edible portion of the animal, or its carcass, to a representative of the Department for inspection.

Sec. 5. 1. The amendatory provisions of section 2 of this regulation do not apply to a person who, during the 5 years immediately preceding September 18, 2008:

(a) Obtained a tag or replacement tag for one or more of the subspecies of bighorn sheep specified in that section; and

(b) Did not harvest a bighorn sheep using that tag.

2. A person specified in subsection 1 may, if he is otherwise eligible to apply for a tag to hunt a subspecies of bighorn sheep, apply for such a tag upon the expiration of 5 years after obtaining the tag or replacement tag specified in subsection 1.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R066-08

The Board of Wildlife Commissioners adopted regulations assigned LCB File No. R066-08 which pertain to chapter 502 of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

1. Description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife, and other interested persons; presented at a public workshop and at the board of Wildlife Commissioners' public meeting. A summary is available by contacting the Department of Wildlife.

2. The number of persons who:

- (a) Attended each hearing: 40
- (b) Testified at each hearing: 6
- (c) Submitted to the agency written statements: 0

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary: The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife, and other interested persons; presented at a public workshop and at the board of Wildlife Commissioners' public meeting. A summary is available by contacting the Department of Wildlife.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change: There were amendments to language.

5. The estimated economic effect of the regulations on the businesses they are to regulate and on the public. N/A

(a) **Estimated economic effect on the businesses which they are to regulate.**

- (1) Adverse – n/a
- (2) Beneficial – n/a
- (3) Immediate – n/a
- (4) Long term – n/a

(b) Estimated economic effect on the public which they are to regulate.

- (1) Adverse – n/a**
- (2) Beneficial – n/a**
- (3) Immediate – n/a**
- (4) Long term – n/a**

6. The estimated cost to the agency for enforcement of the proposed regulation: n/a

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary: n/a

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions: n/a

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used: n/a