

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

LCB File No. R008-15

Effective October 27, 2015

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

AUTHORITY: §1, NRS 501.105 and 501.181; §2, NRS 501.105, 501.119 and 501.181.

A REGULATION relating to wildlife; specifying the period of validity of a trapping license; revising provisions relating to trapping questionnaires; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that the period for which a hunting or fishing license is valid is from the beginning of March to the end of the following February. (NRS 502.090) **Section 1** of this regulation specifies that a trapping license is valid from the date of issuance through the following June 30 or from July 1 through the following June 30, as specified on the license.

Existing regulations require a person who obtains a trapping license to return a questionnaire regarding that person's trapping activities not later than April 30 of each year. (NAC 503.160) **Section 2** of this regulation changes the date that such a questionnaire is due from April 30 to May 31 of each year.

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

Except as otherwise provided in regulations adopted by the Commission, and unless suspended or revoked, each trapping license is valid:

- 1. From the date the license is issued through the following June 30; or*
 - 2. From July 1 immediately following the date the license is issued through the following June 30,*
- ↪ as specified on the license.*

Sec. 2. NAC 503.160 is hereby amended to read as follows:

503.160 1. The Department may determine methods of obtaining necessary data from a person who purchases a trapping license from the Department or a license agent relative to the trapping activities and success of the person.

2. Each person who purchases a trapping license from the Department or a license agent shall complete and return any reporting form or questionnaire required by the Department. The person must return any such form or questionnaire regardless of whether the person trapped any fur-bearing mammals or unprotected species of wildlife during the term of the trapping license. Except as otherwise provided by an annual regulation of the Commission, the completed form or questionnaire must be received by the Department or an independent contractor designated by the Department not later than ~~April 30~~ *May 31* of each year ~~H~~, *or on the next business day if May 31 falls upon a weekend or state holiday*. Failure to return the form or questionnaire within that period or the submission of any false information on the form or questionnaire is cause for the Commission *or the Department* to suspend the trapping license held by the person and deny the person the right to acquire any trapping license for a period of 1 year. A person whose trapping license is suspended or whose right to acquire a trapping license is denied pursuant to this section ~~may~~ *must* have the privilege reinstated if the person:

- (a) Pays to the Department an administrative fine in the amount of \$50; and
- (b) Completes and submits the required form or questionnaire to the Department.

3. As used in this section, “license agent” has the meaning ascribed to it in NAC 502.065.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS
NEVADA DEPARTMENT OF WILDLIFE
LEGISLATIVE REVIEW OF ADOPTED REGULATION—NRS 233B.066
Informational Statement**

**LCB File No. R008-15
Commission General Regulation 455:
Trapping Questionnaire Deadline and Trapping License Valid Dates**

Informational statement relating to Commission General Regulation No.455
(LCB File No. R008-15) - as required by Chapter 233B.066.

1. A clear and concise explanation of the need for the adopted regulation:

This regulation aligns the administrative timeline of the trapping questionnaire submission with the Department's current trapping seasons. Specifically, it amends the trapping license validity period, when the trapping license questionnaire deadline is to occur, provides for the Department to administer the trapping questionnaire process and the subsequent prohibition of a trapping license purchase.

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

A copy of the proposed temporary regulation was noticed and provided to Nevada's 17 County Advisory Boards to Manage Wildlife (CABs) as part of the NBWC agenda and support material for their February 6 and 7, 2015 workshop and meeting. The support material and draft temporary regulation was also mailed to 1,294 licensed trappers, informing them of the draft regulation and the opportunity to comment at their local CAB meeting or Commission meeting. Additionally, the proposed permanent regulation was noticed and provided to Nevada's 17 County Advisory Boards to Manage Wildlife (CABs) as part of the NBWC agenda and support material for their August 7-8 and September 25-26, 2015 workshop and meetings.

The comments received from the public at the workshop and adoption meetings for the regulation were primarily positive and included statements that the information is important especially in regard to gathering data on non-target species. However, comments included questions on the accuracy of the data submitted since it is self-reporting. Comments also stated that the penalty in this regulation for non-compliance seemed inappropriate and inadequate.

A video recording and minutes from the meetings are available at:
http://www.ndow.org/Public_Meetings/Commission/Archive/

3. The number of persons who:

- (a) Attended each hearing: 26 attendees for the August 7 and 8, 2015 meeting, 6 at September 25, 2015 meeting and 21 at September 26, 2015 meeting.

- (b) Testified at each hearing: 1 at the August 7 and 8, 2015 meeting and 4 for the September 25 and 26, 2015 meeting
- (c) Submitted written comments: 0

4. For each person identified in number 3 above, the following information if provided to the agency conducting the hearing:

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5. 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:

Comment was not solicited from businesses as none were determined to be affected, therefore a summary of responses is not available. The regulation changes were directed at individuals and not businesses and in early 2015 1,291 licensed trappers were notified by mail of the pending regulation change. There was a cover letter provided explaining the changes to include contact information for two Department employees to answer any questions.

A video recording and minutes from the meetings are available at:
http://www.ndow.org/Public_Meetings/Commission/Archive/

6. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:**
The regulation was adopted with one wording edit as identified on the regulation.
7. **The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**
 - (a) Both adverse and beneficial effects; and
There would be no impact upon small business. The language amendments are aligning the Department's administrative aspects of trapping questionnaire processes required by individual trapping license holders. The changes will allow the Department to more effectively administer the trapping questionnaire requirements.
 - (b) Both immediate and long-term effects:
The language affects a reporting requirement of the public. If trapping questionnaire requirements are met by the public they would remain eligible to purchase a trapping license for the following year if they so choose. If the public fails to meet the reporting requirement they would be ineligible to purchase a trapping license for the following year unless they choose to reinstate their eligibility by paying a \$50 administrative fee.
8. **The estimated cost to the agency for enforcement of the adopted regulation:**
Enforcement costs fall within the current duties of the Department.
9. **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. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**
There is no overlap to other state or federal language.
10. **If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:**
There are no federal regulations that regulate such activity.
11. **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:**
There is no new fee or change in an existing fee associated with this regulation.