

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

LCB File No. R030-15

September 22, 2015

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

AUTHORITY: §1, NRS 501.105, 501.181, 502.142 and 502.160.

A REGULATION relating to elk; revising provisions relating to special incentive elk tags; revising the inclusion of spike elk, spike elk hunts and spike elk tags within the formula used to determine the issuance of special incentive elk tags; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners to adopt regulations to establish a program for the issuance of special incentive elk tags. (NRS 502.142) Existing law also requires the Commission to establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat. (NRS 501.105) Existing regulations set forth the formula under which special incentive elk tags are awarded. (NAC 502.42279) This regulation revises that formula by separating the number of spike elk harvested in spike elk-only hunts in the previous year in the unit or units within the management area or areas in which the private land is located from the number of antlered elk tags that were issued during the previous year in that unit or units.

Section 1. NAC 502.42279 is hereby amended to read as follows:

502.42279 1. The Department will award special incentive elk tags based on the following formula:

$$\frac{\text{NP} \times \text{DP} \times \text{NT}}{\text{NE} \quad 365} \quad \text{---}$$
$$(NP \div NE) \times (DP \div 365) \times (NT + TSH)$$

where:

NP = The number of elk using the private land of the landowner applicant.

NE = The total number of elk in the actual elk use area in which the private land is located.

DP = The number of days the elk use the private land during the year.

NT = The total number of antlered elk tags , *excluding spike elk tags*, that were issued during the previous year in the unit or units within the management area or areas in which the private land is located.

TSH = The total number of spike elk harvested in hunts for spike elk only in the previous year in the unit or units within the management area or areas in which the private land is located.

2. A group of landowners, lessees or managers may apply to receive special incentive elk tags for their combined private lands. The group may allocate the tags among the members of the group at its discretion.

3. The issuance of special incentive elk tags will not result in a reduction of the total number of antlered elk tags , *excluding spike elk tags*, issued to the public during a year below the quota for antlered elk tags established by the Commission for 1997, which was 186 tags.

4. A special incentive elk tag is valid for both sexes of elk.

5. A landowner applicant to whom a special incentive elk tag is issued pursuant to this section may:

(a) Use the tag himself or herself if the landowner applicant holds a valid hunting license issued from this State; or

(b) Transfer the tag to another person who holds a valid hunting license issued from this State for any price upon which the parties mutually agree.

6. The Department will charge the same fees for a special incentive elk tag and for the processing of an application for a special incentive elk tag that are charged for an elk tag and for the processing of an application for an elk tag set forth in NRS 502.250.

7. An applicant who applies for a special incentive elk tag must indicate on the application the *antlered elk* hunt , *excluding a spike elk hunt*, for which he or she is applying. The Department will not issue a tag to the applicant for the hunt indicated on the application unless the Commission has established ~~††~~ *an antlered elk* hunt , *excluding a spike elk hunt*, in the unit or units within the management area or areas in which the private land is located.

8. The Department will indicate on each special incentive elk tag it issues pursuant to this section the period during which the tag is valid and the unit or units within the management area or areas in which the private land is located for which the tag is valid.

9. A person possessing a valid special incentive elk tag shall hunt only:

(a) During the period indicated on the tag issued pursuant to this section ~~††~~ , *which may only coincide with an antlered elk hunt, excluding a spike elk hunt, established by the Commission;*

(b) With the weapon designated for that hunt; and

(c) In the unit or units within the management area or areas in which the private land is located, as indicated on the tag.