

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS
LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement**

**LCB File No.– R113-14
CGR Number - 453
First Come First Serve Bonus Point Program Amendment**

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

Sportsmen communicated their concerns to the Department regarding the loss of bonus points as a result of obtaining a first come, first serve (FCFS) tag. Nevada Administrative Code requires bonus points to be lost if a tag is issued in a bonus point species category, regardless of what draw it is issued through.

The FCFS tag draw is an opportunity for applicants to apply for tags leftover from the remaining draw, and any tags available in the second draw are tags left over from the main or “big game” draw. As stated before the award of a tag through the FCFS draw results in the loss of accumulated bonus points for that species category just like if it was issued through earlier draws the main draw and the remaining tag draw.

Since FCFS tags are undersubscribed tags generally in the archery weapon class hunts or the junior hunt, potential hunters that may be interested in these tags are not willing to lose their bonus points they have earned by not being successful in drawing in their more desired choices.

By removing the loss of bonus points from the FCFS draw hunters are provided an opportunity to hunt and maintain their points for the following year. In addition to having these tags issued and not go unsold assists the Department in reaching their management goals.

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.

Public comment regarding the topic was solicited through several public meetings with the Board of Wildlife Commission Tag Allocation and Application Hunt Committee (TAAHC) in August of 2013, October 2013 and in April 2014. Public comment was then solicited regarding the amended language at the County Wildlife Advisory Board meetings and the Board of Wildlife Commission workshop of the amended language in November 2014 and the hearing in March 2015. The County Wildlife Advisory Board public response was split but more in support than opposed. At the hearing the response was in support with one public comment requesting an exception for the junior hunt to be excluded from the change.

3. **The number of persons who:**
- (a) **Attended each hearing:** 14 Workshop 15 Hearing
 - (b) **Testified at each hearing:** 4 Workshop 5 Hearing
 - (c) **Submitted written comments:** 1 Public Comment 1
4. **For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**
- (a) Name; Stanley Zuber, Vice Chair
 - (b) Telephone number; 775-882-9027
 - (c) Business address; 2509 Gentry Lane, Carson City, NV 89701
 - (d) Business telephone number;
 - (e) Electronic mail address; and cast2catch@sbcglobal.net
 - (f) Name of entity or organization represented. Carson City County Advisory Board to Manage Wildlife
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- (a) Name; Walt Mandeville, Vice Chair
 - (b) Telephone number; 775-463-4511
 - (c) Business address; 3 North Bybee Lane, Yerington, NV 89477
 - (d) Business telephone number;
 - (e) Electronic mail address; and waltm@mail.com
 - (f) Name of entity or organization represented. Lyon County Advisory Board to Manage Wildlife
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- (a) Name; Bert K. Gurr, Member
 - (b) Telephone number; 775-778-5138
 - (c) Business address; PO Box 1446, Elko, NV 89803
 - (d) Business telephone number;
 - (e) Electronic mail address; and bkgurr@gmail.com
 - (f) Name of entity or organization represented. Elko County Advisory Board to Manage Wildlife
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- (a) Name; Rex Flowers, Self
 - (b) Telephone number; 775-972-6250
 - (c) Business address; 3280 Sun Cloud Circle, Reno, NV 89506
 - (d) Business telephone number;
 - (e) Electronic mail address; and
 - (f) Name of entity or organization represented.
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- (a) Name; Mitch Buzetti, Member
 - (b) Telephone number; 775-934-2909
 - (c) Business address; PO Box 28-1251, Lamoille, NV 89828
 - (d) Business telephone number;
 - (e) Electronic mail address; and mitch@nhdo.com
 - (f) Name of entity or organization represented. Elko County Advisory Board to Manage Wildlife

- (a) Name; Bob Rittenhouse
- (b) Telephone number; 209-483-2463
- (c) Business address; 1048 Frieda Lane, Minden, NV 89423
- (d) Business telephone number;
- (e) Electronic mail address; and bkritts@frontier.com
- (f) Name of entity or organization represented. Douglas County Advisory Board to Manage Wildlife

- (a) Name; Doug Martin, Chairman
- (b) Telephone number; 775-901-0453
- (c) Business address; 5000 Gentry Lane, Carson City, NV 89701
- (d) Business telephone number;
- (e) Electronic mail address; and douglas.j.martin@att.net
- (f) Name of entity or organization represented. Carson City County Advisory Board to Manage Wildlife

- (a) Name; John M. Reese, Member
- (b) Telephone number; 702-400-6501
- (c) Business address; 6808 Hazelnut Gardens St., Las Vegas, NV 89131
- (d) Business telephone number;
- (e) Electronic mail address; and mreese@yesco.com
- (f) Name of entity or organization represented. Clark County Advisory Board to Manage Wildlife

- (a) Name; Sean Shea, Chairman
- (b) Telephone number; 775-323-9090
- (c) Business address; 10760 Santa Fe Road, Reno, NV 89508
- (d) Business telephone number;
- (e) Electronic mail address; and sean@theheadmaster.com
- (f) Name of entity or organization represented. Washoe County Advisory board to Manage Wildlife

5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

Small businesses were not solicited for comment as this regulation affects the individual sportsman and not small business. The regulation amends the functionality of the big game tag application bonus point program, which affects those sportsmen who participate in the first come first serve remaining tag draw.

Copies of the meeting minutes can be obtained at:

http://www.ndow.org/uploadedFiles/ndoworg/Content/Public_Meetings/Commission/3-Nevada-Board-of-Wildlife-Commissioners-2014-November-Minutes.pdf.

http://www.ndow.org/Public_Meetings/Commission/Agenda/

- 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.**
There were no comments by the public or the commission regarding the language amendments when reviewed. The public comments were directed more toward the rationale for the language change.
- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.**
(a) Estimated economic effect on the businesses which they are to regulate.
The regulation does not regulate business but changes the functionality of the bonus point program as it relates to individual sportsman and their loss of bonus points after obtaining a first come first serve tag.

(b) Estimated economic effect on the public which they are to regulate.
This regulation would provide additional opportunity for a hunter to apply for a tag. If the hunter chooses to apply for those tags, the hunter would pay the statutorily required fees to participate.
- 8. The estimated cost to the agency for enforcement of the proposed regulation:**
There will be no additional cost for the agency to enforce this regulation as game wardens are currently enforcing current wildlife laws.
- 9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**
There are no other overlapping local, state, or federal government regulations.
- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**
There are no federal regulations that regulate this same 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 are no new fees.

/s/
Tony Wasley, Secretary
Board of Wildlife Commissioners

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