

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS
NEVADA DEPARTMENT OF WILDLIFE**

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066**

LCB FILE NO. R145-15

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC 501.200 and NAC 503.148).

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

The need and purpose for the proposed regulation amendment is to keep up with technological advances by limiting the use of real time satellite imagery, drones, and other aircraft for the purpose of hunting and locating upland game birds, fur-bearing mammals, and big game mammals.

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 regulation was noticed and provided to Nevada's 17 County Advisory Boards to Manage Wildlife (CABMW) as part of the Nevada Board of Wildlife Commissioners agenda and support material for the workshops held January 29, 2016 and March 25, 2016, along with the adoption hearing on June 25, 2016. The County Advisory Boards to Manage Wildlife that held public meetings prior to the Nevada Board of Wildlife Commissioners meetings provided opportunity for public comment at their individual meetings. Public comment was solicited at the Nevada Board of Wildlife Commissioners workshop on January 29, 2016 in Las Vegas (teleconferenced to Reno and Elko) and March 25, 2016 in Yerington. The Nevada Board of Wildlife Commissioners adopted the regulation on June 25, 2016 at their meeting in Elko, which was videoconferenced to Reno and Las Vegas. There was little opposition to this regulation and all testimony received was in favor, with the exception of one Commissioner stating that he felt the regulation went beyond what its original intent was. The regulation was adopted in a 7-1 vote with Commissioner Mori opposing. 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: January 29, 2016 Workshop: 30; March 25, 2016 Workshop: 31; and June 25, 2016 Adoption: 28.
- (b) Testified at each hearing: January 29, 2016 Workshop: 6; March 25, 2016 Workshop: 7; and June 25, 2016 Adoption: 3
- (c) Submitted written comments: 5 written comments were submitted

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

- (a) Name: John Hiatt
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- (c) Business address: 8180 Placid Street, Las Vegas, NV 89123
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- (f) Name of entity or organization represented: Clark CABMW

- (a) Name: Sean Shea
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- (d) Business telephone number:
- (e) Electronic mail address: sean@theheadmaster.com
- (f) Name of entity or organization represented: Washoe CABMW

- (a) Name: Glenn Bunch
- (b) Telephone number: 775-945-2289
- (c) Business address: PO Box 984, Hawthorne, NV 89415
- (d) Business telephone number:
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- (f) Name of entity or organization represented: Mineral CABMW

- (a) Name: Cory Lytle
- (b) Telephone number: 775-962-8071
- (c) Business address: PO Box 329, Pioche, NV 89043
- (d) Business telephone number:
- (e) Electronic mail address: clytle@lincolnnv.com
- (f) Name of entity or organization represented: Lincoln CABMW

- (a) Name: Allen Souigny
- (b) Telephone number:
- (c) Business address: 6255 McDowell Road, Carson City, NV
- (d) Business telephone number:
- (e) Electronic mail address:
- (f) Name of entity or organization represented: Self

- (a) Name: Don Molde
- (b) Telephone number: 775-857-3111
- (c) Business address: 3290 Penfield Circle, Reno, NV 89502
- (d) Business telephone number:
- (e) Electronic mail address: skyshrink@aol.com
- (f) Name of entity or organization represented: Nevada Wildlife Alliance

- (a) Name: Paul Dixon
- (b) Telephone number: 505-699-1744
- (c) Business address: 9445 Grenville Avenue, Las Vegas, NV 89134
- (d) Business telephone number: 702-295-4250
- (e) Electronic mail address: noxid1960@gmail.com
- (f) Name of entity or organization represented: Clark CABMW

- (a) Name: Tom Cassinelli
- (b) Telephone number: 775-578-3342
- (c) Business address: PO Box 17, Paradise Valley, NV 89426
- (d) Business telephone number:
- (e) Electronic mail address: t5ranch@hotmail.com
- (f) Name of entity or organization represented: Humboldt CABMW

- (a) Name: Walt Mandeville
- (b) Telephone number:
- (c) Business address: 3 North Bybee Lane, Yerington, NV 89447
- (d) Business telephone number:
- (e) Electronic mail address: waltm@mail.com
- (f) Name of entity or organization represented: Lyon CABMW

- (a) Name: Rex Flowers
- (b) Telephone number: 775-722-4506
- (c) Business address: 3280 Sun Cloud Circle, Reno, NV 89506
- (d) Business telephone number:
- (e) Electronic mail address: randbflowers@yahoo.com
- (f) Name of entity or organization represented: Self

- (a) Name: Josh Vittori
- (b) Telephone number:
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- (d) Business telephone number: 775-323-1177
- (e) Electronic mail address: jvittori@jbreenv.com
- (f) Name of entity or organization represented: Nevada Bighorns Unlimited & Self

- (a) Name: Karen Boeger
- (b) Telephone number: 775-722-4249
- (c) Business address:
- (d) Business telephone number:
- (e) Electronic mail address: kboeger1011@gmail.com
- (f) Name of entity or organization represented: Nevada Chapter of Backcountry Hunters and Anglers

- (a) Name: Larry McCurtis
- (b) Telephone number:
- (c) Business address:
- (d) Business telephone number:
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- (f) Name of entity or organization represented: Nevada Chapter of Backcountry Hunters and Anglers

- (a) Name: Bob Rittenhouse
- (b) Telephone number:
- (c) Business address: 1048 Frieda Lane, Minden, NV 89423
- (d) Business telephone number:
- (e) Electronic mail address:
- (f) Name of entity or organization represented: Douglas CABMW

- (a) Name: Robert Pigota
- (b) Telephone number:
- (c) Business address:
- (d) Business telephone number: 617 Western Hills, Spring Creek, NV
- (e) Electronic mail address:
- (f) Name of entity or organization represented: Nevada Chapter of Backcountry Hunters and Anglers

- (a) Name: Henry Krenka
- (b) Telephone number:
- (c) Business address:
- (d) Business telephone number:
- (e) Electronic mail address: hkrenka@gmail.com
- (f) Name of entity or organization represented: Nevada Outfitters and Guides

- (a) Name: Shaaron Netherton
- (b) Telephone number: 775-324-7667
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- (d) Business telephone number: 775-324-7667
- (e) Electronic mail address: shaaron@nevadawilderness.org
- (f) Name of entity or organization represented: Friends of Nevada Wilderness

- (a) Name: Larry Johnson
- (b) Telephone number:
- (c) Business address: PO Box 70143, Reno, NV 89540
- (d) Business telephone number:
- (e) Electronic mail address:
- (f) Name of entity or organization represented: Coalition for Nevada's Wildlife

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 solicited from affected small businesses by using SurveyMonkey to survey all 100 master guides licensed in Nevada. Of the 100 master guides surveyed, 22 percent responded.

The vast majority (95.45 percent) stated that this regulation would not be an economic burden. One master guide stated that there would be between 11 and 20 percent economic loss to their business.

The analysis showed that over 95 percent of small businesses would not be affected by this regulation; therefore, the agency was able to conclude that there will be little to no impact on small businesses.

A copy of the summary can be obtained through the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, NV 89511.

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 comments received were incorporated into the regulation and adopted by the Nevada Board of Wildlife Commissioners in the final 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

The vast majority of respondents (95.45 percent) stated there would be no adverse effect on their small business if this regulation were to pass. The remaining participants that responded (4.55 percent) were unsure if there would be an adverse effect on their business.

Conversely, two master guides (9.09 percent) stated there could be a beneficial effect by giving guides a better reputation by following fair chase standards.

The regulation will have neither an adverse, nor a beneficial economic effect on the public.

(b) Both immediate and long-term effects:

All of the master guides surveyed stated there would be no immediate effect on their business if this regulation would pass. Most (81.81 percent) of the master guides stated there would be no long-term effect on their business. A minimal amount (9.09 percent) said there would be a positive long-term effect on their business by giving guides a better reputation and leveling the playing field amongst guides.

The regulation will have neither an immediate nor a long-term economic effect on the public.

8. **The estimated cost to the agency for enforcement of the adopted regulation:**

The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional cost to the agency above the current legislatively approved budget.

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:**

This regulation does not overlap or duplicate any local, state, or federal regulation.

10. **If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:**

This regulation is not more stringent than federal regulation.

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.**

This regulation change does not propose new or increased fees.