

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

**LCB File No. R091-13**

Effective December 23, 2013

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, 501.181, 502.160 and 502.219;  
§§3 and 4, NRS 501.105, 501.181, 502.160 and 502.175.

A REGULATION relating to wildlife; providing an exception to the prohibition on the submission of applications for hunting tags and bonus points under certain circumstances; prohibiting the award of bonus points for depredation hunts and management hunts; providing for the award of bonus points in the categories of ewes of certain bighorn sheep; and providing other matters properly relating thereto.

**Section 1.** NAC 502.105 is hereby amended to read as follows:

502.105 “Type of hunt” means a hunt authorized by a regulation of the Commission, for which tags are awarded pursuant to application, that differs from another hunt in one or more of the following ways:

1. The species to be hunted for any species other than a species that is included in a category of a species pursuant to subsection 2;
2. The category of the species, *, subspecies and gender* to be hunted as described in subsection 1 of NAC 502.4188;
3. The weapons to be used;
4. The residency of applicants; and
5. The method of drawing applications for the award of tags.

**Sec. 2.** NAC 502.4179 is hereby amended to read as follows:

502.4179 A person may not submit an application for a:

1. Tag and an application for a bonus point for the same category or species in the same drawing ~~+~~ *unless authorized by the Commission.*
2. Bonus point in a subsequent drawing if a tag, other than a Dream Tag issued pursuant to NRS 502.219, or bonus point was obtained for that category of species in a previous drawing that year unless authorized by the Commission.

**Sec. 3.** NAC 502.4187 is hereby amended to read as follows:

502.4187 1. Except as otherwise provided in NAC 502.416 to 502.4225, inclusive, an applicant to obtain a tag for a season who is unsuccessful, or an applicant for a bonus point who does not wish to obtain a tag and is applying for the sole purpose of earning a bonus point, must be awarded a bonus point for:

(a) The hunt number of the species for which the applicant applied if he or she applied for a:

(1) Tag to hunt wild turkey; *or*

(2) ~~Depredation hunt tag; or~~

~~(3)~~ Bonus point for a tag described in subparagraph (1) ; ~~or (2);~~ or

(b) The category of the species for which he or she applied if he or she applied for a tag to hunt deer, elk, mountain goat, antelope, black bear or bighorn sheep, or for a bonus point for such a tag.

↳ Regardless of the number of applications to obtain a tag or bonus point for a season submitted by a person, the Department shall not award the person more than one bonus point per season for each species or category of a species for which the person applied.

2. Except as otherwise provided in subsection 3, the bonus points awarded to a person accumulate until the person is successful in drawing a tag for a season for that species or

category of a species or the person fails to apply for a season for 2 consecutive calendar years during which that type of hunt for a season is open. If an applicant is successful in drawing a tag for a season for a species or category of a species or fails to apply for a season for 2 consecutive calendar years during which that type of hunt for a season is open, the applicant loses all of his or her bonus points for that species or category of a species.

3. Except as otherwise provided in NAC 502.4189, a person may not use any bonus points awarded to the person for being unsuccessful in a junior hunt to apply for a drawing for a tag for any other type of hunt after the person is no longer eligible to participate in a junior hunt.

4. If an applicant requests and receives a refund for the value of his or her hunting license, the Department shall not award the applicant a bonus point for any species or category of species applied for during the period that the applicant possessed the hunting license.

***5. The Department shall not award bonus points for depredation hunts or management hunts.***

***6. As used in this section, "management hunt" means a hunt established to seek the harvest of additional wildlife within a population.***

**Sec. 4.** NAC 502.4188 is hereby amended to read as follows:

502.4188 1. Except as otherwise provided in subsection 2, any bonus points awarded by the Department pursuant to the bonus point program must be awarded in one of the following categories of species ~~H~~, ***subspecies and gender:***

- (a) Antlered mule deer;
- (b) Antlerless mule deer;
- (c) Mule deer, either antlered or antlerless;
- (d) Antlered Rocky Mountain elk;

- (e) Antlerless Rocky Mountain elk;
- (f) Rocky Mountain elk, either antlered or antlerless;
- (g) Spike Rocky Mountain elk;
- (h) Pronghorn antelope whose horns are longer than their ears;
- (i) Pronghorn antelope whose horns are shorter than their ears;
- (j) Rams, from one of the following subspecies:
  - (1) Nelson bighorn sheep;
  - (2) California bighorn sheep; or
  - (3) Rocky Mountain bighorn sheep;
- (k) *Ewes, from one of the following subspecies:*
  - (1) Nelson bighorn sheep;*
  - (2) California bighorn sheep; or*
  - (3) Rocky Mountain bighorn sheep;*
- (l) Mountain goats; or
- ~~(m)~~ (m) Black bears.

2. Bonus points awarded by the Department pursuant to the bonus point program for wild turkey ~~and depredation~~ hunts must be awarded by hunt number.

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

**LCB File No. – R091-13  
CGR Number - 438**

**MEMORANDUM**

**To:** Legislative Counsel Bureau                      **Date:** December 9, 2013  
**From:** Tony Wasley, Secretary, Board of Wildlife Commissioners  
**Subject:** Informational statement relating to Commission General Regulation No. 438  
(LCB File No. R091-13 ) - as required by Chapter 233B.066.

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

This is a regulation relating to wildlife to establish a bonus point category for ewe bighorn sheep, remove the term depredation from the bonus point categories and address those hunts that would not be included in the bonus point program, depredation or management hunts and other matters related thereto. The regulation amendment provides the Commission the ability to determine species tag application eligibility in annual regulation to meet the Department's management needs. This regulation also addresses the bonus point category for ewe hunts once the hunt becomes established by the Commission.

**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 (NBWC) agenda and support material for their December 6 and 7, 2013 workshop and meeting. Those CAB's that held public meetings prior to the December 6-7 NBWC workshop and meeting provided opportunity for public comment at their individual meetings. Public comment was solicited at the NBWC workshop on December 6 in Reno and at the NBWC meeting on December 7 prior to NBWC approval of the regulation. For a summary of public comment, please contact Nevada Department of Wildlife at 775-688-1549.

**3. The number of persons who:**

- (a) Attended each hearing: 32 Workshop 28 Hearing**
- (b) Testified at each hearing: 0 Workshop 7 Hearing**
- (c) Submitted written comments: \_\_\_\_\_**

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: (SEE ATTACHED COMMENT CARDS)**
- (a) Name;
  - (b) Telephone number;
  - (c) Business address;
  - (d) Business telephone number;
  - (e) Electronic mail address; and
  - (f) Name of entity or organization represented.

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.**

The regulation does not affect the operations of, or requirements to any business and no effect is anticipated on any business as a result of this change.

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 some minor language and grammar changes to the regulation.

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 is associated with the big game tag application process and bonus point program and needs be amended to include a new segment of the bighorn sheep population that the Department proposes to be hunted, ewes. This hunt is to address population densities in those herds of sheep that cannot be transplanted or have habitat restrictions. By amending the bonus point categories to include the new species gender, the language allows a big game tag applicant to participate in the bonus point program for the species gender and earn bonus points if unsuccessful in the drawing for tags. This regulation also amends the bonus point category section regarding depredation hunts, to exclude those particular hunts from the bonus point program. The regulation change affects the Department and the big game hunter and not business, therefore has no beneficial or adverse effect on business.

- (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. The economic effect is only on the hunter if they choose to apply for the new hunt and the associated tags. If they choose to apply for those tags the hunter would pay the required statutorily required nonrefundable fees to apply and pay the statutorily required tag fees if they draw a tag. The nonrefundable fees are

listed in NRS 502.250 and 502.253, and total \$13 per application and the bighorn sheep tag fee listed in NRS 502.250 is \$120.

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

Enforcement costs fall within the current duties of the Department.

**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 is no overlap to federal language.

**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 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 are no new fees introduced in the regulation.

\_\_\_\_\_/s/  
Tony Wasley, Secretary  
Board of Wildlife Commissioners