

Chapter 503 of NAC

ADOPTED TEMPORARY REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS

LCB File No. T010-14

(Filed with the Secretary of State on March 27, 2015)

COMMISSION GENERAL REGULATION 455

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

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

A REGULATION relating to wildlife; this regulation adds language to specify the valid period of a trapping license as a fiscal year. Additionally, it amends the language to have the Department in place of the Commission to deny a trapping license due to the non-receipt of the trapping questionnaire. This language amendment will bring it into a similar format for other questionnaires received by the Department, for example the big game questionnaire.

Section 1. *Except as otherwise provided in regulation and unless suspended or revoked, each trapping license, is valid:*

(a) From the date the license is issued until the last day of the next succeeding June; or

(b) From the first day of July immediately following the date the license is issued until the last day of the next succeeding June.

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

NAC 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, or the next business day if May 31 falls on a weekend or state holiday*, of each year. *A person who fails* ~~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 *Department* ~~Commission~~ 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 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
LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066**

Informational Statement

Informational statement relating to Commission General Regulation No. 455
(LCB File No. T010-14) - as required by Chapter 233B.066.

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

This regulation brings the administration of the trapping questionnaire regulation into line with the Department's current trapping seasons. Specifically, it amends the trapping license valid period, when the trapping license questionnaire deadline is to occur, who administers the trapping questionnaire process and addresses the prohibition of a subsequent 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 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 regulation was also mailed to 1,294 licensed trappers, informing them of the draft regulation and the opportunity to comment as their local CAB meeting or Commission meeting. Those CAB's that held public meetings prior to the February 6 - 7 NBWC workshop and meeting provided opportunity for public comment at their individual meetings. Public comment was solicited at the NBWC workshop on February 6 in Boulder City and at the NBWC meeting on February 7 prior to approval of the regulation.

The comments were received from the public at the workshop and adoption meetings. These comments supported the passage of the trapping questionnaire regulation. These comments included, "trapping does not distinguish between bobcats, dogs or golden eagles". Additional comment from the public was directed at the purpose and format of the questionnaire and the questions presented to the trapper. The department response identified that the questionnaire provides trending information that is used over time and assists the department in the management of species over time. Additional public comment requested a disclaimer on the questionnaire as being unscientific. The last comment was directed back at prior public comment stating that the data received is for the privilege to trap and should be verified.

3. The number of persons who:

- (a) **Attended each hearing:** 20 Workshop 25 Hearing
- (b) **Testified at each hearing:** 10 Workshop 3 Hearing
- (c) **Submitted written comments:** 0 Public Comment 0.

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; Fred Voltz
 - (b) Telephone number; 775-297-3651
 - (c) Business address; Fred Voltz
 - (d) Business telephone number; 1805 North Carson St, Ste 231, Carson City, NV 89701
 - (e) Electronic mail address; and
 - (f) Name of entity or organization represented. self
-
- (a) Name; Mike Reese
 - (b) Telephone number;
 - (c) Business address;
 - (d) Business telephone number;
 - (e) Electronic mail address; and
 - (f) Name of entity or organization represented. Southern Nevada Coalition
-
- (a) Name; Stephanie Myers
 - (b) Telephone number;
 - (c) Business address;
 - (d) Business telephone number;
 - (e) Electronic mail address; and steph_myers@outlook.com
 - (f) Name of entity or organization represented. self
-
- (a) Name; Paul R. Dixon, Chairman
 - (b) Telephone number; 505-699-1744
 - (c) Business address; 9445 Greenville Avenue, Las Vegas, NV 89134
 - (d) Business telephone number; 505-665-4595
 - (e) Electronic mail address; and mldprd24@yahoo.com
 - (f) Name of entity or organization represented. Clark County Advisory Board
-
- (a) Name; John Hiatt
 - (b) Telephone number; 702-361-1171
 - (c) Business address; 8180 Placid St., Las Vegas, NV 89123
 - (d) Business telephone number;
 - (e) Electronic mail address; and hjhiatt@anv.net
 - (f) Name of entity or organization represented. Clark County Advisory Board Member
-
- (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; 775-323-9090
 - (e) Electronic mail address; and sean@theheadmaster.com
 - (f) Name of entity or organization represented. Washoe County Advisory Board

- (a) Name; Eric Clifford, Chairman
- (b) Telephone number; 775-530-4916
- (c) Business address; 595 Hunter Park Way, Fallon, NV 89406
- (d) Business telephone number;
- (e) Electronic mail address; and ericclifford@live.com
- (f) Name of entity or organization represented. Churchill County Advisory Board

- (a) Name; John Sullivan
- (b) Telephone number; 702-493-8342
- (c) Business address; 12835 W. Windmill Lane, Las Vegas, NV 89161
- (d) Business telephone number;
- (e) Electronic mail address; and johnsull4@aol.com
- (f) Name of entity or organization represented. Clark County Advisory Board

- (a) Name; Jana Wright
- (b) Telephone number;
- (c) Business address;
- (d) Business telephone number;
- (e) Electronic mail address; and jjwright@clarkcountynv.gov
- (f) Name of entity or organization represented. self

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.

1,291 currently licensed trappers were notified by mail of the regulation change. There was a cover letter provided explaining the changes to include contact information for two Department employees to answer any questions. The regulation changes were directed as individuals and not businesses.

Copies of the meeting minutes can be obtained at:

http://www.ndow.org/uploadedFiles/ndoworg/Content/Public_Meetings/Commission/5-Nevada-Board-of-Wildlife-Commissioners-2015-February-Minutes.pdf.

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 without change. The comments received from the public supported the passage of 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.

There would be no direct or significant impact upon small business. The language amendments are bringing the Department's administrative aspects of trapping questionnaire processes required by individual trapping license holders current. The changes will allow the Department to more effectively administer the trapping questionnaire requirements.

(b) Estimated economic effect on the public which they are to regulate.

The language affects a reporting requirement on 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. There are provisions in the language to allow the public to reinstate their eligibility by paying a \$50 administrative fee, if they choose to.

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, provide 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