

**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. R012-16  
Commission General Regulation 440**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 503

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

The proposed regulation is a result of a petition heard and accepted by the Nevada Board of Wildlife Commissioners. The need and purpose of the regulation is to minimize human impact upon wildlife by regulating the use of trail cameras and to address concerns regarding fair chase in big game hunting.

**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 was solicited through a workshop held by the Nevada Board of Wildlife Commissioners (NBWC) in Yerington, Nevada on March 25, 2016; Carson City, Nevada on November 03, 2017; and at the adoption hearing held by the NBWC on January 26, 2018. Both events included members of the public, the County Advisory Boards to Manage Wildlife (CABMW), and the NBWC. Public comment was generally split between those who supported the regulation and those who opposed it. Most who spoke agreed that something needed to be done to regulate the impacts of trail cameras, but opinions varied as to how far the regulation should reach, which users should be most affected, which user groups should be exempted, and what the specific details should say. Minutes of the meetings are available at [http://www.ndow.org/Public\\_Meetings/Com/Minutes/](http://www.ndow.org/Public_Meetings/Com/Minutes/)

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

**(a) Attended each hearing: (date and number of attended for workshops and hearings)**

Workshop on 03/25/2016 attendance: 31

Workshop on 11/03/2017 attendance: 25

Adoption Hearing on 1/26/2018 attendance: 42

**(b) Testified at each hearing: (date and number of attended for workshops and hearings)**

Workshop on 03/25/2016: 10

Workshop on 11/03/2017: 8

Adoption Hearing on 1/26/2018: 20

**(c) Submitted written comments: (date and number of attended for workshops and hearings)**

Workshop on 03/25/2016: Nine written comments

Workshop on 11/03/2017: Two written comments

Adoption Hearing on 1/26/2018: One written comment

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

- (a) **Name:** Joe Crim
- (b) **Telephone number:** (775) 273-1203
- (c) **Business address:**
- (d) **Business telephone number:**
- (e) **Electronic mail address:** joewwtp@sbcglobal.net
- (f) **Name of entity or organization represented:** Pershing CABMW

- (a) **Name:** Keith Montes
- (b) **Telephone number:**
- (c) **Business address:**
- (d) **Business telephone number:**
- (e) **Electronic mail address:** nvhighridge@sbcglobal.org
- (f) **Name of entity or organization represented:** Outfitters

- (a) **Name:** Cory Lytle
- (b) **Telephone number:** (775) 962-8071
- (c) **Business address:**
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- (e) **Electronic mail address:** clytle@lincolnnv.com
- (f) **Name of entity or organization represented:** Lincoln CABMW

- (a) **Name:** Shane Boren
- (b) **Telephone number:**
- (c) **Business address:**
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- (e) **Electronic mail address:** shaneb@mwpower.org
- (f) **Name of entity or organization represented:** White Pine CABMW

- (a) **Name:** Paul Dixon
- (b) **Telephone number:** (505) 699-1744
- (c) **Business address:** 9445 Greenville Avenue. Las Vegas NV 89134
- (d) **Business telephone number:**
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- (f) **Name of entity or organization represented:** Clark 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:** Karen Boeger
- (b) **Telephone number:**

- (c) **Business address:**
- (d) **Business telephone number:**
- (e) **Electronic mail address:** kboeger1011@gmail.com
- (f) **Name of entity or organization represented:** Nevada Back Country Hunters and Anglers

- (a) **Name:** Jeff Howden
- (b) **Telephone number:** 775-691-0201
- (c) **Business address:**
- (d) **Business telephone number:**
- (e) **Electronic mail address:**
- (f) **Name of entity or organization represented:** Self

- (a) **Name:** Jana Wright
- (b) **Telephone number:** (702) 816-0211
- (c) **Business address:**
- (d) **Business telephone number:**
- (e) **Electronic mail address:** jlivin42day@aol.com
- (f) **Name of entity or organization represented:** Private Citizen

- (a) **Name:** Rob Boehmer
- (b) **Telephone number:**
- (c) **Business address:**
- (d) **Business telephone number:**
- (e) **Electronic mail address:** rboehmer@defcomp.nv.gov
- (f) **Name of entity or organization represented:** Carson City CABMW

- (a) **Name:** Jesse Weller
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- (e) **Electronic mail address:** jweller@lyoncsd.org
- (f) **Name of entity or organization represented:** Lyon CABMW

- (a) **Name:** Steve Marquez
- (b) **Telephone number:**
- (c) **Business address:** 785 Ave. N. Ely, NV 89301
- (d) **Business telephone number:**
- (e) **Electronic mail address:** marquez.wpcso@gmail.com
- (f) **Name of entity or organization represented:** White Pine CABMW

- (a) **Name:** Mark Edgel
- (b) **Telephone number:**
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- (e) **Electronic mail address:** sixjs4me@hotmail.com
- (f) **Name of entity or organization represented:**

- (a) **Name:** Mel Belding

- (b) **Telephone number:**
- (c) **Business address:** Washoe County
- (d) **Business telephone number:**
- (e) **Electronic mail address:**
- (f) **Name of entity or organization represented:** Self

- (a) **Name:** Gerald Lent
- (b) **Telephone number:**
- (c) **Business address:**
- (d) **Business telephone number:** 775-852-4636
- (e) **Electronic mail address:**
- (f) **Name of entity or organization represented:** Self

- (a) **Name:** Gary Coleman
- (b) **Telephone number:**
- (c) **Business address:**
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- (e) **Electronic mail address:**
- (f) **Name of entity or organization represented:** Self

- (a) **Name:** Kyle Davis
- (b) **Telephone number:** 775-338-6732
- (c) **Business address:** 699 Pu Lane, Reno
- (d) **Business telephone number:**
- (e) **Electronic mail address:** kyle@davis-strategies.com
- (f) **Name of entity or organization represented:** BHA

- (a) **Name:** David Dixon
- (b) **Telephone number:**
- (c) **Business address:**
- (d) **Business telephone number:**
- (e) **Electronic mail address:** davidstapleydixon@gmail.com
- (f) **Name of entity or organization represented:** Self

- (a) **Name:** Greg Smith
- (b) **Telephone number:**
- (c) **Business address:**
- (d) **Business telephone number:**
- (e) **Electronic mail address:**
- (f) **Name of entity or organization represented:** Nevada Bighorns Unlimited

**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 master guides licensed in Nevada. Of the master guides surveyed, 45 percent responded.

60% of respondents stated that they use trail cameras, trail camera photos, or trail camera video in their guide businesses. 40% of respondents stated that restricting the use of trail cameras would adversely affect their business financially.

A copy of the summary can be obtained through the Nevada Department of Wildlife, Division of Law Enforcement, 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 regulation was adopted with changes. As initially proposed, the regulation would have prohibited trail cameras within 200 feet of a point-source water from August 1<sup>st</sup> through December 31<sup>st</sup>, and would have prohibited transmitting trail cameras at any location during those same dates. After hearing public comment and input from the County Advisory Boards to Manage Wildlife, the adopted regulation prohibits trail cameras at any location from August 1<sup>st</sup> through December 31<sup>st</sup> and further prohibits transmitting trail cameras at any location from July 1<sup>st</sup> through December 31<sup>st</sup>. Both the proposed and adopted versions of the regulation provide exemptions for certain industries, agencies, and private landowners.

**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 on businesses; and**

40% of respondents (18 licensed master guides) stated there would be an adverse effect on their small business if this regulation change were to pass. It is assumed that these guides would not be able to find trophy animals for their clients as easily and would have to work harder and spend more time scouting and hunting to locate the animals, rather than simply checking their remote cameras to see if animals came in to a water source.

**(b) Both immediate and long-term effects on businesses:**

40% of respondents (18 licensed master guides) stated there would be an adverse effect on their small business if this regulation change were to pass. It is assumed that these guides would not be able to find trophy animals for their clients as easily and would have to work harder and spend more time scouting and hunting to locate the animals, rather than simply checking their remote cameras to see if animals came in to a water source.

**(a) Both adverse and beneficial effects on the public; and**

There will be no adverse, or beneficial economic effects from the proposed regulation on the public.

**(b) Both immediate and long-term effects on the public:**

There will be no immediate or long-term economic effects from the proposed regulation 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:**  
The adopted regulation does not overlap or duplicate any other state, local, or federal laws or regulations.
- 10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:**  
There is no federal regulation which regulates the 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.**  
The regulation does not provide for a new fee or increase an existing fee.