

**PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R090-22

July 11, 2022

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

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

A REGULATION relating to wildlife; clarifying certain definitions relating to wildlife; revising certain definitions relating to spike elk; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners to: (1) establish policies and adopt regulations necessary to preserve, protect, manage and restore wildlife and its habitat; and (2) adopt regulations necessary to carry out the provisions of title 45 of NRS governing wildlife, including, without limitation, the manner and means of taking wildlife. (NRS 501.105, 501.181)

Existing law defines the term “antler point” to exclude the first antler point on the main beam, commonly known as the eye guard on mule deer. (NRS 501.3855) **Section 1** of this regulation clarifies that the exclusion of the first antler point on the main beam is limited to mule deer.

Existing regulations define the terms “spike elk” and “spike elk only” to mean antlered elk having not more than two antler points above the top of the ear on either antler. (NAC 502.104, 502.1045) **Sections 2 and 3** of this regulation revise these definitions to mean antlered elk having not more than three antler points on either antler.

Section 1. Chapter 502 of NAC is hereby amended by adding thereto a new section to read as follows:

For the purposes of NRS 501.3855 and NAC 502.006, the Department interprets the exclusion of the first antler point on the main beam, as described in the definition of “antler point” in NRS 501.3855, to be limited to mule deer.

Sec. 2. NAC 502.104 is hereby amended to read as follows:

502.104 “Spike elk” means any antlered elk having not more than ~~two~~ *three antler* points ~~above the top of the ear~~ on either antler.

Sec. 3. NAC 502.1045 is hereby amended to read as follows:

502.1045 “Spike elk only” means, in a designation of elk that may be taken during an open season, only antlered elk having not more than ~~two~~ *three antler* points ~~above the top of the ear~~ on either antler.