

**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. R160-22
Commission General Regulation 506**

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:

This regulation was created after the passage of Senate Bill 125 of the 81st Legislative Session. It would authorize a person who is licensed as a master falconer and who meets certain federal conditions to possess a golden eagle that is obtained from the wild under a new eagle permit if the golden eagle is obtained for rehabilitation purposes, is legally obtained in another state, is legally possessed by a master falconer in another state and that master falconer moves to this State, and if a golden eagle is transferred to the master falconer from another falconer in a manner authorized by this regulation and upon Department approval.

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 during two regulation workshops of the Nevada Board of Wildlife Commissioners (NBWC) in November 2022 and March 2023, as well as during the adoption hearing on May 6, 2023.

Corey Dalton, a master falconer representing the North American Falconers Association, provided suggestions and concerns regarding proposed falconry regulations. They recommended specifying appropriate enclosure sizes for Golden Eagles to prevent collisions. They also opposed the requirement for master falconers to provide specific visit dates with eagles, citing the burden on game wardens. Dalton suggested simplifying language about releasing locations, allowing falconers to choose suitable sites. Dalton mentioned the willingness of falconers from other states to help with eagle rehabilitation and the challenges of obtaining permits in Nevada. They thanked the Commission and offered assistance in depredation and rehabilitation efforts.

A summary of public comment may be obtained by downloading the minutes from the Nevada Board of Wildlife Commissioners' meetings at:

<https://www.ndow.org/events/november-2022-commission-meeting/>
<https://www.ndow.org/events/march-2023-commission-meeting/>
<https://www.ndow.org/events/may-2023-commission-meeting/>

3. **The number of persons who:**
- (a) **Attended each hearing: (date and number of attended for workshops and hearings)**
 - (b) **Testified at each hearing: (date and number of attended for workshops and hearings)**
 - (c) **Submitted written comments: (date and number of attended for workshops and hearings)**

November 4, 2022 NBWC Meeting

- a. Attended: 35 general public
- b. Testified: 1
- c. Written Comment: 0

March 10, 2023 NBWC Meeting

- a. Attended: 12 general public
- b. Testified: 0
- c. Written Comment: 0

May 6, 2023 NBWC Meeting

- a. Attended: 12 general public
- b. Testified: 0
- c. Written Comment: 0

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

- (a) **Name:** Corey Dalton
- (b) **Telephone number:**
- (c) **Business address:**
- (d) **Business telephone number:**
- (e) **Electronic mail address:** coreydalton72@gmail.com
- (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 how other interested persons may obtain a copy of the summary:**

This regulation does not regulate any small businesses. Therefore, the Department concluded that there would be no small business impact.

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 after discussion at two Commission Meetings and was adopted with no changes made at the adoption hearing.

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

The regulation will not have any significant adverse or beneficial economic effects on businesses.

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

There will be no immediate or long-term economic effects from the proposed regulation on small businesses because it does not regulate the operation of any small business.

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

This regulation does not have an anticipated beneficial or adverse economic effect on the public.

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

This regulation does not have an anticipated immediate or long-term economic effect on the public.

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

There will be no increased costs to enforce the proposed regulation.

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:

There are no other state agencies that have authority to regulate possession of golden eagles. The United States Fish and Wildlife Service, an agency within the Department of the Interior, regulates falconry standards and falconry permitting in 50 CFR Chapter 21 and eagle permits in 50 CFR Chapter 22. These federal regulations provide consistent standards across the country for the practice of falconry and the possession of various species, including golden eagles. Possession and use of wildlife are the regulatory authority of each state, and while federal regulations provide consistent standards, it is up to individual states to set regulations within those standards. Prior to the 81st Legislative Session, it was state law to prohibit possession of golden eagles under any circumstance. SB125 from the 81st Legislative Session State changed NRS 503.610 to allow possession of golden eagles under certain circumstances, resulting in this 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 allows possession of golden eagle under certain circumstances. These regulations allow a Nevada licensed master falconer who meets certain federal conditions to possess a golden eagle obtained from the wild if the golden eagle is obtained for rehabilitation purposes, is legally obtained in another state, is legally possessed by a master falconer in another state and that master falconer moves to this state, or if a golden eagle is transferred to a licensed master falconer in a manner authorized by the Nevada Department of Wildlife (Department). In addition, these regulations require a separate eagle permit to be obtained from the Department.

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 to obtain an eagle permit beyond the existing Master Falconer license fees.