

PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

**NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON
PROPOSED REGULATION**

The Nevada Division of Wildlife is proposing the adoption of regulations pertaining to Chapter 502 of the Nevada Administrative Code. **A workshop has been set for March 27, 1998 at 2:00 p.m. at the Nevada division of Wildlife, 1100 Valley Road, Reno, Nevada.** The purpose of the workshop is to solicit comments from interested persons on the following general topics addressed in the proposed regulation:

Commission General Regulation 263: The Board of Wildlife Commissioners took action at the February 6-7, 1998 meeting to enhance an applicant's chances of drawing a deer tag by squaring the applicant's bonus points for that special season. The Commission also requested an exception rule be added to the nontransferability of bonus points should the applicant change residency and appeal to the Commission for relief.

Commission General Regulation 264: To remove the requirements to attend mandatory indoctrination courses; to possess a spotting scope; and to present the hide and the edible portion of the animal or its carcass for inspection.

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available at the:

Nevada Division of Wildlife
1100 Valley Road
Reno, Nevada
(702) 688-1500

Region I Office
380 W. "B" Street
Fallon, NV 89406
(702) 423-3171

Region II Office
1375 Mt. City Highway
Elko, NV 89801
(702) 738-5332

Region III Office
4747 W. Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

The regulations will also be available for inspection at all county main public libraries. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Council Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

NOTICE OF HEARING/WORKSHOP FOR ADOPTION OF REGULATIONS OF THE STATE OF NEVADA BOARD OF WOLDLIFE COMMISSIONERS

The Board of Wildlife Commissioners will hold a public workshop at 2:00 p.m., March 27, 1998 for the below regulations, indicated by an asterisk, at the Nevada Division of Wildlife, 1100 Valley Road, Reno, Nevada. The purpose of the workshop is to solicit comments from interested persons on the following general topics addressed in the proposed regulations. The Board of Wildlife Commissioners will also hold a public hearing at 9:00 a.m. on Saturday, March 28, 1998 at the Nevada Division of Wildlife, 1100 Valley Rd., Reno, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

***Commission General Regulation 246: THIRD HEARING:** The proposed regulation will enable the Division to provide direction and guidance to volunteer wildlife rehabilitation clinics. The regulation will also help the Division determine if an individual has the basic knowledge and experience to receive a rehabilitation permit.

***Commission General Regulation 261:** Amends NAC 488.010 to add the definition of "use" to clarify NAC 488.180 (validation decals), 488.405 (life preservers), 488.467 (restrictions on use of boats in wildlife management areas). Amends 488.410 to define what serviceable means for all life preservers and codify the Coast Guard requirements that inflatable life preserves are not approved for water skiing, personal watercraft, commercial activity or persons under 16 years of age. Amends 488.455 by adding Round Hill Pines Beach and Glenbrook Bay to the flat wake zone. Amends 488.458 to add Round Hill Pines Beach to the designated mooring areas. Establish the fee required in NRS 488.261 for placing a mooring buoy in nonnavigable waters and establish removal penalties for unauthorized mooring buoys. Amends 488.467 to include North Pond at Mason Valley Wildlife Management Area to the exclusion of the closure of boats February 15 through July 14.

***Commission General Regulation Number 262: SECOND HEARING:** Proposes to classify the common crow as an upland game bird so a hunting season and bag limit can be established for that species.

Commission General Regulation Number 263: The Board of Wildlife Commissioners took action at the February 6-7, 1998 meeting to enhance an applicant's chances of drawing a deer tag by squaring the applicant's bonus points for that special season. The Commission also requested an exception rule be added to the nontransferability of bonus points should the applicant change residency and appeal to the Commission for relief.

Commission General Regulation Number 264; To remove the requirements to attend mandatory indoctrination courses; to possess a spotting scope; and to present the hide and edible portion of the animal or its carcass for inspection.

Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary, Board of Wildlife Commissioners, Post Office Box 10678, Reno, Nevada 89520. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, at least five days before the scheduled public hearing.

A copy of the regulations to be adopted will be on file at the State Library, 401 N. Carson Street, Carson City, Nevada and each county main library, for inspection by members of the public during business hours. Additional copies of the regulations to be Adopted will be available at the division of Wildlife, 1100 Valley Road, Reno, Nevada, for inspection and copying by members of the public during business hours. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

This regulation is available for inspection at the following locations:

Nevada Division of Wildlife's
Region I Office
380 W. "B" Street
Fallon, NV 89406
(702) 423-3171

Region III Office
4747 W. Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

Region II Office
1375 Mt. City Highway
Elko, NV 89801
(702) 738-5332

NOTE: We are please to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Barbara McMeen, in writing, at the Nevada Division of Wildlife, P.O. Box 10678, Reno, Nevada 89720, or call Barbara McMeen, at 688-1598, as soon as possible.

William A. Molini /s/
William A. Molini, Secretary
Board of Wildlife Commissioners

Publish: February 25, 1998
Reno Gazette-Journal
Elko Daily Free Press
Las Vegas Review Journal

NOTICE OF INTENT TO ACT UPON A REGULATION
Notice of the Hearing for the (adoption/amendment/repeal) of Regulations
of the Nevada Board of Wildlife Commissioners

The Board of Wildlife Commissioners will hold a public hearing at 9:00 a.m., ON March 27, 1998 at the Nevada Division of Wildlife, 1100 Valley Road, Reno, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations (**CGR 263**) pertaining to Chapter 502 of the Nevada Administrative Code.

1. **The need for and purpose of the proposed regulation:**
2. Text of the proposed regulation: (**Attached**)
- 3A. The estimated economic effect of the regulation on the business which it is to regulate:
 - (a) Adverse effect–N/A
 - (b) Beneficial effect–N/A
 - (c) Immediate effect–N/A
 - (d) Long term effect–N/A
- B. The estimated economic effect of the regulation on the public which it is to regulate:
 - (a) Adverse effect–N/A
 - (b) Beneficial effect–Hunters buy bonus points for special season by purchasing hunting licenses. The regulation would allow those hunters who have accumulated bonus points and change residency to transfer the points to a similar hunt.
 - (c) Immediate effect–Same as above.
 - (d) Long term effect–Same as above.
4. Estimated cost to the Division of Wildlife for enforcement of the proposed regulation: N/A.
5. Description of, and citation to, any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency. N/A

6. If the regulation is required pursuant to federal law, a citation and description of the federal law: N/A.
7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions: N/A.
8. The proposed regulation establishes a new fee or increases an existing fee: No.
 Yes.

Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary, Board of Wildlife Commissioners, Post Office Box 10678, Reno, Nevada 89520. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, at least five days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available for inspection and may be copied at the following locations:

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Reno, Nevada
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Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the above locations.

LCB File No. R040-98
STATE OF NEVADA
PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 263

Authority: NRS 501.181
Notice of Intent: February 25, 1998
Commission Approval:
Workshop Date: March 27, 1998

EXPLANATION: Amends NAC 502.4189 to square bonus points for special seasons for deer and to allow the Board of Wildlife Commissioners to approve the transfer of bonus points to similar hunts if the applicant changes residency and appeals to the Commission for relief. Amends 502.42373 to square bonus points for applicants applying for the nonresident restricted deer hunt.

NOTE: Matter in *italics* is new; matter within brackets [] is to be omitted

Section 1. NAC 502.4189 is hereby amended to read as follows:

502.4189 1. *Except for special seasons for deer, [Each[each applicant in a drawing for a tag for a special season receives one additional draw number for each bonus point he has accumulated for that special season. Each applicant in a drawing for a tag for a special season for deer receives an additional draw number for each of his accumulated bonus points squared which will determine the number of draw numbers for that special season. The applicant's lowest randomly assigned draw number is the number used for the drawing.*

2. *Bonus points accumulated by a person for a special season cannot be transferred to any other person or any other special season[.] except that the Board of Wildlife Commissioners may approve the transfer of an applicant's bonus points to the same species, weapon and type hunt if the applicant changes state residency and appeals to the Commission for the transfer of those bonus points.*

3. An application to obtain a tag for a special season for more than one person may be submitted only for a deer hunt. The number of bonus points applicable to such an application is the quotient of the total number of points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.

Sec. 2. NAC 502.42373 is hereby amended to read as follows:

502.42373 1. *[Each applicant in a drawing for a restricted nonresident deer tag receives one additional draw number for each bonus point he has accumulated for that special season.] Each applicant in a drawing for a tag for a restricted nonresident deer tag receives one additional draw number for each of his accumulated bonus points squared at the time of the draw to determine the number of draw numbers for that special season.* The applicant's lowest randomly assigned draw number is the number used for the drawing.

2. The bonus points accumulated by a person for a restricted nonresident deer hunt may not be transferred to any other person or applied to any other special season.

3. The number of bonus points applicable to an application submitted by a group of persons applying as a party for restricted nonresident deer tags is the quotient of the total number of points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.