

**ADOPTED REGULATION OF THE  
BOARD OF WILDLIFE COMMISSIONERS**

**LCB File No. R085-00**

Effective September 25, 2000

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

AUTHORITY: §1, NRS 502.142.

**Section 1.** NAC 502.42279 is hereby amended to read as follows:

502.42279 1. The division will award special incentive elk tags based on the following formula:

$$\frac{NP}{NE} \times \frac{DP}{365} \times NT$$

FLUSH where:

NP = The number of elk using the private land of the landowner applicant.

NE = The total number of elk in the actual elk use area in which the private land is located.

DP = The number of days the elk use the private land during the year.

NT = The total number of ~~bull~~ *antlered* elk tags that were issued during the previous year in the unit or units within the management area or areas in which the private land is located.

2. A group of landowners, lessees or managers may apply to receive special incentive elk tags for their combined private lands. The group may allocate the tags among the members of the group at ~~their~~ *its* discretion.

3. The issuance of special incentive elk tags will not result in a reduction of the total number of ~~{bull}~~ *antlered* elk tags issued to the public during a year below the quota for ~~{bull}~~ *antlered* elk tags established by the commission for 1997, which was 186 tags.

4. A special incentive elk tag is valid for both sexes of elk.

5. A landowner applicant to whom a special incentive elk tag is issued pursuant to this section may:

(a) Use the tag himself if he holds a valid hunting license issued from this state; or

(b) Transfer the tag to another person who holds a valid hunting license issued from this state for any price upon which the parties mutually agree.

6. The division will charge the same fees for a special incentive elk tag and for the processing of an application for a special incentive elk tag that are charged for an elk tag and for the processing of an application for an elk tag set forth in NRS 502.250.


7. *An applicant who applies for a special incentive elk tag must indicate on the application the hunt for which he is applying. The division will not issue a tag to the applicant for the hunt indicated on the application unless the commission has established a hunt in the unit or units within the management area or areas in which the private land is located.*

8. *The division will indicate on each special incentive elk tag it issues pursuant to this section the period during which the tag is valid and the unit or units within the management area or areas in which the private land is located for which the tag is valid.*

9. A person possessing a valid special incentive elk tag shall hunt only:

(a) During ~~{an open season for elk;}~~ *the period indicated on the tag issued pursuant to this section;*

(b) With the weapon designated for that ~~{season;}~~ *hunt;* and

(c) In the unit or units within the management area or areas in which the private land is located , *as indicated on the tag.*

## NOTICE OF ADOPTION OF REGULATION

August 9, 2000

Ms. Brenda Erdoes, Legislative Counsel  
Legislative Counsel Bureau - Legal Division  
401 S. Carson Street  
Carson City, NV 89710

RE: LCB File Numbers: **LCB No. R085-00**

Dear Ms. Erdoes:

The Nevada Division of Wildlife, Board of Wildlife commissioners, adopted the above regulation, assigned the above LCB file number. A copy of the regulation as adopted is attached hereto. Any changes are hand-written in the text.

Enclosed please find one blue and two white copies of our Secretary of State Filing form which is to be filed in accordance with 233B of the Nevada Revised Statutes.

If you have any questions, please contact Tom Atkinson at 688-1549.

Thank you.

Sincerely,

Terry R. Crawforth  
Secretary

TRC:jt  
encl.

# INFORMATIONAL STATEMENT

## STATE OF NEVADA BOARD OF WILDLIFE COMMISSIONERS

### MEMORANDUM

**To:** Legislative Counsel Bureau Date: August 3, 2000  
**From:** Terry R. Crawforth, Secretary, Board of Wildlife Commissioners  
**Subject:** Informational statement relating to Commission General Regulation No. 291 (LCB File No. R085-00) - as required by Chapter 233B.066.

**1. Description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

- (a) A notice of hearing for adoption of Commission General Regulation No.288 was published once in each of the three administrative regions in a newspaper of general circulation.
- (b) Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners were invited, through the notice of hearing and a mail distribution to interested and affected parties to appear at the public hearing or address their comments, data, views of arguments, in written form, to Secretary, Board of Wildlife Commissioners, 11100 Valley Road, Reno, Nevada 89512. Written submissions were to be received at least five days prior to the scheduled meeting.
- (c) A copy of the Notice of the proposed regulations was mailed to the following: State Librarian; county main libraries; Reno, Elko and Las Vegas newspapers; LCB and interested parties.
- (d) A copy of the regulation to be adopted was filed with the Office of the Secretary of State, The Capitol, Carson City, Nevada for inspection by the public during business hours.

Additional copies of the regulation could be obtained at the Division of Wildlife, 1100 Valley Road, Reno, Nevada for inspection and copying by the public.

- (e) The public was asked to make comments on this regulation at the public meeting.

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

- (a) Attended each hearing: 25  
(b) Testified at each hearing: 1  
(a) Submitted to the agency written statements: 0-Workshop 3-Hearing

3. 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:

Through County Wildlife Advisory Board; no response

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change: N/A

5. The estimated *economic* effect of the regulations on the businesses they are to regulate and on the public.

(a) **Estimated economic effect on the businesses which they are to regulate.**

- (1) **Adverse** - May reduce somewhat the market value of a special incentive elk tag in certain situations as the proposed regulation would limit a tagholder to participating in only one type of weapon hunt within the unit group(s) described in the cooperative agreement, thus reducing flexibility compared to how the program was administered in 1999.
- (2) **Beneficial** - Elk incentive tags offer substantial economic benefits to participating landowners. Participants may sell the elk tags they are eligible to receive under this program. Current market value of an elk tag in most unit groups is thought to be up to \$10,000.
- (3) **Immediate** - Participating landowners could receive up to \$10,000 per year for each tag sold.
- (4) **Long term** - Remains to be seen that the potential economic benefit from tag sale proceeds would equal or exceed the costs of elk use on private land as the herd grows.

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

- (1) **Adverse** - None
- (2) **Beneficial** - Incentive tags will increase tolerance of larger elk populations that will benefit public, sportsmen, and local businesses through increase recreational use.
- (3) **Immediate** - Limited

(4) **Long term** - More elk, more benefit to public, sportsmen, and local businesses.

6. **The estimated cost to the agency for enforcement of the proposed regulation:**  
negligible

7. **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:** N/A

**If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**

8. **If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provision:** N/A

9. **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:** N/A

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Terry Crawford, Secretary  
Board of Wildlife Commissioners