

LCB File No. R085-00

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

**NOTICE OF INTENT TO ACT UPON A REGULATION
Notice of Hearing for The Amendment of Regulations of The
Nevada Board Of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing atm., on June 17, 2000 at the Churchill County Community Chambers, 155 North Taylor, Suite 145, Fallon, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 291 (LCB File R085-00) pertaining to Chapter 502 of the Nevada Administrative Code.

- 1. The need for and purpose of the proposed regulation:** To clarify where and when an elk incentive tag may be used.
- 2. Text of the proposed regulation:** See attached.
- 3A. The estimated economic effect of the regulation on the business which it is to regulate:**
 - (a) Adverse effect** - May reduce somewhat the market value of a special elk incentive tag in certain situations.
 - (b) Beneficial effect** - Elk incentive tags offer substantial economic benefits to participating landowners.
 - (c) Immediate effect** - May mean an additional \$10,000 to \$20,000 of income per year on average to participating landowners.
 - (d) Long-term effect** - Potential long term positive economic effect on participating landowners.
- 3B. The estimated economic effect of the regulation on the public which it is to regulate:**
 - (a) Adverse effect** - same as in 3A
 - (b) Beneficial effect** - same as 3A
 - (c) Immediate effect** - same as 3A
 - (d) Long-term effect** - same as 3A

4. **Estimated cost to the Division of Wildlife for enforcement of the proposed regulation:**
negligible
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. **The regulation _____ does X does not overlap or duplicate a federal regulation. If it does, the name of the regulating federal agency is N/A. If the regulation is required pursuant to federal law, a citation and description of the federal law:**
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: X 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, 1100 Valley Road, Reno, Nevada 89512. 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 and Archives, 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:

Nevada Division of Wildlife
1100 Valley Road
Reno, Nevada
(775) 688-1500
Eastern Region
1375 Mt. City Highway
Elko, NV 89801
(775) 738-5332

Western Region
380 W. "B" Street
Fallon, NV 89406
(775) 423-3171
Southern Region
4747 Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

The regulations will 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.

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.

Terry Crawforth, Secretary
Board of Wildlife Commissioners

Publish: May 15, 2000
Reno Gazette Journal
Elko Daily Free Press
Las Vegas Review Journal

STATE OF NEVADA
PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 291
(LCB File #R085-00)

Authority: NRS 501.105, 501.181 & 502.142
Notice of Intent: June , 2000
Workshop Date: July 29, 2000
Commission Approval:

EXPLANATION: The following language is being proposed to define when and where an elk incentive tag may be used upon issuance by the Division.

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

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:

NP	x	DP	x	NT
NE		365		

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 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 discretion.

3. The issuance of special incentive elk tags will not result in a reduction of the total number of bull elk tags issued to the public during a year below the quota for bull 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. At the time of application for a special incentive elk tag, the resident or nonresident applicant, from the current season and bag regulations, select only one hunt from the established resident archery, resident muzzle-loader, or resident any legal weapon hunts for antlered elk for the area described in the cooperative agreement.

~~7.~~ 8. A person possessing a valid special incentive elk tag shall hunt only:

(a) During an open season for *bull* elk , *as specified on the tag* ;

(b) With the weapon designated for that season; and

(c) In the unit or units within the management area or areas in which the private land is located.
