

**LCB File No. R180-01**

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

**NOTICE OF INTENT TO ACT UPON A REGULATION  
Notice of Hearing for the Adoption of  
Regulation of the Nevada Board of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing at 8:30 a.m., on February 9, 2001, at the Environmental Protection Agency Auditorium, 944 E. Harmon Aveue, Las Vegas, Nevada 89119. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to chapter (501 and 502) of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. **The need for and the purpose of the proposed regulation or amendment.** Establish definitions describing several categories of big game and related hunt descriptions; establish eligibility for applying for a spike elk tag; and include spike elk as a category where bonus points will be awarded.

2. **The 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 effects: N/A
- (b) Beneficial effects: N/A
- (c) Immediate effects: N/A
- (d) Long-term effects: N/A

3B. **The estimated economic effect of the regulation on the public which it is to regulate:**

- (a) Adverse effects: None
- (b) Beneficial effects: More hunting opportunities
- (c) Immediate effects: More hunting opportunities
- (d) Long-term effects. More hunting opportunities; healthier elk herds

4. **The estimated cost to the agency for enforcement of the proposed regulation. \$ 0.00**

5. (a) **A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates: N/A.**

(b) **The duplication or overlapping is necessary because \_\_\_\_\_.**

(c) **\_\_\_ Yes. X No. The proposed regulation overlaps or duplicates a federal regulation.**

(d) **If "Yes," the name of the regulating federal agency is \_\_\_\_\_.**

6.  Yes.  No. This regulation is required pursuant to federal law. If “Yes,” the citation and description of the federal law is

7.  Yes.  No. This regulation includes provisions which are more stringent than a federal regulation that regulates the same activity. If “Yes,” the following is a summary of such provisions

8.  Yes.  No. The proposed regulation establishes a new fee or increases an existing fee.

Persons wishing to comment upon the proposed action of 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, on or before January 3, 2001. 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 regulation to be adopted 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 notice and the regulation to be adopted will be available at

Nevada Division of Wildlife, Headquarters 1100 Valley Road Reno, NV 89512	Nevada Division of Wildlife Western Region 380 W. “B” St. Fallon, NV 89406
Nevada Division of Wildlife Eastern Region 1375 Mountain City Highway Elko, NV 89801	Nevada Division of Wildlife Southern Region 4747 Vegas Dr. Las Vegas, NV 89108

and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. 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 Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation 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, will 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 following locations:

<b>Nevada Division of Wildlife, Headquarters</b> <b>1100 Valley Road</b> <b>Reno, NV 89512</b>	<b>Nevada Division of Wildlife</b> <b>Western Region</b> <b>380 W. "B" St.</b> <b>Fallon, NV 89406</b>
<b>Nevada Division of Wildlife</b> <b>Eastern Region</b> <b>1375 Mountain City Highway</b> <b>Elko, NV 89801</b>	<b>Nevada Division of Wildlife</b> <b>Southern Region</b> <b>4747 Vegas Dr.</b> <b>Las Vegas, NV 89108</b>

**STATE OF NEVADA**  
**PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS**  
**COMMISSION GENERAL REGULATION 300**  
(LCB File #R180-01)

**Authority:** NRS 501.105, 501.181, 502.130, and 502.140.

**Notice of Intent:** January , 2002.

**Workshop Date:** February 8 , 2002.

**Commission Approval:**

**EXPLANATION:** Establish definitions describing several categories of big game and related hunt descriptions; establish eligibility for applying for a spike elk tag; and include spike elk as a category where bonus points will be awarded.

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

**Section 1.** Chapter 502 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive of this regulation.

**Sec. 2.** *“Antlerless elk” means any elk without antlers.*

**Sec. 3.** *“Antlerless deer only” means, in a designation of deer which may be taken during an open season, only deer without antlers.*

**Sec. 4.** *“Antlerless elk only” means, in a designation of elk which may be taken during an open season, only elk without antlers.*

**Sec. 5.** *“Bulls only” means, in a designation of elk which may be taken during an open season, only elk having at least one antler.*

**Sec. 6.** *“Spike elk” means any elk with no branching on either antler.*

**Sec. 7.** *“Spike elk only” means, in a designation of elk which may be taken during an open season, only elk having no branching on either antler .*

**Sec. 8.** NAC 502.361 is hereby amended to read as follows:

**502.361.** 1. Except as otherwise provided in subsection 2 or unless his privilege is limited or revoked pursuant to law, a person is eligible to apply once for a bull elk tag in any year if he did not receive a bull elk tag or a replacement tag for a bull elk in the previous 5 years. Unless his privilege is limited or revoked pursuant to law, a person is eligible to apply once for an antlerless elk tag in

any year. *Unless his privilege is limited or revoked pursuant to law, a person is eligible to apply once for a spike elk tag in any year if he did not receive a spike elk tag or a replacement tag for a spike elk in the previous year.*

2. A person who obtains a bull elk tag or a replacement tag for a bull elk and is successful in harvesting a bull elk is not eligible to apply for another bull elk tag during the next 10 years.

**Sec. 9.** NAC 502.4188 is hereby amended to read as follows:

**502.4188.** 1. Except as otherwise provided in subsection 2, any bonus points awarded by the division pursuant to the bonus point program must be awarded in one of the following categories of species:

- (a) Antlered mule deer;
- (b) Antlerless mule deer;
- (c) Mule deer, either antlered or antlerless;
- (d) Antlered Rocky Mountain elk;
- (e) Antlerless Rocky Mountain elk;
- (f) Rocky Mountain elk, either antlered or antlerless;
- (g) *Spike Rocky Mountain elk;*
- (h) Pronghorn antelope whose horns are longer than their ears;
- ~~(h)~~ (i) Pronghorn antelope whose horns are shorter than their ears;
- ~~(i)~~ (j) Rams, from one of the following subspecies:
  - (1) Nelson bighorn sheep;
  - (2) California bighorn sheep; or
  - (3) Rocky Mountain bighorn sheep; or
- ~~(j)~~ (k) Mountain goats.

2. Bonus points awarded by the division pursuant to the bonus point program for wild turkey, swan and depredation hunts must be awarded by hunt number.