

Chapters 502, 503 and 504 of NAC

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

LCB File No. T004-10

CGR 393

Authority: NRS 501.105, 501.181, 502.147, 502.140, 502.160, 502.175, 502.250, 503.150

Notice of Intent:

Commission Approval:

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

A REGULATION relating revising provisions governing the establishment of a black bear hunt, eligibility waiting period requirements, bonus point program, weapons restrictions, tag fees and other matters related thereto.

Section 1. *Chapter 502 of NAC is hereby amended by adding thereto the provisions set forth as Sections 2 through 8 of this regulation.*

Sec 2. 1. *Unless his privilege is limited or revoked pursuant to law, any resident of Nevada or nonresident is eligible to apply for a tag for a black bear.*

2. The fee for a resident tag is \$100. The fee for a nonresident tag is \$200.

Sec. 3. 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 in any year for a tag to hunt black bear.*

2. A person who obtains a black bear tag or a replacement tag for a black bear and is successful in harvesting a black bear is not eligible to apply for another black bear tag during the next 5 years.

Sec 4. 1. *A person who harvests a black bear shall call the Department within 24 hours to report the harvest and within 72 hours after harvesting of a black bear, personally present the skull and hide to a representative of the Department for inspection.*

2. It is unlawful for any person to:

(a) Kill a female black bear which is accompanied by a cub.

(b) Kill or possess a black bear cub.

i. For purposes of this section a “black bear cub” means any black bear less than one year of age or less than 50 pounds.

Sec 5. *The Commission will annually specify the number of black bear it determines to be appropriate for harvesting in a management unit or group of management units. The open season for black bear in each such management unit or group of management units will end on:*

(a) The last day of the season as determined by the Commission; or

(b) The bear season shall be closed when the department determines that the harvest objective for the total bear harvest or female harvest has been taken. The department shall provide a toll free telephone number that the public can call to ascertain if the season has been closed. The department shall also notify the Commission, the public via the news media and the bear tag holders via United States Postal Service when implementing the closure.

Sec 6. *If a black bear is accidentally trapped or killed, the person trapping or killing it shall report the trapping or killing within 48 hours to a representative of the Department. The animal must be disposed of in accordance with the instructions of the Department representative.*

Sec. 7. *Chapter 503 of NAC is hereby amended by adding thereto the provisions set forth as Sections 7 and 8 of this regulation.*

Sec. 8. 1. *No person shall bait big game mammals for the purpose of hunting or knowingly hunt big game mammals utilizing bait placed by another person.*

2. For purposes of this section “bait” means the intentional placing, exposing, depositing, distributing or scattering of salt, minerals, grain, or any other food material, whether natural or manufactured, that could attract, entice or lure wildlife to an area for the purpose of hunting.

3. “Bait” does not include:

a. Incidental attracting or feeding of wildlife associated with any accepted agricultural or livestock practice.

b. Crops planted and left standing as food plots for wildlife.

Sec 9. NAC 502.331 is hereby amended to read as follows:

502.331 1. Unless otherwise authorized by the Commission, it is unlawful for any person to obtain more than one tag for an antelope, any subspecies of bighorn sheep, an elk, *black bear* or a mountain goat for a season.

2. An application for a tag or bonus point must be:

(a) Completed in accordance with the regulations of the Commission and the instructions on the application.

(b) Made for one applicant only. If two or more persons apply on one application, the application must be rejected.

3. The following nonrefundable fees must be charged for acting upon each application for a tag or bonus point:

| | |
|--|------|
| (a) Elk tag..... | \$15 |
| (b) Any other tag, other than a mountain lion tag..... | 10 |
| (c) Bonus point..... | 10 |

Sec 10. NAC 502.4187 is hereby amended to read as follows:

502.4187 1. Except as otherwise provided in NAC 502.416 to 502.4225, inclusive, an applicant to obtain a tag for a season who is unsuccessful, or an applicant for a bonus point who does not wish to obtain a tag and is applying for the sole purpose of earning a bonus point, must be awarded a bonus point for:

(a) The hunt number of the species for which he applied if he applied for a:

(1) Tag to hunt wild turkey;

(2) Depredation hunt tag; or

(3) Bonus point for a tag described in subparagraph (1) or (2); or

(b) The category of the species for which he applied if he applied for a tag to hunt deer, elk, mountain goat, antelope, *black bear* or bighorn sheep, or for a bonus point for such a tag.

↳ Regardless of the number of applications to obtain a tag or bonus point for a season submitted by a person, the Department shall not award him more than one bonus point per season for each species or category of a species for which the person applied.

2. Except as otherwise provided in subsection 3, the bonus points awarded to a person accumulate until he is successful in drawing a tag for a season for that species or category of a species or he fails to apply for a season for 2 consecutive calendar years during which that type of hunt for a season is open. If an applicant is successful in drawing a tag for a season for a species or category of a species or fails to apply for a season for 2 consecutive calendar years

during which that type of hunt for a season is open, he loses all of his bonus points for that species or category of a species.

3. Except as otherwise provided in NAC 502.4189, a person may not use any bonus points awarded to him for being unsuccessful in a junior hunt to apply for a drawing for a tag for any other type of hunt after the person is no longer eligible to participate in a junior hunt.

4. If an applicant requests and receives a refund for the value of his hunting license, the Department shall not award him a bonus point for any species or category of species applied for during the period that the applicant possessed the hunting license.

Sec. 11. 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 Department 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;
- (i) Pronghorn antelope whose horns are shorter than their ears;
- (j) Rams, from one of the following subspecies:
 - (1) Nelson bighorn sheep;

(2) California bighorn sheep; or

(3) Rocky Mountain bighorn sheep; or

(k) Mountain goats~~;~~ *or*

(l) Black bear.

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

Sec 12. NAC 503.147 is hereby amended to read as follows:

503.147 It is unlawful to hunt, chase or pursue:

1. Any mountain lion *or black bear* with a dog except during the open season, in an open management area and under the authority of a hunting license and mountain lion *or black bear* tag.

2. Any fur-bearing mammal with a dog except during the open season and under the authority of a trapping license.

3. Any wild turkey with a dog from March 1 through June 30 of any year.

Sec 13. NAC 503.174 is hereby amended to read as follows:

503.174 *1. Except as otherwise provided in subsection 2,* ~~the~~ the sale of the hide, head, antlers or horns or other nonedible parts of game animals which were legally killed is permitted.

2. It is unlawful to sell, purchase, barter or trade a bear gall bladder.

(a) The possession of more than one bear gall bladder by a person shall be prima facie evidence that the bear gall bladders are possessed for sale in violation of this section.

(b) The provisions of this section apply to black bear gall bladders taken outside the State and transported into this State.

Sec 14. NAC 504.210 is hereby amended to read as follows:

504.210 The management areas for antelope, deer, mountain lion, elk, bighorn sheep, mountain goat, *black bear* and fur-bearing mammals are as follows:

1. Area 1: Those portions of Washoe, Pershing and Humboldt Counties bounded on the south by the northernmost railroad track that runs from the Pershing County line to the California state line and on the east by the Soldier Meadows-Summit Lake-Idaho Canyon Road and the boundary of the Sheldon National Wildlife Refuge. Area 1 comprises: