## STATE OF NEVADA NEVADA DEPARTMENT OF WILDLIFE NEVADA BOARD OF WILDLIFE COMMISSION

## NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

The Nevada Department of Wildlife is proposing the adoption of regulations pertaining to Chapters 502 of the Nevada Administrative Code. A workshop will be held during the Board of Wildlife Commissioners Meeting at 8:30 am on Saturday, January 25, 2025. The meeting will be held at the Washoe County Administrative Complex Building A, Commissioners Chambers 1001 E. Ninth Street, Reno, NV 89512. A Zoom link is provided below for those individuals that are unable to attend in person.

If you wish to make public comment, please use this link for Saturday, January 25,2025: <a href="https://us02web.zoom.us/j/81420130967?pwd=bzh9pbkTaaCk8DbJbAj40LmqfgFOtX.1">https://us02web.zoom.us/j/81420130967?pwd=bzh9pbkTaaCk8DbJbAj40LmqfgFOtX.1</a>
Passcode: 246826

Meeting materials are available at: <a href="https://www.ndow.org/events/january-commission-meeting/">https://www.ndow.org/events/january-commission-meeting/</a>

The purpose of the workshop is to solicit written comments from interested persons on the following general topics that may be addressed in the proposed regulations:

## Commission General Regulation 524 – Bonus Points Associated with Junior Hunt Applications

The Commission will hold a workshop of a regulation related to amending Chapter 502 of the Nevada Administrative Code (NAC). The proposed regulation change would allow for the Department to provide customers with bonus points that are not specific to junior or general hunt applications.

## The regulation language is subject to change following the discussions and deliberations of the Commission.

Public comment will be taken on each action item following Commission discussion and before any action is taken. The content of written comments should be consistent with the three (3) minute public comment period allowed during normally conducted meetings. If a comment is excessively lengthy, the Commission reserves the right to review only that portion that is consistent with this policy. Persons are invited to submit written comments to <a href="willdlifecommission@ndow.org">willdlifecommission@ndow.org</a> or may address their comments, data, views, or arguments, in written form, to the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511 attention Director's Office. Written submissions must be received by the Nevada Department of Wildlife 5 weekdays before the meeting.

This Notice of Workshop and support material will be on file at the State Library, 100 Stewart Street, Carson City, Nevada 89701 for inspection by members of the public during

business hours. Persons wishing to request a copy of this notice and the mentioned regulations may contact Lacey Walker at <a href="mailto:lacey.walker@ndow.org">lacey.walker@ndow.org</a>.

These regulations will also be available at the following websites:

https://www.leg.state.nv.us/App/Notice/A/

https://notice.nv.gov/

http://www.leg.state.nv.us/register/

http://www.ndow.org/Public Meetings/Public Notices/

A copy of all materials relating to the proposed regulations may be obtained by contacting the Director's Office at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511, (775) 688-1597 or <a href="mailto:lacey.walker@ndow.org">lacey.walker@ndow.org</a>. A reasonable fee may be charged for copies if it is deemed necessary.

#### PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS COMMISSION GENERAL REGULATION 524

EXPLANATION - Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: NRS 501.105, NRS 501.181, NRS 502.103, NRS 502.160, NRS 502.175, NRS 502.250

A REGULATION relating to wildlife; revising provisions relating to the award, use, and tracking of customer bonus points associated with hunt applications.

#### **Section 1.** NAC 502.4187 is hereby amended to read as follows:

- 1. Except as otherwise provided in NAC 502.417 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 the category of the species, *subspecies*, *and gender* for which he or she applied if he or she applied for a tag to hunt deer, elk, mountain goat, antelope, black bear, moose, wild turkey or bighorn sheep, or for a bonus point for such a tag.
- 2. 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 the person more than one bonus point per season per hunting license for each *category of the* species, *subspecies*, *and gender* [or category of a species] for which the person applied.
- 3. [Except as otherwise provided in subsection 5, t] The bonus points awarded to a person for a species or category of species accumulate until the person loses his or her bonus points pursuant to this subsection. A person loses all of his or her bonus points for a [species or] category of a species, subspecies, and gender:
  - (a) If the person is successful in drawing a tag for a season for that species or category of

- a species, subspecies, or gender; or
- (b) If the person does not apply for a tag or a bonus point for a season for two (2) consecutive calendar years during which [that type of] a hunting [for a] season is open for that category of species, subspecies, and gender.
- 4. Upon written request, the Department shall reinstate each bonus point a person lost pursuant to paragraph (b) of subsection 3 if:
- (a) During the entirety of the respective *two* (2) consecutive calendar years, the person was mobilized, deployed, training or stationed outside of the United States as an active member of the Armed Forces of the United States, as verified by a copy of his or her orders or other proof satisfactory to the Department; and
- (b) The request is submitted to the Department not later than *one* (1) year after the date the person returns to the United States.
- [5. Except as otherwise provided in NAC 502.4189, a person may not use any bonus points awarded to the person 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.]
- 5. [6.] If an applicant requests and receives a refund for the value of his or her hunting license, the Department shall not award the applicant a bonus point for any [species or] category of species, *subspecies*, *and gender* applied for during the period that the applicant possessed the hunting license.
- 6.[7.] If an applicant is successful in obtaining a tag for a [species or] category of a species, subspecies, and gender but transfers the tag to another person pursuant to section 1 of LCB File No. R022-19, the applicant and the new recipient of the tag lose all bonus points for that [species or] category of species, subspecies, and gender.
- 7.[8.] The Department shall not award bonus points for depredation hunts or management

hunts.

- **8.**[9.] As used in this section, "management hunt" means a hunt established to seek the harvest of additional wildlife within a population.
  - Sec. 2. NAC 502.4188 is hereby amended to read as follows:
- 502.4188 Any bonus points awarded by the Department pursuant to the bonus point program must be awarded in one of the following categories of species, subspecies and gender:
  - 1. Antlered mule deer;
  - 2. Antlerless mule deer;
  - 3. Mule deer, either antlered or antlerless;
  - 4. Antlered Rocky Mountain elk;
  - 5. Antlerless Rocky Mountain elk;
  - 6. Rocky Mountain elk, either antlered or antlerless;
  - 7. Spike Rocky Mountain elk;
  - 8. Pronghorn antelope whose horns are longer than their ears;
  - 9. Pronghorn antelope whose horns are shorter than their ears;
  - 10. Rams, from one of the following subspecies:
    - (a) Nelson bighorn sheep;
    - (b) California bighorn sheep; or
    - (c) Rocky Mountain bighorn sheep;
  - 11. Ewes, from one of the following subspecies:
    - (a) Nelson bighorn sheep;
    - (b) California bighorn sheep; or
    - (c) Rocky Mountain bighorn sheep;
  - 12. Mountain goats;

- 13. Black bears;
- 14. Antlered moose;
- 15. Antlerless moose;
- 16. Moose, either antlered or antlerless; or
- 17. Wild turkey.
- **Sec. 7.** NAC 502.4189 is hereby amended to read as follows:
- 502.4189 1. Each applicant in a drawing for a tag for a season receives a number of additional draw numbers that is equal to the number of bonus points that he or she has accumulated squared, as expressed in the following equation:

 $n=b^2$ 

where "n" is the number of additional draw numbers and "b" is the number of bonus points. The number of additional draw numbers determines the number of draw numbers for the species or category of the species for which the application was submitted. The applicant's lowest randomly assigned draw number is the number used for the drawing.

- 2. Except as otherwise provided in subsection 5, bonus points accumulated by a person for a [species or] category of species, *subspecies*, *and gender* cannot be transferred to any other person or any other [species or] category of species, *subspecies*, *and gender*.
- 3. Any bonus points accumulated by an applicant automatically transfer with the applicant if the applicant changes his or her state of residence. Bonus points transferred pursuant to this subsection apply to the same species or category of species, *subspecies*, *and gender* to which they applied before the transfer.
- 4. The number of bonus points applicable to applications submitted by a group pursuant to NAC 502.4185 for 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.

5. Bonus points associated with a junior hunt are not distinct from and automatically transfer to those associated with a general hunt. If the junior hunt for which the application was made allows for the harvest of an antlered or antlerless mule deer, the bonus point will be issued in the category of antlered mule deer. [If a person becomes ineligible to apply for a junior hunt for deer pursuant to NAC 502.333 or becomes ineligible to participate in a junior hunt for deer because of his or her age, each unused bonus point accumulated by that person for a junior hunt for deer automatically transfers to the category for antlered mule deer. The provisions of this subsection do not apply to a bonus point accumulated by the person for a junior hunt for deer in a year in which the person also accumulated a bonus point in the category for antlered mule deer.

6. If a person becomes ineligible to apply for a junior hunt for wild turkey pursuant to NAC-502.333 or becomes ineligible to participate in a junior hunt for wild turkey because of his or herage, each unused bonus point accumulated by person for a junior hunt for wild turkey automatically transfers to the category for wild turkey.]

# STATE OF NEVADA NEVADA BOARD OF WILDLIFE COMMISSIONERS NEVADA DEPARTMENT OF WILDLIFE SMALL BUSINESS IMPACT STATEMENT PURSUANT TO NRS233B

Commission General Regulation 524 LCB File No. RXXX-XX Bonus Points Associated with Junior Hunt Applications

The purpose of this form is to provide a framework pursuant to NRS 233B.0608 to determine whether a small business impact statement is required for submittal of a proposed regulation before the Nevada Board of Wildlife Commissioners. Note: Small business is defined as a "business conducted for profit which employs fewer than 150 full-time or part-time employees" (NRS233B.0382).

1. Describe the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary:

#### **ANSWER:**

Comment was not solicited from small businesses. This regulation does not affect small businesses as the changes are associated with individual customers of the Nevada Department of Wildlife.

2. Describe the manner in which the analysis was conducted:

#### **ANSWER:**

Agency personnel concluded that there would be no small businesses impact and no need for a small business impact analysis.

- 3. Describe the estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:
  - a.) Both adverse and beneficial effects:

#### **ANSWER:**

There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.

b.) Both direct and indirect effects:

#### ANSWER:

There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.

4. Describe the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods:

#### **ANSWER:**

There will be no impact from the proposed regulation on small businesses, therefore no methods were considered or taken by the agency.

5. Describe the estimated cost to the agency for enforcement of the proposed regulation:

#### **ANSWER:**

The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional cost to the agency above the current legislatively approved budget. Since this regulation will simplify bonus point processes, it is anticipated to save costs for the Department.

6. If the proposed 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:

#### **ANSWER:**

The proposed regulation does not provide new or increased fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary:

#### **ANSWER:**

This regulation does not include provisions that duplicate or are more stringent than federal, state, or local standards.

8. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses:

#### **ANSWER:**

The agency concluded that this regulation does not impact small businesses because the changes are associated with individual customers of the Nevada Department of Wildlife and do not include any added fees, costs, or requirements of those customers.

I hereby certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Alan Jenne, Director Nevada Department of Wildlife