

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS
LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement**

**LCB File No. R088-14
CGR Number - 451**

MEMORANDUM

To: Legislative Counsel Bureau **Date:** September 11, 2014

From: Tony Wasley, Secretary, Board of Wildlife Commissioners

Subject: Informational statement relating to Commission General Regulation No. 451
(LCB File No. R088-14) - as required by Chapter 233B.066.

- 1. A clear and concise explanation of the need for the adopted regulation.**
The need for the adopted regulation is to increase demerit points for extended trap visitation violations and trespassing on private property by sportsmen. This will better reflect the severity of prolonged trap visitation violation and increase in demerit points should result in a reduction of trespassing on private property by sportsmen.
- 2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**
A copy of the proposed regulation was noticed and provided to Nevada's 17 County Advisory Boards to Manage Wildlife (CABMW) as part of the Nevada Board of Wildlife Commissioners (NBWC) agenda and support material for their August 15-16, 2014 meeting. Those CABMW's that held public meetings prior to the August 15-16, 2014 NBWC meeting provided opportunity for public comment at their individual meetings. Public comment was solicited at the NBWC workshop on August 15-16, 2014 in Fallon. Public response was received pertaining to the provisions of this regulation.

Those in favor of adopting the proposed changes stated that demerits for not visiting traps should be much more severe than they are if a trapper exceeds 48 hours past the 96 hours already allotted. They testified that an animal being caught in a trap for over 144 hours is extremely inhumane.

Those opposed to adopting the proposed changes stated that there were often extenuating circumstances that would cause a trapper to be late on his or her visitation, and that this was a continuation of efforts by anti-trappers to gradually eliminate trapping in Nevada. There was extensive testimony opposed to raising the demerits for hunting, trapping, or fishing on private land without permission because they feared that the law may apply to those who unknowingly or unintentionally trespassed on private land that was not properly posted. Most stated they felt 12 demerits were much too severe for a trespass violation as it would cause a person's license privileges be revoked.\

A summary is available by contacting the Nevada Department of Wildlife, Division of Law Enforcement, 1100 Valley Road, Reno, Nevada 89512, or call (775) 688-1549.

- 3. The number of persons who:**
 - (a) Attended each hearing: 34 Workshop 29 Hearing**
 - (b) Testified at each hearing: 14 Workshop 6 Hearing**
 - (c) Submitted written comments: 27 Public Comment 20**

- 4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**
 - (a) Name; Mike Turnipseed
 - (b) Telephone number; (775) 885-2101
 - (c) Business address; PO Box 553, Genoa, NV 89411
 - (d) Business telephone number;
 - (e) Electronic mail address; and mike_turnipseed@sbcglobal.net
 - (f) Name of entity or organization represented. Douglas CABMW

 - (a) Name; Jeff Turnipseed, President
 - (b) Telephone number;
 - (c) Business address; PO Box 21393, Reno, Nevada 89515-1393
 - (d) Business telephone number; (775) 323-1177
 - (e) Electronic mail address; and info@nevadabighornsunlimited.org
 - (f) Name of entity or organization represented. Nevada Bighorns Unlimited

 - (a) Name; Paul R. Dixon, Chairman
 - (b) Telephone number; (505) 867-5797
 - (c) Business address; 9445 Grenville Avenue, Las Vegas, Nevada 89134
 - (d) Business telephone number;
 - (e) Electronic mail address; and MLDPRD24@yahoo.com
 - (f) Name of entity or organization represented. Clark CABMW

 - (a) Name; Les Smith, Regional Director
 - (b) Telephone number;
 - (c) Business address; 4327 Titan Court, Sparks, NV 89436
 - (d) Business telephone number;
 - (e) Electronic mail address; and
 - (f) Name of entity or organization represented. Rocky Mountain Elk Foundation

 - (a) Name; Brad Johnston, Chairman
 - (b) Telephone number; (775) 316-1157
 - (c) Business address; 18 Jacob Road, Yerington, NV 89477
 - (d) Business telephone number;
 - (e) Electronic mail address; and brad@periandsons.com
 - (f) Name of entity or organization represented. Lyon CABMW

- (a) Name; Bob Brunner
- (b) Telephone number;
- (c) Business address;
- (d) Business telephone number;
- (e) Electronic mail address; and
- (f) Name of entity or organization represented. Self

- (a) Name; Jim Curran, Director
- (b) Telephone number; (775) 867-2239
- (c) Business address; 4170 St. Clair, Fallon, NV 89406
- (d) Business telephone number;
- (e) Electronic mail address; and jcurran@cccom.net
- (f) Name of entity or organization represented. Nevada Trappers Association, Churchill CABMW

- (a) Name; Joel Blakeslee, President
- (b) Telephone number; (775) 742-1308
- (c) Business address; 3700 Lakeside Drive, Reno, NV 89509
- (d) Business telephone number;
- (e) Electronic mail address; and lobonevada@gmail.com
- (f) Name of entity or organization represented. Nevada trappers Association

- (a) Name; Doug Martin, Chairman
- (b) Telephone number; (775) 901-0453
- (c) Business address; 5000 Gentry Lane, Carson City, NV 89701
- (d) Business telephone number;
- (e) Electronic mail address; and douglas.j.martin@att.net
- (f) Name of entity or organization represented. Carson CABMW

- (a) Name; Dr. Don Molde
- (b) Telephone number;
- (c) Business address; P.O. Box 7238, Reno, NV 89510
- (d) Business telephone number;
- (e) Electronic mail address; and
- (f) Name of entity or organization represented. Self

- (a) Name; John Sullivan, Vice President
- (b) Telephone number;
- (c) Business address; 12835 W. Windmill Lane, Las Vegas, NV 89161
- (d) Business telephone number;
- (e) Electronic mail address; and johnsull4@aol.com
- (f) Name of entity or organization represented. Nevada Trappers Association/Self

- (a) Name; Shannon Ireland
- (b) Telephone number;
- (c) Business address;
- (d) Business telephone number;
- (e) Electronic mail address; and sireland702@gmail.com
- (f) Name of entity or organization represented. Self

- (a) Name; Joe Crim, Chairman
- (b) Telephone number; (775) 273-1003
- (c) Business address; 500 Fairview Road, Lovelock, NV 89419
- (d) Business telephone number; (775) 273-1203
- (e) Electronic mail address; and joewwtp@sbcglobal.net
- (f) Name of entity or organization represented. Pershing CABMW

- (a) Name; Sean Shea, Chairman
- (b) Telephone number; (775) 323-9090
- (c) Business address; 10760 Santa Fe Road, Reno, NV 89508
- (d) Business telephone number;
- (e) Electronic mail address; and sean@headmaster.com
- (f) Name of entity or organization represented. Washoe CABMW

- (a) Name; Mel Belding
- (b) Telephone number; (775) 857-4511
- (c) Business address; 4780 Sinelio Drive, Reno, NV 89502
- (d) Business telephone number;
- (e) Electronic mail address; and
- (f) Name of entity or organization represented. Self

- (a) Name; John Sullivan, Vice President
- (b) Telephone number;
- (c) Business address; 12835 W. Windmill Lane, Las Vegas, NV 89161
- (d) Business telephone number;
- (e) Electronic mail address; and johnsull4@aol.com
- (f) Name of entity or organization represented. Nevada Trappers Association/Self

5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

Comment was not solicited from businesses because this regulation does not affect the operations of any business.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was adopted with amendments as follows:

NAC 501.200 Section 1, change demerits for hunting, fishing in nonnavigable waters or trapping on private property without permission from 12 demerits to 9 demerits.

Section 1, change a trap to traps, snare to snares and device to devices.

Section 3, remove proposed changes and leave as written with no change.

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.

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

The Nevada Department of Wildlife determined that the proposed regulations do not impose a direct and significant economic burden on small businesses or restrict the formation, operation, or expansion of a small business, because this regulation does not regulate businesses.

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

Sportsmen will not see an economic effect due to this regulation, because the regulation changes demerit points only there is no financial impact associated with the regulation.

8. The estimated cost to the agency for enforcement of the proposed regulation:

There will be no additional cost for the agency to enforce this regulation as game wardens currently enforce this regulation.

9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other overlapping local, state, or federal government regulations.

10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

There are no federal regulations that regulate this same activity.

11. 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.

There is no fee associated with this regulation.