

Support Material for CGR 354 R196-09 Silver State Tag Board of Wildlife Commission Meeting March 19-20, 2010

Questions & Answers

Question – Where did the guidelines for the Silver State Tag originate from?

Answer – The Silver State Tag drawing has been a work in progress since 2007. It was originally proposed by the Eureka County Advisory Board to Manage Wildlife as a petition. That petition was approved by the commission and the Department went forward to draft language. The CGR language submitted to LCB at that time was kicked back by LCB as it was determined that NRS was needed to bring the Silver State Tag drawing into existence. In the 2009 Legislative Session the authority for the Silver State Tag drawing was created. In December of 2008 prior to the legislative session, a memorandum from the Eureka County Advisory Board to Manage Wildlife identified many of the business rules associated with the program. This memorandum is what guided the Department in the development of the language in this regulation.

Question - Why is the application eligibility for both resident and nonresident?

Answer – The memorandum from the Eureka County Wildlife Advisory Board in 2008 identified the application process for Silver State Tags would be available to both residents and nonresidents. Allowing both residencies would be in keeping with auction tags as those are available to both residents and nonresidents that can bid.

Question – Why only electronic applications?

Answer – By including clients in waiting periods the application has to be handled as a separate application.
There would also be additional administrative and programming costs to the handling of paper applications.

Question – Why is the regulation long?

Answer – Establishing this as a stand alone section (rather than making reference to other draws) in the Nevada Administrative Code provides simplicity when addressing the rules associated with this draw alone. It also isolates the rules if there is a desire to change something associated with this particular draw process in the future and for the public to refer to.

Question – What are the programming costs?

Answer – The programming costs identified during the 2009 Legislative Session associated with including clients in a waiting period was \$18,800.00.

Any additional changes would require re-costing by the contractor.

Question - What happens to my bonus points on my big game tag application for a species if I draw a Silver State Tag?

Answer - If you apply for a Silver State Tag for a species and apply in the initial draw (big game tag draw) for the same species and then draw the Silver State Tag;

1. Your initial tag draw application will not earn a bonus point.
2. Your bonus points WILL NOT revert to zero on the initial tag draw species application,
3. There will be NO BREAK in application to affect bonus points.

This is different from PIW. If you draw a PIW tag, bonus points on the species revert to zero.

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Initial Guidelines for Silver State Tags Based on Intent

- The general hunter's equivalent of the auction tags.
- Species of tags, seasons, quota will be determined through the seasons and bag process in conjunction with the big game seasons.
- The Silver State Tag draw process would occur before the initial big game draw and PIW.
- Residents and nonresidents can apply.
- Eligibility restrictions would not apply. Those clients currently in waiting periods would be eligible to apply for Silver State Tags.
- There would be a nonrefundable fee to participate. \$15 has been proposed.
- Drawing a Silver State Tag would make that client ineligible to obtain a tag for that species of big game in the initial big game and PIW and subsequent draws that year except where authorized by the Commission (NAC 502.331). The exceptions would be addressed in CR (seasons and bag) as they are now.
- The funds generated from the nonrefundable Silver State Tag fee would be deposited into the Wildlife Heritage Trust Account.
- Bonus points would not be earned on Silver State Tag applications.
- Bonus points would not be utilized in the Silver State Tag draw.
- Bonus points will not revert to zero on the same species if a Silver State Tag is obtained.
- Electronic application only.
- To keep the cost to the sportsman at a minimum there would be an exemption from the application fee established in NAC. Statute indicates a fee not to exceed \$10 MAY be charged for an application for a tag.

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Language Explanations

Section 2 –

The intent of this section is to address residency of the applicants and that it will be an electronic application only.

It also identifies the draw order and participation, if eligible, in the subsequent initial draw and PIW draw if the applicant chooses to participate in those draws.

Language updates

Identified one change in Section 2, subsection 2, line 2. Change the words “may choose to” to “will”. Silver State Tag applicants can only apply as individuals.

Identified in Section 2, subsection 3a, line 2. Change the language “participate as a single applicant” to “apply”. An applicant can apply in the initial drawing for deer as a party. We do not want to prohibit the ability to apply in a party deer application in the initial drawing if they applied for the Silver State deer tag.

Section 3 –

The intent of this section is to address information that will be required for the Silver State Tag application and the ability to withdraw the application and the fees.

These fees are the required fees for a separate application.

Language updates

Section 3, subsection 3 can be deleted if CGR 380 Application Amendment regulation is approved as this will be obsolete language. Allowance to withdraw a Silver State Tag application will fall under the new NAC that CGR 380 creates.

Section 4 –

The intent of this section identifies rejection criteria.

Section 5 –

The intent of this section identifies the process regarding alternates if a Silver State Tag is turned in.

Section 6 –

The intent of this section is to provide the language for the Commission to establish the quotas, species and conditions for Silver State Tags.

It identifies that the seasons will be concurrent with the auction tags.

This section identifies that the Silver State Tags are in addition to the quota tags in the initial drawing and PIW tags.

Silver State Tags will be issues for male animals only except for mountain goat.

It addresses the topic of the Department committing an error associated with the processing of a Silver State Tag application.

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Section 7 –

Eligibility or waiting periods are covered in this section. This language provides for those in waiting periods for a particular species the ability to apply for that species if there is a Silver State Tag established for that species.

Section 8 –

The intent of this section addresses bonus points.

Bonus points on a species category do not apply to Silver State Tag applications.

Bonus points for the species category in subsequent initial draw are not lost if a Silver State Tag is drawn.

Bonus points will not be awarded for unsuccessful Silver State Tag applications.

Section 9 -

The intent of this section addresses third party errors if they should occur. i.e.: Banking error that is not the fault of the client.

Section 10 –

The intent of this section is to keep the cost of participation in this program as low as possible for the general hunter. This section addresses the request to not charge the \$10 application fee required for all other applications.

Sections 11 – 13

These sections were added by LCB. The intent of these sections are to update the species eligibility regulations for antelope, elk, bighorn sheep and goat to address the Silver State Tag application process allowing clients in waiting periods the ability to apply for Silver State Tags.

Section 14 -

Add the eligibility language for mountain goat as it was left out by LCB.

Language updates

NAC 502.364 is hereby amended to read as follows:

502.364 1. Before a person may hunt a mountain goat, he must obtain a tag from the Department. Except as otherwise provided by **section 7 of this regulation or** a regulation of the Commission or title 45 of NRS, a person may apply for a mountain goat tag in any year if, in the immediately preceding 10 years, he did not receive a tag or replacement tag for a mountain goat.

2. A person who harvests a mountain goat shall, within 5 days after harvesting it, personally present the skull, hide and any edible portion of the animal, or its carcass, to a representative of the Department for inspection.