

NEVADA BOARD OF WILDLIFE COMMISSIONERS
PETITION FOR ADOPTION, AMENDMENT, FILING OR REPEAL OF REGULATION
(Submit to: Secretary, Board of Wildlife Commissioners, 1100 Valley Road, Reno, NV 89512)

Petitioner's Full Name: Nevada Outfitters and Guides Association

(Please Print)

Type of Petitioner: (Individual, Partnership, Corporation, Government Agency, Other): Nonprofit Corporation

Petitioner's Mailing Address: P.O. Box 28-1251, Lamoille, NV 89828

Petitioner, please complete the following (attach additional sheets if necessary):

1. State the need for and purpose of the proposed regulation: See attached.

2. Provide (or attach) the wording for the change you are proposing: Return to the original wording of NAC 502.4237 that allowed applicants who were unsuccessful or rejected to apply in the main draw for deer.
3. What is the estimated "economic" effect of the regulation on the business which it is to regulate?
 - (a) Include both adverse and beneficial effects: See attached.
 - (b) Include both immediate and long-term effects: See attached.
4. What is the estimated "economic" effect of the regulation on the public which it is to regulate?
 - (a) Include both adverse and beneficial effects: See attached.
 - (b) Include both immediate and long-term effects: See attached.
5. What is the estimated cost to the Department of Wildlife for enforcement of the proposed regulation?
No additional cost.
6. Does the proposed change overlap or duplicate any regulations of other state or local government agencies? X No. Yes. If "Yes," list the agency and explain why the duplication or overlapping is necessary:
7. Does the requested change overlap or duplicate a federal regulation? X No. Yes. If "Yes," list the name of the regulating federal agency?
8. Is the requested change required by federal law? X No. Yes. If "Yes," please cite or describe the federal law as best you can:
9. Does the requested change include provisions which are more stringent than a federal regulation that regulates the same activity? X No. Yes.
10. Does the requested change establish a new fee or increase an existing fee? X No. Yes.

Petitioner's Signature

Henry W. Trunko

Date

4-15-10

ATTACHMENT TO NOGA PETITION

1. The original intent of NAC 502.4237 was to support the guide industry by setting aside a percentage of the nonresident deer tags in a separate draw for applicants contracted with a masterguide to be held before the main draw, and allowing those applicants who were unsuccessful or rejected to also apply in the main draw for deer. The intent was to make contracting with a guide more appealing, and it was successful as evidenced by the fact that 1,563 nonresident deer hunters applied for the guided hunt draw in 2006, and declined to 857 in 2009 after the opportunity to apply in the main draw was taken away. This is hurting our industry and also losing needed revenue for NDOW.

Most, if not all of the guides were not aware of the petition to take away the second draw until it was done or we would have been voicing our opposition. If the Association was given a heads up by NDOW it was not passed on to the membership. We have waited to determine just what the impact of the change would be before pursuing trying to get it reversed.

The NDOW lost a minimum of \$28,595 in 2009 that can be attributed directly to the loss of the second draw opportunity for nonresidents. The Department has been asked to determine a more concise fiscal impact.

3a. Adverse effects: Some of the guides have more successful applicants with the lower numbers that raise the odds. If the second draw is reinstated it will also fuel the anti-guide and anti-nonresident sentiment.

Beneficial effects: More nonresident hunters will apply for both draws and the guide industry and NDOW will benefit.

3b. Immediate and long-term effects: The guide industry and NDOW will benefit in the near and long term from increased revenue. Anti-guide and anti-nonresident sentiment will always be with us.

4a. There are no adverse economic effects. The increased revenue for NDOW and the business' that support the guide industry are beneficial economic effects.

4b. The increased revenue will be an immediate and long-term economic effect.

The Association will provide support materials to the advisory boards and the Board of Wildlife Commissioners. We will also try to have a representative at the advisory boards' meetings, and we will have a representative at the Board of Wildlife Commissioners' meeting.