

Support Material for CGR 393 Black Bear Hunt Regulations

BACKGROUND

- In June 2010 Game Division provided an informational report on Black Bear Management to the Commission
- At the August 2010 Commission meeting Carl Lackey, Department of Wildlife Biologist, provided a presentation on Black Bears. The Commission directed the Department to draft regulation and annual season and quota language for a bear hunt.
- At the September 2010 Commission meeting Carl Lackey, Department of Wildlife Biologist and Larry Gilbertson, Chief of Game Division presented a report on a recommended black bear season structure. The Department was directed to go forward with regulatory changes.
- At the December 2010 Commission meeting, the Board of Wildlife Commission approved Temporary Regulation CGR 393.
- Temporary Regulations is the terminology used regarding changes to Nevada Administrative Code that occur when the Legislature is in session. After the session the language has to be approved a second time to go forward as permanent changes to Nevada Administrative Code.

Statutory and Regulatory Authorities

- NRS 503.102 – Is a Legislative declaration regarding hunting. The Legislature declares that hunting is permitted by law in this state:
 1. Is a valuable activity in the management of game mammals and game birds.
 2. Results in financial support for conservation programs that benefit many species, including nongame wildlife.
 3. Is an excellent source of food, recreational opportunities and employment.
 4. Contributes significantly to the economy of this State and the quality of life of its citizens.
 5. Provides a beneficial use for firearms, archery equipment and other legal weapons used to take game mammals and game birds, following the pioneer spirit of Nevada.
- NRS 502.130 provides statutory authority for tags for deer, elk, antelope, mountain sheep or bear.
- NRS 502.250 provides statutory authority regarding fees for other big game tags other than deer, antelope, elk mountain goat and big horn sheep. This fee must not to exceed \$120 for a resident big game tag and \$1,200 for a nonresident big game tag.
- NAC 502.416 – 502.4239 provides regulatory authority regarding the game tag application and eligibility processes in addition to the changes addressed in this CGR.
- NAC 503.020 identifies Black Bear as a game mammal.

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Language Explanations

Sections 1 – 4 Address changes to Chapter 502 of Nevada Administrative Code

Section 1 – New language to Chapter 502 of Nevada Administrative code regarding the Black Bear tag waiting period eligibility, tag fees and presentation to the Department.

- Subsection 1 - provides language that residents and nonresidents have to be eligible to apply for a Black Bear tag. With the language written in this fashion it provides the public and the Commission the ability to provide the option of a resident and/or a nonresident hunt when establishing the hunt in seasons and bags.

Also in this subsection is the language presented regarding waiting periods. If a black bear is not harvested, the hunter would be eligible to apply again the following year. If a black bear is harvested the application waiting period is 5 years.

- Subsection 2 - is the language regarding fees for Black Bear tags. NRS 502.250 provides the authority to establish a fee not to exceed \$120 and \$1,200 for residents and nonresidents respectively. At the direction of the Commission at the December meeting the Black Bear tag fee is presented at \$100 for a resident big game tag and \$300 for a nonresident big game tag.
- Subsections 3 and 4 – is language for the timeframes to report the harvest and to present the skull and hide to the Department for inspection. The inspection will allow the Department to obtain a variety of biological measurements to be utilized in the Department's ongoing black bear management.
- Subsection 5 – Establishes language regarding killing a female accompanied by a cub and a definition of a black bear cub.
- Subsection 6 - This section provides for the Commission the authority to annually establish the quota, seasons and management units or unit groups and stipulations on season closure.
- Subsection 7 - Establishes a toll free telephone number for the public to call to keep the public informed on the whether the season is open or closed. It also establishes the other methods of notification of hunters once the season is closed.

Section 2 – Amends established language in subsection 1 to include black bear in the list of species that restricts a person in obtaining only one tag unless otherwise specified by the Commission.

Section 3 - Amends the established language in subsection 1.b to include black bear as one of the species for which an unsuccessful applicant can be awarded a bonus point.

Section 4 –Amends established language regarding the bonus point program and the species categories to include black bear as a species category.

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Sections 5–8 Address changes to Chapter 503 of Nevada Administrative Code.

Section 5 – New language to NAC Chapter 503 regarding baiting of big game mammals and the definition of bait.

Section 6 – Amends established language to include black bear regarding the use of dogs during an open season in hunting. It also clarifies that authority under which a black bear or mountain lion can be hunted, chased or pursued.

Section 7 - Amends established language regarding the non-edible parts of game animals. It adds language regarding gall bladders of any species of bear and the possession of **more** than two gall bladders. Taking into account that there could be a hunter that could legally take a black bear in California and Nevada.

Section 8 – Amends the established language regarding the management area and unit boundaries to include black bear in the species listed.