



STATE OF NEVADA  
DEPARTMENT OF WILDLIFE  
Operations Division

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**MEMORANDUM**

**Date: November 19, 2016**

**To:** Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

**From:** Robert Haughian, Administrator, Operations Division

**Title:** Commission General Regulation 465, LCB File No. R141-16

**Description:** Standardization of Antelope and Elk Waiting Periods

**Presenter:** Maureen Hullinger, Management Analyst III, Operations Division

**Agenda No:** 26 D

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**Summary:**

Successful tag applicants (hunters) for some big game species are subjected to a waiting period before they can apply again in subsequent years for a tag for the same species. At the public's request via the Tag Allocation and Application Hunt Committee (TAAHC), the Committee reviewed the antelope and elk tag application waiting periods to determine if the respective waiting periods could be reduced.

Elk and antelope herds have increased and there is growing public desire to reduce the waiting periods for hunters to apply for tags if they have previously received an antelope or bull elk tag. Additionally, there was interest in standardizing the waiting periods associated with each of these species regardless of harvest in an effort to help minimize confusion. Concerns were voiced regarding the increased number of clients who would become eligible for the draw if waiting periods were reduced. Additionally, there were concerns voiced about hunters not harvesting animals because they could apply again soon vs the longer wait if harvest.

Standardization of waiting periods is believed by the TAAHC committee and the Department to be an effective means to better encourage hunters to harvest if given the opportunity, thus further benefiting the Department's management goals.

At the September 23-24, 2016 Commission meeting a workshop was held and no additional changes were recommended.

**Recommendation:**

The Department recommends that the Commission adopt the regulation as presented.

**PROPOSED REGULATION OF THE  
BOARD OF WILDLIFE COMMISSIONERS**

**LCB File No. R141-16**

August 17, 2016

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

AUTHORITY: §§1 and 2, NRS 501.105, 501.181, 502.130, 502.140 and 502.160; §3, NRS 501.105, 501.181, 502.160 and 502.250.

A REGULATION relating to wildlife; revising provisions governing the eligibility of a person to apply for a tag to hunt antelope or elk; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing regulations authorize a person to apply in any year for a tag to hunt antelope unless his or her privilege is limited or revoked pursuant to law. However, if a person obtains such a tag and harvests an antelope with horns longer than its ears, that person is not eligible to apply for another tag to hunt antelope with horns longer than its ears during the next 5 years. (NAC 502.341) **Section 1** of this regulation instead provides that, unless his or her privilege is limited or revoked pursuant to law, a person is eligible to apply in any year for a tag to hunt an antelope, except that a person who receives a tag to hunt an antelope with horns longer than its ears is ineligible to apply for the same tag for 3 years.

Existing regulations authorize a person, unless his or her privilege is limited or revoked pursuant to law, to apply for a tag to hunt spike elk in any year except the year following a year in which the person obtained a tag or a replacement tag to hunt spike elk. Additionally, unless his or her privilege is limited or revoked pursuant to law, a person may apply for a tag to hunt bull elk in any year if he or she did not receive a tag or a replacement tag to hunt bull elk in the previous 5 years, except that a person who obtains a tag to hunt bull elk and who harvests a bull elk is not eligible to apply for a tag to hunt bull elk during the next 10 years. Finally, a person may apply in any year for a tag to hunt antlerless elk unless his or her privilege is limited or revoked pursuant to law. (NAC 502.361) **Section 2** of this regulation revises the provisions related to applying for a tag to hunt bull elk and antlerless elk. Unless his or her privilege is limited or revoked pursuant to law, a person may apply for a tag to hunt: (1) bull elk in any year if he or she did not receive a tag or a replacement tag to hunt bull elk in the previous 5 years; and (2) antlerless elk or spike elk in any year.

Existing law authorizes the Board of Wildlife Commissioners to establish a Partnership in Wildlife Drawing, which is an additional drawing for big game tags. (NRS 502.250) Existing regulations provide that an applicant who is unsuccessful in obtaining a tag at the initial drawing

for a big game tag may apply for the same species in the Partnership in Wildlife Drawing. (NAC 502.427) The same eligibility rules that apply to an applicant in an initial drawing for a tag to hunt a bighorn sheep, elk or mountain goat apply in the Partnership in Wildlife Drawing. (NAC 502.4285) However, a person who obtains an antelope tag from the Partnership in Wildlife Drawing is not eligible to apply for another tag to hunt antelope for the next 5 seasons, in either the initial drawing or the Partnership in Wildlife Drawing. **Section 3** of this regulation removes the exception on eligibility for a person who obtains a tag to hunt an antelope from the Partnership in Wildlife Drawing and makes it the same as for a person who obtains a tag to hunt an antelope in the initial drawing, as provided for in **section 1**.

**Section 1.** NAC 502.341 is hereby amended to read as follows:

502.341 ~~{1.—Unless}~~*Except as otherwise provided in subsection 2, unless* his or her privilege is limited or revoked pursuant to law, any resident of Nevada or nonresident is eligible to apply in any year for a tag to hunt *an* antelope.

2. Except as otherwise provided in ~~{NRS 502.215 and}~~NAC ~~{502.321}~~*502.42694* and 502.4293, ~~{any person who harvests}~~*or unless his or her privilege is limited or revoked pursuant to law, a person is eligible to apply for a tag to hunt* an antelope with horns longer than its ears ~~{using a tag specified in subsection 1 is not eligible to apply for another}~~*if he or she did not receive a tag or a replacement* tag to hunt antelope with horns longer than its ears ~~{during the next 5}~~*in the previous 3* years.

**Sec. 2.** NAC 502.361 is hereby amended to read as follows:

502.361 1. Except as otherwise provided in ~~{subsection 3 or}~~NAC *502.42694 and* 502.4293, or unless his or her privilege is limited or revoked pursuant to law, a person is eligible to apply for a bull elk tag in any year if he or she did not receive a bull elk tag or a replacement tag for a bull elk in the previous 5 years.

2. Unless his or her privilege is limited or revoked pursuant to law, a person is eligible to apply for an antlerless elk tag in any year.

~~{2.—Except as otherwise provided in NAC 502.4293, unless}~~

3. *Unless* his or her privilege is limited or revoked pursuant to law, a person is eligible to apply for a spike elk tag in any year . ~~[if he or she did not receive a spike elk tag or a replacement tag for a spike elk in the previous year.~~

~~—3.— Except as otherwise provided in NAC 502.4293, a person who obtains a bull elk tag or a replacement tag for a bull elk and is successful in harvesting a bull elk is not eligible to apply for another bull elk tag during the next 10 years.]~~

**Sec. 3.** NAC 502.4285 is hereby amended to read as follows:

502.4285 The provisions of NAC **502.341**, 502.345, 502.361 and 502.364, regarding a person's eligibility to obtain tags, apply to tags obtained through a Partnership in Wildlife Drawing. ~~[Notwithstanding the provisions of NAC 502.341, a person who obtains an antelope tag for any type of hunt from a Partnership in Wildlife Drawing is not eligible to apply for another tag to hunt for antelope for the next five open seasons.]~~