

**STATE OF NEVADA
NEVADA DEPARTMENT OF WILDLIFE
NEVADA BOARD OF WILDLIFE COMMISSION**

**NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED
REGULATIONS**

The Nevada Department of Wildlife is proposing the adoption of regulations pertaining to Chapter 502 of the Nevada Administrative Code. A workshop will be held during the NDOW Commission Meeting at the Clark County Government Center, Commission Chambers, 500 S. Grand Central Parkway, Las Vegas, NV 89155, on September 24th, 2022 at 9:00 am. The purpose of the workshop is to solicit written and/or oral comments from interested persons on the following general topics that may be addressed in the proposed regulations:

Commission General Regulation 502, NAC 502 Junior Hunt and Turkey Program, LCB File No. R051-21

The Commission will hold a workshop to consider amending Nevada Administrative Code (NAC) 502 that would limit the number of successfully awarded tags in the junior hunt program, remove hard close dates for submitting a turkey harvest return card and allow for junior turkey bonus points to roll over into the adult category once a junior is no longer able to participate in the junior hunt turkey program.

Commission General Regulation 508, NAC 502 Antler Point and Spike Elk Defined, LCB File No. R090-22

The Commission will consider adopting changes that would clarify the definitions of “antler points” and “spike elk” for certain big game mammals and reduce the likelihood of inadvertent infractions.

The regulation language is subject to change following the discussions and deliberations of the Commission.

Public comment will be taken on each action item following Commission discussion and before any action is taken. The content of written comments should be consistent with the three (3) minute public comment period allowed during normally conducted meetings. If a comment is excessively lengthy, the Commission reserves the right to review only that portion that is consistent with this policy. Persons are invited to submit written comments to wildlifecommission@ndow.org or may address their comments, data, views, or arguments, in written form, to the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511 attention Director’s Office. Written submissions must be received by the Nevada Department of Wildlife 5 weekdays before the meeting .

This Notice of Workshop and support material will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Persons wishing to request a copy of this notice and the mentioned regulations may contact Meghan Beyer at meghan.beyer@ndow.org.

Additional copies will be available at the following Nevada Department of Wildlife offices:

1100 Valley Road, Reno, Nevada 89512 (775) 688-1506
380 W. B Street, Fallon, Nevada 89406 (775) 423-3171
60 Youth Center Road, Elko, Nevada 89801 (775) 777-2300
4747 Vegas Drive, Las Vegas, Nevada 89109 (702) 486-5127

These regulations will also be available at the following websites:

<https://www.leg.state.nv.us/App/Notice/A/>

<https://notice.nv.gov/>

<http://www.leg.state.nv.us/register/>

http://www.ndow.org/Public_Meetings/Public_Notices/

A copy of all materials relating to the proposed regulations may be obtained at the workshop or by contacting the Director's Office at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511, (775) 688-1597 or by emailing Meghan Beyer at meghan.beyer@ndow.org. A reasonable fee may be charged for copies if it is deemed necessary.

09/02/2022

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

LCB File No. R090-22

July 11, 2022

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

AUTHORITY: §§ 1 and 2, NRS 501.105 and 501.181.

A REGULATION relating to wildlife; clarifying certain definitions relating to wildlife; revising certain definitions relating to spike elk; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners to: (1) establish policies and adopt regulations necessary to preserve, protect, manage and restore wildlife and its habitat; and (2) adopt regulations necessary to carry out the provisions of title 45 of NRS governing wildlife, including, without limitation, the manner and means of taking wildlife. (NRS 501.105, 501.181)

Existing law defines the term “antler point” to exclude the first antler point on the main beam, commonly known as the eye guard on mule deer. (NRS 501.3855) **Section 1** of this regulation clarifies that the exclusion of the first antler point on the main beam is limited to mule deer.

Existing regulations define the terms “spike elk” and “spike elk only” to mean antlered elk having not more than two antler points above the top of the ear on either antler. (NAC 502.104, 502.1045) **Sections 2 and 3** of this regulation revise these definitions to mean antlered elk having not more than three antler points on either antler.

Section 1. Chapter 502 of NAC is hereby amended by adding thereto a new section to read as follows:

For the purposes of NRS 501.3855 and NAC 502.006, the Department interprets the exclusion of the first antler point on the main beam, as described in the definition of “antler point” in NRS 501.3855, to be limited to mule deer.

Sec. 2. NAC 502.104 is hereby amended to read as follows:

502.104 “Spike elk” means any antlered elk having not more than ~~two~~ *three antler* points ~~above the top of the ear~~ on either antler.

Sec. 3. NAC 502.1045 is hereby amended to read as follows:

502.1045 “Spike elk only” means, in a designation of elk that may be taken during an open season, only antlered elk having not more than ~~two~~ *three antler* points ~~above the top of the ear~~ on either antler.

**STATE OF NEVADA
NEVADA BOARD OF WILDLIFE COMMISSIONERS
NEVADA DEPARTMENT OF WILDLIFE
SMALL BUSINESS IMPACT STATEMENT PURSUANT TO NRS233B**

Commission General Regulation 508 LCB File No. R090-22 Antler Points and Spike Elk Defined

The purpose of this form is to provide a framework pursuant to NRS 233B.0608 to determine whether a small business impact statement is required for submittal of a proposed regulation before the Nevada Board of Wildlife Commissioners. Note: Small business is defined as a “business conducted for profit which employs fewer than 150 full-time or part-time employees” (NRS233B.0382).

1. Describe the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary:

ANSWER:

Comment was not solicited from small businesses. This regulation does not affect small businesses as the changes are associated with a program administered by the Nevada Department of Wildlife.

2. Describe the manner in which the analysis was conducted:

ANSWER:

Agency personnel concluded that there would be no small businesses impacted and therefore no need for a small business impact analysis.

3. Describe the estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

- a.) Both adverse and beneficial effects:

ANSWER:

There will be no adverse or beneficial economic effects from the proposed regulation on small business because it does not regulate the operation of any small business.

- b.) Both direct and indirect effects:

ANSWER:

There will be no direct or indirect economic effects from the proposed regulation on small business because it does not regulate the operation of any small business.

4. Describe the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods:

ANSWER:

There will be no impact from the proposed regulation on small businesses, therefore no methods of impact reduction were considered or taken by the agency.

5. Describe the estimated cost to the agency for enforcement of the proposed regulation:

ANSWER:

The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional cost to the agency above the current legislatively approved budget.

6. If the proposed 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:

ANSWER:

The proposed regulation does not provide new or increased fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary:

ANSWER:

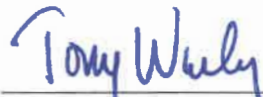
This regulation does not include provisions that duplicate or are more stringent than federal, state, or local standards.

8. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses:

ANSWER:

The agency concluded that this regulation does not impact small businesses because the changes are not associated with regulating any small business functions by the Nevada Department of Wildlife.

I hereby certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.



Tony Wasley, Director
Nevada Department of Wildlife