



State of Nevada
Department of Wildlife
Game Division

6980 Sierra Center Parkway, Ste 120 • Reno, NV 89511
(775) 688-1500 Fax (775) 688-1987

MEMORANDUM

March 5, 2021

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

From: Mike Scott, Game Division Administrator

Title: Commission General Regulation 498, NAC 503.147

Description: The Commission will consider language in NAC 503.147 which could affect the use of dogs as a legal method for the hunting of black bears in Nevada.

Summary:

The current language in Nevada Administrative Code allowing the use of dogs to hunt black bears is as follows:

NAC 503.147 Hunting with a dog. (NRS 501.105, 501.181, 503.150) It is unlawful to hunt, chase or pursue:

1. *Any black bear or mountain lion with a dog except during the open season, in an open management area and under the authority of a hunting license and:
(a) A black bear tag, if the person is hunting, chasing or pursuing a black bear; or
(b) A mountain lion tag, if the person is hunting, chasing, or pursuing a mountain lion.*

Ms. Cathy Smith has submitted a petition to the Nevada Board of Wildlife Commissioners requesting a proposed change to the language in NAC 503.147 which would remove language that allows the use of dogs for hunting, chasing or pursuing black bears in Nevada.

Explanation of the Proposed Regulation:

Currently, hunters or their licensed guides are allowed to use dogs to hunt bears during the open black bear season. The general concept is that the hunter encounters the track of a bear and releases the dogs, which pursue the bear. When the dogs get close enough, as a natural escape strategy the bear will climb a tree. The hunter makes his or her way to the tree and based upon gender, age and other observable characteristics, then chooses whether or not harvest the bear. There are other methods for hunting bears that do not involve the use of dogs.

For small business impacts, comments were solicited through an online survey that was sent to master guides who utilize hounds to hunt bears.

A summary of responses consisted of a varying loss of revenue (\$20,000 - \$50,000 annually or \$4,000 - \$6,000 per hunt), and a possible decrease in hunter success.

There would be no additional cost to the Department for the enforcement of this regulation.

In conclusion, revenue could be lost for small business owners providing guided hunting services with the utilization of hounds and no discernable impacts to the agency.

Recommendation:

The Department recommends that the Commission review and discuss the petition and information brought forth by the petitioner, the Department, and multiple stakeholder groups.

**Regulation language
provided by the
petitioner.**

2. Provide (or attach) the wording for the change you are proposing:

NAC 503.147 Hunting with a dog. (NRS 501.105, 501.181, 503.150) It is unlawful to hunt, chase or pursue:

1. Any ~~black bear or~~ mountain lion with a dog except during the open season, in an open management area and under the authority of a hunting license and:

- (a) ~~A black bear tag, if the person is hunting, chasing or pursuing a black bear; or~~
- (b) A mountain lion tag, if the person is hunting, chasing or pursuing a mountain lion.

**Small Business Impact
Statement provided by the
petitioner.**

Nevada Board of Wildlife Petition

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:

(b) Include both immediate and long-term effects:

The adverse economic effects will be negligible on outfitters given the small size of the hunt.

There is documented economic benefit in other western states that have disallowed hounding. For example, tag sales for black bears markedly increased following a hounding ban in 1994 in Oregon. The average number of tags sold from 1983 to 1993 was 21,446, before the ban. The average number of tags sold from 1996-2006 was 35,133, after the ban. The same pattern was demonstrated in Washington State after a hounding ban in 1996. The average number of tags sold from 1992-1996 was 12,441 before the ban. The average number of tags sold from 1998-2002 was 29,071 after the ban.

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:

(b) Include both immediate and long-term effects:

There will be no adverse economic effect on the public, immediate or long term.

There will be no significant long term effects because of the small population of bears in Nevada allowing for only a "boutique" hunt. It was established during multiple bear committee meetings that the hunt is strictly for hunter opportunity and not for population control.

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

Commission General Regulation 498 LCB File No. RXXX-XX PETITION

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:

Comments were solicited through an online survey that was sent to master guides who utilize hounds to hunt bears.

A summary of responses consisted of a varying loss of revenue (\$20,000 to \$50,000 annually or \$4,000 to \$6,000 per hunt), and a possible decrease in hunter success.

Copies of survey results may be requested through the Directors Office.

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

ANSWER:

Analysis was conducted through the review and summarization of submitted responses.

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:
- b.) Both direct and indirect effects:

ANSWER:

Overall adverse and direct effects consisted of a varying loss of revenue (\$20,000 to \$50,000 annually or \$4,000 to \$6,000 per hunt).

Copies of survey results may be requested through the Directors Office.

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:

Not applicable.

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

ANSWER:

There will be no additional cost to the Department for the enforcement of this regulation.

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:

Not applicable.

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:

Not applicable.

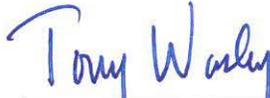
8. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses:

ANSWER:

In conclusion, revenue would be lost for small business owners providing guided hunting services with the utilization of hounds.

Copies of survey results may be requested through the Directors Office.

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