

Executive Order 2023-003

Informational Report - Executive Order 2023-003

Name of department and commission:

Nevada Board of Wildlife Commission and Nevada Department of Wildlife

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City: **Reno** Zip: **89511** Telephone: **775-688-1599**

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Section 1 - Listed Regulations for Clarification and Improvement

Section 1 - Comprehensive Review of Regulations/Section 3 - Mandatory Meeting and Report

The above-named department, agency, board, or commission conducted a comprehensive review of the regulations subject to its enforcement that can be streamlined, clarified, reduced, or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth. The regulations identified for Section 1 of Executive Order 2023-03 are listed below with the information as required on page 1 of the instruction sheet on the following pages of the report:

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21. NAC 504.488 – Possession of live animals under authority of permit or license held on February 28, 1994.	30

1. Regulation Language:

NAC 501.310 Application for money from Account: Review and recommendations. ([NRS 501.3575](#)) Upon receipt of an application, the Department shall review the application[, **complete the portions of the application the Department is required to complete**] and send the application to the Wildlife Heritage Committee of the Commission and to each county advisory board to manage wildlife for review and comment [**before**] **by** April 15 of each year. The Wildlife Heritage Committee of the Commission shall prepare its recommendations for funding and present such recommendations for public comment and approval by the Commission at the first meeting of the Commission after April 30 of each year.

2. Explanation for change:

General administrative cleanup that removes unnecessary language and provides applicants an extra day to submit an application for use of funds from the Wildlife Heritage Account.

3. Public Meetings:

- a. March 29, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
 - b. There is no anticipated positive or negative economic impact.
 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
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1. Regulation Language:

NAC 501.330 Duties of Secretary of Commission. ([NRS 501.3575](#))

1. On or before November 1 of each year, the Secretary of the Commission shall make available to the public the application form described in [NAC 501.300](#).
2. [On or before] *At* the first [meeting of the] Commission *meeting of the calendar year* [after January 31 of each year], the Secretary of the Commission shall provide to the Commission an accounting of:
 - (a) Seventy-five percent of the amount of money deposited in the Account during the previous calendar year; and
 - (b) All interest earned on the Account during that year.

2. Explanation for change:

General administrative cleanup that would allow for the Secretary of the Commission to provide a funds report to the Commission during the first meeting of the year, generally held before January 31.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
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1. Regulation Language:

NAC 502.4187 Bonus points: Award and accumulation; effect of refund. ([NRS 501.105](#), [501.181](#), [502.160](#), [502.175](#))

1. Except as otherwise provided in [NAC 502.417](#) to [502.4225](#), inclusive, an applicant to obtain a tag for a season who is unsuccessful, or an applicant for a bonus point who does not wish to

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obtain a tag and is applying for the sole purpose of earning a bonus point, must be awarded a bonus point for[:

(a) The hunt number of the species for which the applicant applied if he or she applied for a:

(1) Tag to hunt wild turkey; or

(2) Bonus point for a tag described in subparagraph (1); or

(b) T] the category of the species for which he or she applied if he or she applied for a tag to hunt deer, elk, mountain goat, antelope, black bear, moose, *wild turkey* or bighorn sheep, or for a bonus point for such a tag.

È Regardless of the number of applications to obtain a tag or bonus point for a season submitted by a person, the Department shall not award the person more than one bonus point per season for each species or category of a species for which the person applied.

2. Except as otherwise provided in subsections 3 and 4, the bonus points awarded to a person accumulate until the person is successful in drawing a tag for a season for that species or category of a species or the person fails to apply for a season for 2 consecutive calendar years during which that type of hunt for a season is open. If an applicant is successful in drawing a tag for a season for a species or category of a species or fails to apply for a season for 2 consecutive calendar years during which that type of hunt for a season is open, the applicant loses all of his or her bonus points for that species or category of a species.

3. Except as otherwise provided in [NAC 502.4189](#), a person may not use any bonus points awarded to the person for being unsuccessful in a junior hunt to apply for a drawing for a tag for any other type of hunt after the person is no longer eligible to participate in a junior hunt.

4. If a person is successful in obtaining a tag for a species or category of a species pursuant to [NAC 502.4215](#), he or she must not lose any bonus point awarded to him or her for that species or category of a species.

5. If an applicant requests and receives a refund for the value of his or her hunting license, the Department shall not award the applicant a bonus point for any species or category of species applied for during the period that the applicant possessed the hunting license.

6. The Department shall not award bonus points for depredation hunts or management hunts.

7. As used in this section, “management hunt” means a hunt established to seek the harvest of additional wildlife within a population.

2. Explanation for change:

General administrative cleanup that removes outdated hunt number language that is no longer used when assigning bonus points to an applicant of the Department of Wildlife.

3. Public Meetings:

a. March 29, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

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 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
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1. Regulation Language:

NAC 502.4188 Bonus points: Categories of species. ([NRS 501.105](#), [501.181](#), [502.160](#), [502.175](#))

1. [Except as otherwise provided in subsection 2, a] Any bonus points awarded by the Department pursuant to the bonus point program must be awarded in one of the following categories of species, subspecies and gender:

- (a) Antlered mule deer;
- (b) Antlerless mule deer;
- (c) Mule deer, either antlered or antlerless;
- (d) Antlered Rocky Mountain elk;
- (e) Antlerless Rocky Mountain elk;
- (f) Rocky Mountain elk, either antlered or antlerless;
- (g) Spike Rocky Mountain elk;
- (h) Pronghorn antelope whose horns are longer than their ears;
- (i) Pronghorn antelope whose horns are shorter than their ears;
- (j) Rams, from one of the following subspecies:
 - (1) Nelson bighorn sheep;
 - (2) California bighorn sheep; or
 - (3) Rocky Mountain bighorn sheep;
- (k) Ewes, from one of the following subspecies:
 - (1) Nelson bighorn sheep;
 - (2) California bighorn sheep; or
 - (3) Rocky Mountain bighorn sheep;
- (l) Mountain goats;
- (m) Black bears[; or]
- (n) Moose-*or*

[2. Bonus points awarded by the Department pursuant to the bonus point program for] (o) wild turkey [hunts must be awarded by hunt number.]

2. Explanation for change:

General administrative cleanup that removes outdated hunt number language that is no longer used when assigning bonus points to an applicant of the Department of Wildlife.

3. Public Meetings:

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1. Regulation Language:

NAC 502.4189 Bonus points: Use; transfer; applications by group for certain tags; junior hunts. ([NRS 501.105](#), [501.181](#), [502.160](#), [502.175](#))

1. Each applicant in a drawing for a tag for a season receives a number of additional draw numbers that is equal to the number of bonus points that he or she has accumulated squared, as expressed in the following equation:

$$n=b^2$$

where “n” is the number of additional draw numbers and “b” is the number of bonus points. The number of additional draw numbers determines the number of draw numbers for the species or category of the species for which the application was submitted. The applicant’s lowest randomly assigned draw number is the number used for the drawing.

2. Except as otherwise provided in subsection 5, bonus points accumulated by a person for a species or category of species cannot be transferred to any other person or any other species or category of species.

3. Any bonus points accumulated by an applicant automatically transfer with the applicant if the applicant changes his or her state of residence. Bonus points transferred pursuant to this subsection apply to the same species or category of species to which they applied before the transfer.

4. The number of bonus points applicable to applications submitted by a group pursuant to [NAC 502.4185](#) for tags is the quotient of the total number of points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.

5. If a person **[has applied for a junior hunt for deer for 5 years or]** becomes ineligible to *apply for a junior hunt for deer pursuant to NAC 502.333 or becomes ineligible to* participate in a junior

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hunt for deer because of his or her age, each unused bonus point accumulated by that person for a junior hunt for deer automatically transfers to the category for antlered mule deer. The provisions of this subsection do not apply to a bonus point accumulated by the person for a junior hunt for deer in a year in which the person also accumulated a bonus point in the category for antlered mule deer.

6. If a person becomes ineligible to apply for a junior hunt for wild turkey pursuant to NAC 502.333 or becomes ineligible to participate in a junior hunt for wild turkey because of his or her age, each unused bonus point accumulated by that person for a junior hunt for wild turkey automatically transfers to the category for wild turkey.

2. Explanation for change:

This regulation change would improve the junior turkey hunt program by allowing for a junior turkey bonus point holder to keep their bonus points once they become ineligible to participate in the junior turkey hunt program by rolling them into the wild turkey bonus point category used by adult hunters.

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1. Regulation Language:

NAC 503.0935 Special permit for handling, moving or temporarily possessing protected wildlife. ([NRS 501.105](#), [501.181](#), [502.240](#), [503.597](#))

1. The Department may issue a special permit pursuant to subsection 1 of [NRS 503.597](#) to allow a person to handle, move or temporarily possess any wildlife which is classified as protected for the purpose of reducing or eliminating the risk of harm to the wildlife that may

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result from any lawful activity conducted on land where the wildlife is located. The fee for such a special permit is \$200.

2. An applicant for a special permit specified in subsection 1 must include on the application:

(a) The name and date of birth of the applicant;

(b) The physical or mailing address and telephone number of the applicant;

(c) The name, address and telephone number of the place of employment of the applicant;

~~[(d) The driver's license number, the state that issued the driver's license and the date of issue of the driver's license of the applicant if the applicant holds a driver's license;]~~

~~(d)~~ [(e)] The name of the company or other entity that the applicant is representing, if different from the employer of the applicant;

(e) [(f)] The name of each person who, at the direction of the applicant, will handle, move or temporarily possess the wildlife under the authority of the special permit;

(f) [(g)] The common and scientific name and the number of each species of wildlife, or nests or eggs thereof, to be handled, moved or temporarily possessed;

(g) [(h)] The manner in which each specimen of wildlife will be handled, moved or temporarily possessed;

(h) [(i)] The locations at which and the dates when the wildlife are to be handled, moved or temporarily possessed;

(i) [(j)] The locations at which or to which the wildlife will be handled, moved or temporarily possessed, if any;

(j) [(k)] A brief synopsis, not to exceed five pages, of the purpose and justification for the handling, moving or temporary possession of the wildlife; and

(k) [(l)] The signature of the applicant and the date on which the applicant signed the application.

3. A special permit specified in subsection 1 must be valid for not more than 1 year. Upon its approval of the application and submission of the fee, the Department shall issue the special permit based on a calendar year.

4. Based on its evaluation of the application, the Department may make such stipulations and conditions on the use and scope of the special permit as the Department deems appropriate. A violation of a stipulation or condition is cause for the cancellation of the special permit.

5. Not later than 30 days after expiration of a special permit specified in subsection 1, the holder of the special permit shall submit to the Department a report which includes, without limitation:

(a) A list of each species of wildlife which is classified as protected that was handled, moved or temporarily possessed, and for each such species:

(1) The number of wildlife handled, moved or temporarily possessed at each location where the wildlife was handled, moved or temporarily possessed; and

(2) The date on which the wildlife was handled, moved or temporarily possessed; and

(b) Any other information which the Department requires.

6. A special permit specified in subsection 1 which is issued by the Department for the handling, movement or temporary possession of:

(a) A migratory bird that is protected by the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq.; or

(b) A species of wildlife that is listed as threatened or endangered by the United States Fish and Wildlife Service,

is not valid for the handling, movement or temporary possession of the migratory bird or the threatened or endangered species until the Department receives a copy of the federal permit

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issued by the United States Fish and Wildlife Service to the applicant for the handling, movement or temporary possession of the bird or species.

2. Explanation for change:

This regulation would remove the requirement for an applicant applying for a special use permit to submit to the Department of Wildlife their driver's license number. This change is another way to continue to protect a person's personal identifiable information as these applications are emailed to Department staff across the state.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
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- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.094 Scientific permit for collection or possession of wildlife. ([NRS 501.105](#), [501.181](#), [503.650](#))

1. The Department may issue a scientific permit pursuant to [NRS 503.650](#) which authorizes the taking, killing, possessing or banding of any species of wildlife, or the collecting of the nest or eggs thereof, for strictly scientific or educational purposes.

2. An applicant for a scientific permit must include on his or her application:

- (a) The name of the applicant;
- (b) The name of the company or institution that the applicant is representing;
- (c) The physical or mailing addresses of the applicant's residence and place of employment;
- (d) The telephone numbers of the applicant's residence and place of employment;

[(e) The driver's license number of the applicant, if he or she has been issued a driver's license;]

(e) [(f)] The name of each person or group of persons who will collect wildlife under the authority of the scientific permit and at the direction of the applicant;

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(f) [(g)] The common and scientific name and the number of each species of wildlife, or nests or eggs thereof, to be collected, possessed, marked or banded;

(g) [(h)] The manner and means by which each specimen of wildlife will be collected or captured;

(h) [(i)] The locations at which and the dates when the specimens of wildlife are to be collected;

(i) [(j)] A brief synopsis, not to exceed five pages, of the purpose and justification for the collection and possession of the specimens of wildlife;

(j) [(k)] The location where the specimens of wildlife will be transferred or held once collected; and

(k) [(l)] The signature of the applicant and the date on which the application was signed.

3. A scientific permit must be valid for not more than 2 years. Upon its evaluation of the application, the Department will issue the scientific permit based on a calendar year or a fiscal year.

4. Not later than 30 days after the date on which the permit expires, the holder of a scientific permit shall submit to the Department a complete report which details the species of wildlife collected, the number of each species of wildlife collected at each location, the date on which each species of wildlife was collected and any other information which the Department requires.

5. Based on its evaluation of the application, the Department may make such stipulations and conditions on the use and scope of a scientific permit as the Department determines appropriate. A violation of a stipulation or condition is cause for the cancellation of the permit.

6. A scientific permit issued by the Department for the collection or possession of:

(a) A migratory bird that is protected by the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq.; or

(b) A species of wildlife that is listed as threatened or endangered by the United States Fish and Wildlife Service,

is not valid for the collection or possession of the migratory bird or the threatened or endangered species until the Department receives a copy of the federal permit issued by the United States Fish and Wildlife Service to the applicant for the collection or possession of the bird or species.

2. Explanation for change:

This regulation would remove the requirement for an applicant applying for a special use permit to submit to the Department of Wildlife their driver's license number. This change is another way to continue to protect a person's personal identifiable information as these applications are emailed to Department staff across the state.

3. Public Meetings:

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1. Regulation Language:

NAC 503.095 Permit to collect unprotected wildlife for commercial purposes. ([NRS 501.105](#), [501.181](#), [503.380](#))

1. It is unlawful for a person to collect unprotected wildlife for commercial purposes without a permit.

2. Except as otherwise provided in [NAC 503.513](#) and [503.545](#), the Department will issue a permit authorizing a natural person to collect unprotected wildlife for commercial purposes with a seine, net, noose, trap or other device if, after an investigation is conducted, it is proved to the Department that the collecting will not be detrimental to wildlife or the habitat of the wildlife. The annual fee for a permit issued pursuant to this section is \$250.

3. An application for a permit issued pursuant to this section must be submitted on a form furnished by the Department or a facsimile of the form.

4. An applicant for a permit issued pursuant to this section must include on the application:

(a) The name of the applicant;

(b) The physical and mailing addresses of the applicant's residence and place of employment;

(c) The telephone numbers of the applicant's residence and place of employment;

[(d) The driver's license number of the applicant, if he or she has been issued a driver's license;]

(d) [(e)] The date of birth of the applicant;

(e) [(f)] The methods and equipment to be used in the collection of the wildlife;

(f) [(g)] The location, by county or region, where the wildlife is to be collected;

(g) [(h)] The address of the location where the wildlife will be held while it is in the possession of the applicant;

(h) [(i)] If the applicant has been convicted of violating the laws or regulations of any state or the United States Fish and Wildlife Service relating to the commercialization of wildlife within the 5 years immediately preceding the date of the application, a description of each violation, a description of the penalty imposed for each violation and the name of the state in which each conviction occurred; and

(i) [(j)] The applicant's signature and the date on which the application is signed.

5. Such a permit is not transferable and may be cancelled by the Department for a violation of its conditions or if operation of the permit is found to be detrimental to wildlife.

6. Within 30 days after the expiration of a permit for the collection of unprotected wildlife, the Department may require the person to whom it was issued to report to the Department the

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number and disposition of the unprotected species he or she has taken. Any failure to submit the report is a cause for denial of a future application for a similar permit.

2. Explanation for change:

This regulation would remove the requirement for an applicant applying for a special use permit to submit to the Department of Wildlife their driver's license number. This change is another way to continue to protect a person's personal identifiable information as these applications are emailed to Department staff across the state.

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NAC 503.110 Restrictions on importation, transportation and possession of certain species. ([NRS 501.105](#), [501.181](#), [503.597](#), [503.650](#), [504.295](#))

1. Except as otherwise provided in this section and [NAC 504.486](#), the importation, transportation or possession of the following species of live wildlife or hybrids thereof, including viable embryos or gametes, is prohibited:

(a) Fish:

Common Name	Scientific Classification
(1) Lampreys.....	All species in the family Petromyzontidae
(2) Freshwater stingray.....	All species in the family Potamotrygonidae
(3) Freshwater shark.....	All species in the genus <i>Carcharhinus</i>
(4) Bowfin.....	<i>Amia calva</i>
(5) Gars.....	All species in the family Lepisosteidae

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Common Name	Scientific Classification
(6) Herring and shad, except threadfin shad and gizzard shad.....	All species in the family Clupeidae, except <i>Dorosoma petenense</i> and <i>Dorosoma cepedianum</i>
(7) European Whitefish.....	All species in the genus <i>Leuciscus</i>
(8) Mexican banded tetra.....	<i>Astyanax mexicanus</i>
(9) Piranhas.....	All species in the genera <i>Serrasalmus</i> , <i>Serrasalmo</i> , <i>Pygocentrus</i> , <i>Pristobrycon</i> , <i>Hydrolycus</i> , <i>Rooseveltiella</i> and <i>Pygopristis</i>
(10) South American Parasitic Catfish.....	All species in the families Cetopsidae and Trichomycteridae
(11) White perch.....	<i>Morone americana</i>
(12) Freshwater drum.....	<i>Aplodinotus grunniens</i>
(13) Grass carp, except certified triploids as authorized by a special permit....	<i>Ctenopharyngodon idella</i>
(14) Pike top minnow.....	<i>Belonesox belizanus</i>
(15) Snakehead.....	All species in the genera <i>Parachanna</i> and <i>Channa</i>
(16) Walking catfish.....	All species in the genera <i>Clarias</i> , <i>Heteropneustes</i> and <i>Dinotopterus</i>
(17) Tiger fish, Tifgerfish and Wolf fish.....	All species in the genera <i>Hydrocynus</i> and <i>Hoplias</i>
(18) Sticklebacks.....	All species in the genera <i>Apeltes</i> , <i>Eucalia</i> , <i>Gasterosteus</i> and <i>Pungitius</i>
(19) Tilapia.....	All species in the genera <i>Coelotilapia</i> , <i>Coptodon</i> , <i>Heterotilapia</i> , <i>Oreochromis</i> , <i>Pelmatolapia</i> , <i>Tilapia</i> and <i>Sarotherodon</i>
(20) Nile perch.....	All species in the genera <i>Lates</i> and <i>Luciolates</i>
(21) Goldeye.....	All species in the genus <i>Hiodon</i>
(22) Carp:	
(I) Bighead.....	<i>Hypophthalmichthys nobilis</i>
(II) Black.....	<i>Mylopharyngodon piceus</i>
(III) Crucian.....	<i>Carassius carassius</i>
(IV) Indian.....	<i>Catla catla</i> , <i>Cirrhina mrigala</i> and <i>Labeo rohita</i>
(V) Silver.....	<i>Hypophthalmichthys molitrix</i>
(23) Rudd.....	<i>Scardinius erythrophthalmus</i>
(24) Northern Pike.....	<i>Esox lucius</i>
(25) Swamp eel.....	All species in the genus <i>Monopterus</i>
(26) Round goby.....	<i>Neogobius melanostomus</i>
(27) Flathead catfish.....	<i>Pylodictis olivaris</i>
(28) Peacock bass.....	All species in the genus <i>Cichla</i>
 (b) Reptiles:	

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Common Name	Scientific Classification
(1) Alligators, crocodiles and gharials...	All species in the family <i>Crocodylia</i>
(2) Bird snake.....	All species in the genus <i>Thelotornis</i>
(3) Boomslang.....	<i>Dispholidus typus</i>
(4) Keelbacks.....	All species in the genus <i>Rhabdophis</i>
(5) Burrowing Asps.....	All species in the family Atractaspidae
(6) Coral snakes, cobras, kraits, mambas, Australian elapids and sea snakes.....	All species in the family Elapidae.
(7) Pit vipers and true vipers, except species indigenous to this State.....	All species in the family Viperidae, except species indigenous to this State
(8) Snapping Turtles.....	All species in the family Chelydridae
(9) Gila monsters and bearded lizards	All species in the family <i>Helodermatidae</i>

(c) Amphibians:

Common Name	Scientific Classification
(1) Clawed frogs.....	All species in the genus <i>Xenopus</i>
(2) Giant or marine toads.....	<i>Bufo horribilis</i> , <i>Bufo marinus</i> and <i>Bufo paracnemis</i>

(d) Mammals:

Common Name	Scientific Classification
(1) Deer, elk, wapiti, moose and caribou	All species in the family Cervidae
(2) Wild Dogs or Dhole.....	<i>Cuon alpinus</i>
(3) Raccoon Dog.....	<i>Nyctereutes procyonoides</i>
(4) Mongooses and Meerkats.....	All species in the genera <i>Atilax</i> , <i>Cynictis</i> , <i>Helogale</i> , <i>Mungos</i> , <i>Suricate</i> , <i>Ichneumia</i> and <i>Herpestes</i>
(5) Wild European Rabbit.....	<i>Oryctolagus cuniculus</i>
(6) Multimammate Rat or Mouse.....	All species in the genus <i>Mastomys</i> (= <i>Praomys</i>)
(7) Bats.....	All species in the order Chiroptera
(8) Nutria.....	<i>Myocastor coypus</i>
(9) Coyote.....	<i>Canis latrans</i>
(10) Foxes.....	All species in the genera <i>Vulpes</i> , <i>Fennecus</i> , <i>Urocyon</i> , <i>Alopex</i> , <i>Lycalopex</i> and <i>Pseudalopex</i>
(11) Raccoon.....	<i>Procyon lotor</i>
(12) Skunk.....	All species in the genera <i>Spilogale</i> , <i>Mephitis</i> and <i>Conepatus</i>
(13) Wild pigs and hogs.....	All species in the family Suidae, except domestic breeds of <i>Sus scrofa</i>
(14) Reedbucks.....	All species in the genus <i>Redunca</i>
(15) Oryx and Gemsbok.....	All species in the genus <i>Oryx</i>

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Common Name	Scientific Classification
(16) Addax.....	<i>Addax nasomaculatus</i>
(17) Blesbok, Topi and Bontebok.....	All species in the genus <i>Damaliscus</i>
(18) Hartebeests.....	All species in the genera <i>Alcelaphus</i> and <i>Sigmoceros</i>
(19) Wildebeest and Gnus.....	All species in the genus <i>Connochaetes</i>
(20) Chamois.....	<i>Rupicapra rupicapra</i> and <i>R. pyrenaica</i>
(21) Tahr.....	All species in the genus <i>Hemitragus</i>
(22) Ibex, Wild Goats, Tur and Markhor.....	All species in the genus <i>Capra</i> , except domestic goats, <i>Capra hircus</i>
(23) Barbary (Aoudad) Sheep.....	<i>Ammotragus lervia</i>
(24) Mouflon sheep, Urial, Bighorn and Argali.....	All species in the genus <i>Ovis</i> , except domestic sheep, <i>Ovis aries</i>

(e) Birds:

Common Name	Scientific Classification
(1) Pink Starling or Rosy Pastor.....	<i>Sturnus roseus</i>
(2) Red-billed Dioch.....	<i>Quelea quelea</i>
(3) Red-whiskered Bulbul.....	<i>Pycnonotus jocosus</i>

(f) Crustaceans:

Common Name	Scientific Classification
(1) Asiatic mitten crab.....	<i>Eriocheir sinensis</i>
(2) Crayfish.....	All species in the families Parastacidae, Cambaridae and Astacidae, except <i>Procambarus clarkii</i> , <i>Orconectes causeyi</i> and indigenous species of the genus <i>Pacifastacus</i>

(g) Mollusks:

Common Name	Scientific Classification
(1) African giant snail.....	<i>Achatina fulica</i>
(2) Zebra and quagga mussels.....	All species in the genus <i>Dreissena</i>
(3) New Zealand mud snail.....	<i>Potamopyrgus antipodarum</i> , <i>P. jenkinsi</i>
(4) Apple snails.....	All species in the genus <i>Pomacea</i>
(5) Golden mussel.....	<i>Limnoperna fortunei</i>

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2. The headquarters of the Department and each regional office of the Department will maintain a physical description and picture of each species listed in this section when reasonably available.

3. The Department may issue a scientific permit for the collection or possession of wildlife or a commercial license for the possession of live wildlife, whichever is applicable, for the importation, transportation or possession of a species listed in this section only to:

(a) A zoo or aquarium which is an accredited institutional member of the Zoological Association of America, the Association of Zoos and Aquariums or their successors.

[(b) A person who displays, exhibits or uses the species for entertainment or commercial photography, including, without limitation, motion pictures, still photography or television, if the species:

(1) Is accompanied by evidence of lawful possession;

(2) Is not in this State for more than 90 days; and

(3) Is maintained under complete control and prohibited from coming into contact with members of the general public.

È If the person is displaying, exhibiting or using mammals for commercial purposes other than for food or fiber, he or she must possess the appropriate license issued by the United States Department of Agriculture.]

(b) [(c)] A college, university or governmental agency, for scientific or public health research.

(c) [(d)] Any other scientific institution, as determined by the Department, for research or medical necessity.

(d) [(e)] Any person engaged in commercial aquaculture, upon application and proof to the Department that the activity will not be detrimental to aquatic life, other wildlife or recreational uses. As a condition of the issuance to such a person of a commercial license for the possession of a species listed in this section, a bond may be required to provide for the removal of any species to which the license applies that may escape or be released from captivity for any reason. The amount of the bond will be determined by the Department after considering the degree of potential hazard to wildlife.

(e) [(f)] A tax-exempt nonprofit organization that exhibits wildlife solely for educational or scientific purposes.

4. An interstate shipment of a species listed in this section may be transported through this State, without a permit or license issued by the Department, if:

(a) The shipper or transporter has evidence of lawful possession of the species issued by the state or country where the species originated;

(b) Mammals, birds or fish are accompanied by a health certificate issued by the state or country where the species originated that indicates the destination, origin and proof of ownership of the species being transported;

(c) The species is in this State for less than 48 hours; and

(d) The species is not unloaded or otherwise released while being transported through this State.

5. This section does not apply to the Department when it is conducting authorized introductions or transplantations of a native species of big game mammal listed in this section.

1. Explanation for change:

This regulation change removes the portions of regulations that allow prohibited species to be possessed in the state for the purpose of making income through entertainment as the risk to the

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state of a prohibited species getting loose outweighs the benefits of allowing them brought in for entertainment purposes.

2. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

3. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it was determined that businesses who possibly could be affected by the regulation change would not be considered as a small business.
 - b. There is no anticipated positive or negative economic impact.
 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
-

1. Regulation Language:

NAC 503.1465 Archery disability permit for person with [permanent] disability: Issuance; application; expiration. ([NRS 501.105](#), [501.181](#), [503.150](#))

1. The Department may issue an archery disability permit to a person with a [permanent] disability. The permit authorizes a person with a [permanent] disability to hunt, during a hunt that is restricted to the use of archery, using a crossbow or a bow that uses a mechanical device that is capable of anchoring a nocked arrow at full draw or partial full draw and complies with the requirements of subsection 2 of [NAC 503.144](#).

2. A person using an archery disability permit shall present the permit upon the request of a law enforcement officer.

3. An application for an archery disability permit must:

(a) Be submitted to the Department on a form provided by the Department;

(b) Include a certificate issued by a licensed physician certifying that the applicant has a [permanent] disability; and

(c) Include any other information required by the Department to issue the permit.

4. An archery disability permit issued pursuant to this section [does not expire] *expires after 1 year from the date of issuance*.

5. As used in this section, “[permanent] disability” means a disability which prohibits a person from manually drawing and holding at full draw a bow that complies with the provisions of subsection 2 of [NAC 503.144](#).

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2. Explanation for change:

This regulation change removes the term “permanent” from the regulation, broadening the use of the permit to more individuals who have injuries preventing them from holding a bow at full draw during the current hunting season but whose injuries would eventually heal and are not categorized as a permanent disability.

3. Public Meetings:

- a. March 29, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 – <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.200 Definitions. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#)) As used in [NAC 503.200](#) to [503.470](#), inclusive, unless the context otherwise requires:

1. “Abatement” means the training and use of a raptor to flush, haze or take wildlife for the purpose of mitigating depredation and nuisance problems, including, without limitation, threats to human health and safety.
2. “Bate” means to attempt to fly while tethered.
3. “Captive-bred” or “bred in captivity” means raptors, including eggs, hatched in captivity from parents that mated or otherwise transferred gametes in captivity.
4. “Captivity” means a live raptor that is held in a controlled environment which is intensively manipulated by humans for the purpose of producing raptors of selected species, and which has boundaries designed to prevent raptors, eggs or gametes of the selected species from entering or leaving the controlled environment.
5. “Eyas” means a nestling bird not yet capable of flight.
6. “Facility” means an indoor or outdoor facility used for housing a raptor.

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7. “Falconry” means the sport of taking, or attempting to take, quarry by means of a trained raptor.

8. “Falconry licensee” means a person who holds an apprentice, general or master falconry license.

9. “Form 3-186A” means:

(a) Form 3-186A provided by the United States Fish and Wildlife Service; or

(b) If the United States Fish and Wildlife Service no longer provides Form 3-186A, any form provided by the Department for reporting the acquisition, transfer, release, loss, rebanding, implantation, death or theft of a raptor.

10. “Hack” means to train a raptor for falconry by temporarily releasing and subsequently taking the raptor.

11. “Hybrid raptor” means a raptor that is:

[(a) The offspring of raptors listed as two or more distinct species in 50 C.F.R. § 10.13; or

(b) T] the offspring of raptors recognized by ornithological authorities as two or more distinct species listed in 50 C.F.R. § 10.13.

12. “Owner of a raptor” means a person who has reported the acquisition of a raptor to the Department on Form 3-186A and who has not subsequently reported the transfer, release, loss, death or theft of the raptor to the Department on Form 3-186A.

13. “Passage” means a bird that has fledged and is less than 1 year of age.

14. “Raptor” means a live migratory bird of the order *Accipitriformes*, *Falconiformes* or *Strigiformes*, other than the bald eagle (*Haliaeetus leucocephalus*) or the golden eagle (*Aquila chrysaetos*), regardless of whether the raptor was originally taken from the wild or is a captive-bred raptor, is a hybrid raptor, is protected under the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq., or is used in falconry.

15. “Raptor rehabilitator” means a person who has been issued a permit to rehabilitate raptors pursuant to [NAC 503.315](#).

16. “Retake” means to take, by a falconry licensee who is not the person who originally identified the raptor as a falconry raptor, a raptor that has been marked with a leg band, transmitter or any other item identifying it as a falconry raptor.

17. “Take” means to trap or capture, or attempt to trap or capture, a raptor for the purpose of falconry.

2. Explanation for change:

General administrative cleanup that removes repetitive language and consolidates language into a single sentence.

3. Public Meetings:

a. March 29, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 – <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

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- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
 - b. There is no anticipated positive or negative economic impact.
 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
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1. Regulation Language:

NAC 503.205 License or permit required to hunt, trap, possess or sell raptors; possession of eggs and feathers. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

1. Except as otherwise provided in subsection 4 and [NAC 503.228](#), [503.405](#) and [503.415](#), it is unlawful for any person to hunt, trap, possess or sell any species of owl, hawk or other bird of prey, including any raptor or its parts, without first obtaining a license or permit from the headquarters of the Department.

2. The Department shall not issue a license or permit authorizing a person to possess a raptor unless the facility at which the raptor will be housed satisfies the requirements of [NAC 503.375](#) to [503.395](#), inclusive.

3. A person shall not transport, fly or otherwise work with a raptor outside of the facility at which the raptor is housed without having the license or permit required pursuant to subsection 1 in his or her immediate possession.

4. A falconry licensee who lawfully possesses a raptor may allow a person who is not a falconry licensee to hold or practice flying the raptor if the falconry licensee is present and supervising the person.

5. Raptor eggs may not be taken or possessed, except that raptor eggs laid by a bird in the possession of a person who holds a permit for captive propagation of raptors may be possessed if the holder of the permit notifies the headquarters of the Department in writing within 5 business days after the first egg has been laid. Eggs laid by a raptor held under the authority of a falconry license must be reported by the falconry licensee to the Department within 5 business days after the first egg has been laid. The falconry licensee will dispose of the egg as directed by the Department.

6. Raptor feathers that are molted or are from raptors held in captivity that die, may be retained and exchanged by falconry licensees for imping purposes only and subject to the following conditions:

(a) Raptor feathers may not be purchased, sold or bartered.

(b) A falconry licensee may:

(1) Possess feathers for each species of raptor he or she lawfully possesses or has possessed;

(2) Receive feathers for each species of raptor he or she lawfully possesses or has possessed from any other falconry licensee, a propagator in the United States, **[a raptor rehabilitator or]** a wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service; and

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(3) Donate feathers to a falconry licensee, a propagator in the United States, [a raptor rehabilitator,] a wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service, any person otherwise authorized by a license or permit to acquire and possess raptor feathers or any person or institution exempt from those license or permit requirements pursuant to 50 C.F.R. § 21.12.

(c) If a license or permit authorizing a person to possess raptor feathers expires or is revoked, any raptor feathers possessed by the person must be:

(1) Donated to a falconry licensee, a propagator in the United States[, a raptor rehabilitator], a wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service, any person otherwise authorized by a license or permit to acquire and possess raptor feathers or any person or institution exempt from those license or permit requirements pursuant to 50 C.F.R. § 21.12; or

(2) Burned, buried or otherwise destroyed.

2. Explanation for change:

Removes the term “raptor rehabilitator” because individuals categorized as a raptor rehabilitator can also be categorized as a “wildlife rehabilitator” for the purposes of simplification.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

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

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.212 Banding of raptors. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

1. Except as otherwise provided in [NAC 503.214](#) and [503.217](#), the owner of a raptor shall attach a leg band to the raptor pursuant to the provisions of this section.

2. For a raptor originally taken from the wild:

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(a) For a goshawk (*Accipiter gentilis*), Harris's hawk (*Parabuteo unicinctus*), peregrine falcon (*Falco peregrinus*) or gyrfalcon (*Falco rusticolus*):

(1) Unless the raptor is already so banded, the owner of the raptor shall attach to the raptor a permanent, nonreusable and numbered leg band which is supplied by the United States Fish and Wildlife Service [and provided by the Department]; and

(2) The owner of the raptor may implant in the raptor a 134.2-kilohertz microchip that complies with the standards established by the International Organization for Standardization or its successor; and

(b) For a raptor that is not of a species listed in paragraph (a), a person shall not attach to the raptor a nonreusable and numbered leg band which is supplied by the [Department] *United States Fish and Wildlife Service*.

3. For a captive-bred raptor, unless the raptor is already banded, the owner of the raptor shall attach to the raptor a nonreusable and numbered leg band which is supplied by the United States Fish and Wildlife Service [and provided by the Department].

2. Explanation for change:

Clarifies what governmental agency requires information to be submitted and what agency provides the bands for raptors.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

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

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

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1. Regulation Language:

NAC 503.214 Duties of owner of raptor if leg band must be removed or is lost. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

1. If a leg band attached to a raptor pursuant to [NAC 503.212](#) must be removed or is lost, the owner of the raptor shall, not later than 5 working days after the removal or after the loss is discovered, report the removal or loss to the United States Fish and Wildlife Service on its Internet website and shall:

(a) Request a replacement leg band from the Department and attach to the raptor the replacement leg band immediately after receiving the replacement leg band; or

(b) Purchase and immediately implant in the raptor a 134.2-kilohertz microchip that complies with the standards established by the International Organization for Standardization or its successor.

2. Not later than 5 days after rebanding a captive-bred raptor pursuant to subsection 1, the owner of the raptor:

(a) Shall report the rebanding, and any other information required by the ~~[Department]~~*United States Fish and Wildlife Service*, to the Department on Form 3-186A; and

(b) Shall report the rebanding, and any other information required by the United States Fish and Wildlife Service, to the United States Fish and Wildlife Service on its Internet website.

2. Explanation for change:

Clarifies what governmental agency requires information to be submitted.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

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

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

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1. Regulation Language:

NAC 503.227 Transfer of raptor originally taken from wild to holder of permit for captive propagation of raptors. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#)) The owner of a raptor may transfer a raptor which was originally taken from the wild to the holder of a permit for captive propagation of raptors issued pursuant to [NAC 503.315](#):

1. If the raptor is a sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii*), merlin (*Falco columbarius*) or American kestrel (*Falco sparverius*):

(a) Except as otherwise provided in paragraph (b), only if the raptor has been used for falconry for 1 year or more; or

(b) If the raptor has been used for falconry for less than 1 year, only if the owner provides to the Department written certification by a licensed veterinarian, ~~raptor rehabilitator~~ or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service that the raptor has been injured and cannot be flown for falconry; and

2. If the raptor is any other species:

(a) Except as otherwise provided in paragraph (b), only if the raptor has been used for falconry for 2 years or more; or

(b) If the raptor has been used for falconry for less than 2 years, only if the owner provides to the Department written certification by a licensed veterinarian, **[raptor rehabilitator]** or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service that the raptor has been injured and cannot be flown for falconry.

2. Explanation for change:

Removes the term "raptor rehabilitator" because individuals categorized as a raptor rehabilitator can also be categorized as a "wildlife rehabilitator" for the purposes of simplification.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

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

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

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1. Regulation Language:

NAC 503.230 Release of raptors. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

1. The owner of a raptor of any species may release the raptor to the wild pursuant to the provisions of this section.

2. A falconry licensee shall not intentionally and permanently release to the wild a hybrid raptor or a raptor which is of a species not indigenous to this State.

3. A falconry licensee shall not intentionally and permanently release to the wild a captive-bred raptor that is of a species indigenous to this State unless:

(a) The falconry licensee:

(1) Temporarily releases and subsequently takes the raptor to allow the raptor to adjust to the wild; and

(2) Receives written authorization from the Department to release the raptor to the wild permanently; and

(b) The falconry licensee releases the raptor at an appropriate time during the year and at an appropriate location, as determined by the Department and included in the written authorization required pursuant to subparagraph (2) of paragraph (a).

4. A falconry licensee shall not intentionally and permanently release to the wild a raptor which was originally taken from the wild and which is of a species indigenous to this State unless the falconry licensee:

[(a) R] receives written authorization from the Department to release the raptor to the wild permanently; and

(b) Releases the raptor] at an appropriate time during the year and at an appropriate location, as determined by the Department [and included in the written authorization required pursuant to paragraph (a)].

5. Before releasing a raptor to the wild pursuant to this section, the falconry licensee shall remove the leg band, if any, from the raptor.

6. Not later than 5 days after releasing a raptor to the wild pursuant to this section, the falconry licensee shall:

(a) Return the leg band, if any, removed pursuant to subsection 5 to the Department; and

(b) Report the release to the Department on Form 3-186A.

2. Explanation for change:

Removes redundant information and consolidates subsections into a single section.

3. Public Meetings:

a. March 29, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 – <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

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- i. No public comment on this item.
 - c. No public comment on this item.
- 4. Small Business Impact Statement:**
- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
 - b. There is no anticipated positive or negative economic impact.
 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
-

1. Regulation Language:

NAC 503.330 Taking of raptors for falconry: Grounds for denial of permit; reinstatement of privilege; administrative fine.

1. If a holder of a permit to take raptors has submitted any false statement on his or her application for the permit or fails to return the permit and leg band for cancellation or validation within the period specified, the Department shall deny him or her a permit to take raptors for the following year.

[2.] Any person who has been denied a permit to take raptors pursuant to the provisions of this section may have the privilege reinstated if the person pays to the Department an administrative fine of \$50.

2. Explanation for change:

Consolidates two subsections into a single section.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.

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- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
-

1. Regulation Language:

NAC 503.360 Taking of raptors for falconry: Requirements if raptor is injured while being taken. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

1. If a holder of a permit to take raptors takes a raptor that is injured while being taken, the holder of the permit:

(a) Is responsible for the cost of any care and rehabilitation provided to the raptor, regardless of whether the holder of the permit keeps the raptor; and

(b) Shall:

(1) Attach a leg band to the raptor pursuant to [NAC 503.212](#);

(2) As soon as practicable after the taking, transport the raptor to the Department or to a licensed veterinarian, [raptor rehabilitator] or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service; and

(3) Not later than 5 days after the taking, report the taking to the Department on Form 3-186A.

2. A raptor that is injured while being taken may not be removed from this State unless the raptor has been declared rehabilitated by the Department or by a licensed veterinarian, [raptor rehabilitator] or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service to whom the raptor was transported pursuant to subsection 1.

3. A raptor which is transported to the Department or to a licensed veterinarian, [raptor rehabilitator] or wildlife rehabilitator licensed or permitted by the Department or the United States Fish and Wildlife Service pursuant to subsection 1 and which is:

(a) Subsequently returned to the person who took the raptor counts toward the number of raptors that the person may obtain or possess pursuant to his or her permit, [NRS 503.583](#) and [NAC 503.250](#) and [503.300](#).

(b) Not returned to the person who took the raptor does not count toward the number of raptors that the person may obtain or possess pursuant to his or her permit, [NRS 503.583](#) and [NAC 503.250](#) and [503.300](#).

2. Explanation for change:

Removes the term “raptor rehabilitator” because individuals categorized as a raptor rehabilitator can also be categorized as a “wildlife rehabilitator” for the purposes of simplification.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

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- b. Persons who provided public comment:
 - i. No public comment on this item.
 - c. No public comment on this item.
- 4. Small Business Impact Statement:**
- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
 - b. There is no anticipated positive or negative economic impact.
 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
-

1. Regulation Language:

NAC 503.375 Housing of raptors: General requirements.

- 1. Each raptor possessed pursuant to [NAC 503.200](#) to [503.470](#), inclusive, must be housed in humane and healthful conditions.
- 2. The owner of a raptor is responsible for the conditions in which the raptor is housed.
- 3. A facility that houses raptors must:
 - (a) Protect each raptor housed therein from wild and domesticated predators;
 - (b) Have available for each raptor housed therein a perch that is suitable for the raptor; *and*
 - (c) Have at least one opening for sunlight; *and*
 - (d) *Provide a healthy environment for each raptor housed therein.*

2. Explanation for change:

Removes repetitive regulation language found in section one of the same regulation.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.

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- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
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1. Regulation Language:

NAC 503.593 Waters in which chumming and fishing with a spear prohibited. ([NRS 501.105](#), [501.181](#), [503.300](#))

1. Chumming is prohibited in:
 - (a) Lake Tahoe.
 - (b) Topaz Lake.
 - [(c) Crittenden Reservoir.]
 - (c) [(d)] The collection ditch of the Ruby Lake National Wildlife Refuge.
 - (d) [(e)] Spooner Lake.
2. Fishing with a spear for unprotected fish is prohibited in:
 - (a) Lake Tahoe.
 - (b) Topaz Lake.

2. Explanation for change:

Crittenden Reservoir is now considered privately owned property where the Department of Wildlife does not have jurisdiction. Crittenden Reservoir used to be a cooperative Wildlife Management Area which the current owners did not wish to renew the cooperative agreement.

3. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
 - b. There is no anticipated positive or negative economic impact.
 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
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2. Regulation Language:

NAC 504.488 Possession of live animals under authority of permit or license held on February 28, 1994. ([NRS 501.105](#), [501.181](#), [504.295](#)) A person who, on February 28, 1994, holds any permit or license issued by the Department that authorizes the possession of a live animal may, except as otherwise provided in the particular permit or license, continue to possess that animal [and its progeny] for the life of that animal [and its progeny]. The animal [and its progeny]:

1. Must not, if the animal is of a species listed in [NAC 503.110](#), be released, sold, bartered, given away or traded within this State.
2. Must not, if the animal is not of a species listed in [NAC 503.110](#), be:
 - (a) Released in this State without the prior written authorization of the Department; or
 - (b) Sold, bartered, given away or traded within this State except:
 - (1) Pursuant to the conditions set forth in the permit or license under which the animal [and its progeny]-are held; and
 - (2) To a person who holds a commercial or noncommercial license for the same species.
3. May be exported out of this State pursuant to applicable federal and state laws and any regulations adopted pursuant thereto.

3. Explanation for change:

The term “progeny” contradicts NAC 503.110 which prohibits the possession of certain species within the state of Nevada. The removal of the term from regulation would phase out the prohibited species from the state that were grandfathered into the program with the establishment of the regulation in 1994.

4. Public Meetings:

- a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

5. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
 - b. There is no anticipated positive or negative economic impact.
 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
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Section 2 – Regulation for Removal

Section 2 – Regulation for Removal / Section 3 – Mandatory Meeting and Report

The above-named department, agency, board or commission conducted a comprehensive review of the regulations subject to its enforcement and identified the following ten (10) or more regulations recommended for removal. The regulations identified for Section 2 of Executive Order 2023-03, ranked in descending order of priority, are listed below with the information as required on page 1 of the instruction sheet on the following pages of the report:

Regulation	Page Number
1. NAC 504.320 - Crittenden-Dake Reservoir Cooperative Wildlife Management Area.	31
2. NAC 504.486 - Exhibit of wildlife under authority of federal exhibitor's license.	32
3. NAC 576.110 - "Alternative livestock" defined.	33
4. NAC 576.200 - Prerequisites to importation.	34
5. NAC 576.210 - Permits: Application; prerequisites to issuance; expiration; fees.	35
6. NAC 576.220 - Permits: Revocation.	36
7. NAC 576.230 - Identification of animals; loss of identification device.	37
8. NAC 576.240 - Maintenance, retention and availability of records.	38
9. NAC 576.250 - Maintenance of facilities for confinement.	39
10. NAC 576.260 - Reporting of escapes and infections.	40
11. NAC 503.455 - Use of raptors to conduct abatement activities.	41
12. NAC 503.445 - Use of raptors in conservation education programs.	42
13. NAC 503.225 - Transfer, sale, trade, barter, purchase or acquisition by trade or barter of raptors.	43
14. NAC 503.350 - Taking of raptors for falconry: authorization for another person to take raptors for holder of permit.	45
15. NAC 502.407 - Questionnaire with turkey tag: Submission to Department; ineligibility for tag; reinstatement of certain privileges.	46
16. NAC 503.405 Care of a raptor by falconry licensee who is not owner of raptor.	47
17. NAC 503.390 - Housing of raptors: Inspection of facilities	48
18. NAC 502.211 - Removal of personal information from lists sold by Department.	49
19. - NAC 502.015 - "Batch Report" defined.	50

1. Regulation Language:

[NAC 504.320 Crittenden-Dake Reservoir Cooperative Wildlife Management Area. (NRS 501.105, 501.181)] The Crittenden and Dake Reservoirs and an area 100 feet wide surrounding these reservoirs are the Crittenden-Dake Reservoir Cooperative Wildlife Management Area. The following activities are prohibited on these areas:

1. Towing a person on water skis, a surfboard, an inflatable device or any similar device.

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2. Overnight camping.
3. Entering land posted as off-limits above the crossfence at the upper end of Crittenden Reservoir. Vehicles may be parked only in areas designated by the Department.]

2. Explanation for change:

Crittenden Reservoir is now considered privately owned property where the Department of Wildlife does not have jurisdiction. Crittenden Reservoir used to be a cooperative Wildlife Management Area which the current owners did not wish to renew the cooperative agreement.

3. Public Meetings:

- a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.
March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 504.486 Exhibit of wildlife under authority of federal exhibitor's license. (NRS 501.105, 501.181, 504.295) A person who holds an exhibitor's license issued by the Animal and Plant Health Inspection Service of the United States Department of Agriculture may exhibit in this State wildlife listed in that license, for not more than 90 days, without obtaining any license or permit issued by the Department for the possession, transportation, importation or exportation of that wildlife.]

2. Explanation for change:

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Removes the 90 day exception of receiving a permit from the Department of Wildlife in order for the Department to monitor what species and animals are being brought into Nevada at any given time.

3. Public Meetings:

- a. March 29, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 – <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.110 “Alternative livestock” defined. (NRS 576.129) “Alternative livestock” has the meaning ascribed to it in [NRS 501.003](#).]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture’s authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 – <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.

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- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.200 Prerequisites to importation. (NRS 576.129)] A person shall not import any alternative livestock into this State unless:

1. The person holds a permit for those alternative livestock which describes their destination in this State.
2. Each animal is identified by an identification device and entry number.
3. The person holds a health certificate for each animal which identifies the animal by its identification device and entry number and which contains:
 - (a) The dates and results of the tests required by this section;
 - (b) The certifications required by this section; and
 - (c) Any other information required by the Department.
4. Each animal is certified by a veterinarian as having originated from a herd that, for the 12 months before the entry of the animal into this State:
 - (a) Has been free from tuberculosis and brucellosis; and
 - (b) Is not known to have been exposed to infection by *Mycobacterium johnes* or *Parelaphostrongylus tenuis*.
5. Each animal which is 6 months of age or older is certified by a veterinarian as having reacted negatively, within 30 days before its entry into this State, to:
 - (a) Two official tests for brucellosis, including a complement fixation test; and
 - (b) An official single cervical test for tuberculosis.
6. If the alternative livestock are Rocky Mountain elk (*Cervus elaphus nelsoni*), each animal is certified not to be a hybrid with any other cervid species or subspecies by a laboratory for genetic testing which is recognized by the Administrator of the Division of Animal Industry of the Department. To issue the certification, the laboratory must use the most recent and scientifically accepted genetic tests available.
7. Except as otherwise provided in this subsection, if the alternative livestock are Rocky Mountain elk (*Cervus elaphus nelsoni*), a veterinarian certifies that each animal originates from a herd which is participating in an official program for monitoring chronic wasting disease and that chronic wasting disease has not been diagnosed in that herd for the 5 years immediately preceding the date the alternative livestock are imported into this State. The Administrator of the Division of Animal Industry of the Department may waive the requirements of this subsection if an official ante mortem test for chronic wasting disease is available on or before the date the

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alternative livestock are imported into this State and each animal tests negative for chronic wasting disease using that test.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.210 Permits: Application; prerequisites to issuance; expiration; fees. (NRS 576.129)

1. An application for a permit must be obtained from the State Department of Agriculture, P.O. Box 11100, Reno, Nevada 89510.
2. A permit will be issued to each person:
 - (a) Who submits to the Department:
 - (1) A completed application;
 - (2) An application fee of \$200; and
 - (3) Any fees imposed pursuant to paragraph (b).
 - (b) Whose facilities to confine the alternative livestock pass an inspection by the Department to ensure the person's compliance with NAC 576.250. The Department shall charge:
 - (1) No fee for its initial inspection of those facilities; and
 - (2) A fee of \$100 for each additional inspection of those facilities.

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3. A permit expires on January 1 unless renewed on or before that date. The fee for renewal is \$100.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.220 Permits: Revocation. (NRS 576.129)]

1. The Board may revoke a permit if the holder of the permit fails to comply with any term or condition of the permit.

2. Notice of the revocation must be given to the holder of the permit personally, or by registered mail sent to his or her last known address. If the notice is given by registered mail, it shall be deemed received by the holder of the permit on the date 14 days after it is mailed.

3. The holder of a revoked permit:

(a) Shall, not later than 30 days after receiving notice of the revocation, dispose of any alternative livestock he or she held under the authority of that permit.

(b) Shall not abandon, release, sell or transport any alternative livestock he or she held under the authority of that permit without the prior written permission of the Board.]

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2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.230 Identification of animals; loss of identification device. (NRS 576.129) The holder of a permit shall:

1. Ensure that each of the alternative livestock the holder of the permit possesses in this State under the authority of that permit is identified by an identification device. Each of the progeny of the alternative livestock must be identified by an identification device within 60 days after its birth.
2. Report the loss of an identification device to the Department within 48 hours after the holder of the permit discovers the loss, and identify the animal with another identification device within 7 days after making that report.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into

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Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.240 Maintenance, retention and availability of records. (NRS 576.129) The holder of a permit shall:

1. Maintain, on a form approved by the Department, a current monthly record of the total inventory of his or her herd of alternative livestock. The record must identify each animal by its identification device and note:

- (a) The sex of each animal;
 - (b) The date of birth of any progeny;
 - (c) The date and source of each addition to the herd;
 - (d) The removal of any animals from the herd;
 - (e) The death of any animals in the herd; and
 - (f) The replacement of any lost identification devices.
2. Retain the record for not less than 3 years.
3. Make the record available for inspection upon request by a representative of the Board.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into

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Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
 - b. There is no anticipated positive or negative economic impact.
 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
-

1. Regulation Language:

[NAC 576.250 Maintenance of facilities for confinement. (NRS 576.129)] The holder of a permit shall maintain the following facilities to confine his or her alternative livestock:

1. An enclosure, with a restraining device, for the safe and humane restraint of individual animals; and
2. An enclosure with a perimeter fence that meets the following requirements:
 - (a) For Rocky Mountain elk (*Cervus elaphus nelsoni*), the top of the fence must be not less than 8 feet above the ground. At least the bottom 7 feet of the fence must be constructed of smooth woven high-tensile mesh wire, which is no smaller than 12 1/2 gauge, with vertical spacing that does not exceed 6 inches. The top foot of the fence may be constructed of strands of smooth high-tensile wire, which are no smaller than 12 1/2 gauge and spaced not more than 6 inches apart.
 - (b) For Fallow deer (*Dama dama*) and reindeer (*Rangifer tarandus*), the top of the fence must be not less than 7 feet above the ground. At least the bottom 6 feet of the fence must be constructed of smooth woven high-tensile mesh wire, which is no smaller than 12 1/2 gauge, with vertical spacing that does not exceed 6 inches. The top foot of the fence may be constructed of strands of smooth high-tensile wire, which are no smaller than 12 1/2 gauge and spaced not more than 6 inches apart.
 - (c) The fence posts must be:
 - (1) Constructed of wood with a diameter of not less than 4 inches, or an equivalent strength of steel;
 - (2) Extended from not less than 3 feet below the ground to the full height of the fence; and

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- (3) Spaced not more than 24 feet apart.
- (d) The posts for corners and gates must be:
 - (1) Constructed of wood with a diameter of not less than 6 inches, or an equivalent strength of steel; and
 - (2) Extended from not less than 3 feet below the ground to the full height of the fence.
- (e) Each gate must be of the same height as the fence, constructed of a material whose strength is equivalent to the fence and secured by a latching device and padlock.
- (f) The fence must be maintained at all times in such a manner as to prevent the escape of alternative livestock.]

2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 576.260 Reporting of escapes and infections. (NRS 576.129) The holder of a permit shall, immediately after discovering that any of the alternative livestock he or she holds under the authority of that permit has escaped or become infected with any disease, report the escape or infection to the Department.]

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2. Explanation for change:

The Department of Wildlife is working with the Department of Agriculture on NAC chapters that affect both agencies. NAC 576 are chapters managed under Agriculture's authority and relate to cervids and alternative livestock. There is currently a restriction on importation of cervids into Nevada in NAC 503.110 and the existence of this regulation is a contradiction to that restriction that could cause the public undue confusion.

3. Public Meetings:

- a. April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 17 people in attendance.
April 19, 2023 - <https://agri.nv.gov/Board-of-Agriculture-Meetings/> - 28 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.455 Use of raptors to conduct abatement activities. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

1. A master falconry licensee may conduct abatement activities using a raptor in his or her lawful possession if the falconry licensee possesses:

(a) A Federal Migratory Bird Abatement permit issued by the United States Fish and Wildlife Service *provided to the Department* or, if the United States Fish and Wildlife Service no longer issues those permits, a permit to conduct abatement activities issued by the Department; and

(b) A permit to collect unprotected wildlife issued to the master falconry licensee by the Department pursuant to [NRS 503.380](#) and [NAC 503.095](#).

2. A general falconry licensee may conduct abatement activities using a raptor in his or her lawful possession under the supervision of a master falconry licensee who is authorized to conduct abatement activities pursuant to subsection 1.

3. Except as otherwise provided in subsection 4, a general or master falconry licensee may receive payment for conducting abatement activities against a species listed in 50 C.F.R. § 21.43 only in accordance with the conditions of his or her Federal Migratory Bird Abatement permit

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issued by the United States Fish and Wildlife Service or, if the United States Fish and Wildlife Service no longer issues those permits, his or her permit to conduct abatement activities issued by the Department.

4. A falconry licensee may not receive payment for depredation control activities conducted against a species listed in 50 C.F.R. § 21.43.

[5. A falconry licensee who receives a Federal Migratory Bird Abatement permit issued by the United States Fish and Wildlife Service shall provide a copy of the permit to the Department.]

2. Explanation for change:

Simplifies language by removing a subsection and adding the requirement to another portion of the regulation.

3. Public Meetings:

a. March 29, 2023 – <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

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

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.445 Use of raptors in conservation education programs.

1. A general or master falconry licensee may, without obtaining any additional license or permit, use a raptor in his or her lawful possession in a conservation education program which is presented in a public venue.

2. An apprentice falconry licensee may use a raptor in his or her lawful possession in a conservation education program which is presented in a public venue if the presentation is supervised by a general or master falconry licensee.

3. A raptor used in a conservation education program pursuant to this section must otherwise be used primarily for falconry.

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4. A conservation education program presented pursuant to this section must include information concerning the biology, ecological roles and conservation requirements of raptors and other migratory birds. Each of those topics is not required to be included in each presentation.

[5. In addition to the requirements of subsection 4, a falconry licensee shall not present a conservation education program pursuant to this section that does not include information on falconry and conservation education.]

5. [6.] A falconry licensee presenting a conservation education program pursuant to this section:

(a) May accept a fee for the program which does not exceed the actual costs of presenting the program; and

(b) Is responsible for all liability associated with the program.

2. Explanation for change:

Removes repetitive language found within the same regulation in subsection four.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

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

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

NAC 503.225 Transfer, sale, trade, barter, purchase or acquisition by trade or barter of raptors. (NRS 501.105, 501.181, 503.582, 503.583)

1. A falconry licensee may receive by transfer legally acquired raptors from other persons authorized to possess raptors and may transfer a raptor in his or her lawful possession to any other person authorized to possess a raptor.

[2. A person authorized to possess a raptor may transfer or acquire by transfer a raptor which was originally taken from the wild.]

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2. [3.] A person shall not sell, trade, barter, purchase, acquire by trade or barter, or attempt to sell, trade, barter, purchase or acquire by trade or barter, a raptor which was originally taken from the wild.

3. [4.] A person authorized to possess a raptor may transfer, sell, trade, barter, purchase, acquire by trade or barter, or attempt to transfer, sell, trade, barter, purchase, or acquire by transfer, trade or barter, a captive-bred raptor only if the raptor is:

(a) Two weeks of age or more; and

(b) Except as otherwise provided in [NAC 503.217](#), banded pursuant to [NAC 503.212](#) or [503.214](#).

4. [5.] If a person acquires a raptor pursuant to this section:

(a) Except as otherwise provided in paragraph (b), the raptor does not count toward the number of raptors the person may obtain from the wild pursuant to his or her permit, [NRS 503.583](#) and [NAC 503.300](#), regardless of whether the raptor was bred in captivity or was originally taken from the wild; and

(b) If the person acquired the raptor with the intent to keep the raptor, and if the raptor was acquired from a [raptor] *wildlife* rehabilitator and was originally taken from the wild, the raptor counts toward the number of raptors the person may obtain from the wild pursuant to his or her permit, [NRS 503.583](#) and [NAC 503.300](#).

2. Explanation for change:

Removes redundant information and clarifies terms of a wildlife rehabilitator.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

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

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

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1. Regulation Language:

NAC 503.350 Taking of raptors for falconry: Authorization for another person to take raptors for holder of permit. (NRS 501.105, 501.181, 503.582, 503.583)

1. A holder of a permit to take raptors may authorize another person to take a raptor for the holder of the permit subject to the conditions specified in this section.

2. If the holder of the permit is at the site of the taking, *or if the holder of the permit has a long-term or permanent physical impairment that prevents him or her from being at the site of the taking:*

(a) The holder of the permit shall report the taking to the Department on Form 3-186A not later than 5 days after the taking; and

(b) The taken raptor counts toward the number of raptors the holder of the permit may obtain or possess pursuant to his or her permit, NRS 503.583 and NAC 503.250 and 503.300.

[3. *If the holder of the permit has a long-term or permanent physical impairment that prevents him or her from being at the site of the taking:*

(a) The holder of the permit shall report the taking to the Department on Form 3-186A not later than 5 days after the taking; and

(b) The taken raptor counts toward the number of raptors that the holder of the permit may obtain or possess pursuant to his or her permit, NRS 503.583 and NAC 503.250 and 503.300.]

2. Explanation for change:

Removes repetitive language by consolidating sections of the regulation.

3. Public Meetings:

a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.

March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

4. Small Business Impact Statement:

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

b. There is no anticipated positive or negative economic impact.

c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

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1. Regulation Language:

NAC 502.407 Questionnaire with turkey tag: Submission to Department; ineligibility for tag; reinstatement of certain privileges. (NRS 501.105, 501.119, 501.181, 502.160)

1. Unless otherwise provided by an annual regulation of the Commission, the properly completed questionnaire issued as part of a turkey tag must be received by the Department not later than *the deadline established in an annual regulation of the Commission.* [11 p.m. on:

(a) May 31, or the next business day if May 31 falls on a weekend or state holiday, following the close of the season for the spring hunt for turkey; or

(b) November 30, or the next business day if November 30 falls on a weekend or state holiday, following the close of the season for the fall hunt for turkey.]

2. A person who fails to return the questionnaire or the information required by the questionnaire within the period specified or who submits incomplete or false information on the questionnaire is ineligible for all turkey tags for 1 year.

3. A person who is ineligible for a tag pursuant to subsection 2 may have those privileges reinstated if the person:

(a) Pays to the Department an administrative fine of \$50; and

(b) Submits to the Department the properly completed questionnaire issued as part of the turkey tag or the information required by the questionnaire.

[4. A person who seeks to have privileges reinstated pursuant to the provisions of subsection 3 must perform the actions specified in that subsection not later than 11 p.m. on:

(a) June 30, or the next business day if June 30 falls on a weekend or state holiday, following the close of the spring hunt for turkey; or

(b) December 31, or the next business day if December 31 falls on a weekend or state holiday, following the close of the fall hunt for turkey.]

2. Explanation for change:

The proposed regulation changes remove the hard deadlines for submitting a turkey harvest return card and allows a turkey applicant who missed the established deadline in the annual regulation of the Commission to pay the \$50 penalty, submit the late survey, and apply during the following year's turkey application period.

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

b. Persons who provided public comment:

i. No public comment on this item.

c. No public comment on this item.

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4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
 - b. There is no anticipated positive or negative economic impact.
 - c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
-

1. Regulation Language:

NAC 503.405 Care of raptor by falconry licensee who is not owner of raptor.

1. A falconry licensee who is not the owner of a raptor may provide care for the raptor if the falconry licensee also possesses:

(a) A copy of the Form 3-186A that the owner of the raptor submitted to the Department when the owner obtained the raptor; and

(b) A statement that:

- (1) Is signed by the owner of the raptor and the falconry licensee;
- (2) Authorizes the falconry licensee to provide care for the raptor; and
- (3) Indicates:

(I) The period during which the falconry licensee may provide care for the raptor; and

(II) Whether the falconry licensee may practice falconry with the raptor.

2. A falconry licensee providing care for a raptor pursuant to this section may do so only:

(a) At a facility owned or maintained by the owner of the raptor or the falconry licensee; and

(b) Except as otherwise provided in subsection 3, for not more than 120 days.

3. The Department may extend beyond 120 days the period during which a falconry licensee may provide care for a raptor if the owner of the raptor provides evidence satisfactory to the Department that any illness, military service, family emergency or other extenuating circumstance justifies the extension.

4. A raptor for which care is provided by a falconry licensee pursuant to this section:

(a) Counts toward the number of raptors that the owner of the raptor may possess pursuant to [NAC 503.250](#); and

(b) Does not count toward the number of raptors that the falconry licensee may possess pursuant to [NAC 503.250](#).

[5. If indicated by a statement signed pursuant to paragraph (b) of subsection 1, a falconry licensee providing care for a raptor pursuant to this section may practice falconry with the raptor in accordance with this chapter and [NRS 503.582](#) and [503.583](#).]

2. Explanation for change:

Removes repetitive language found within the same regulation under subsection 1.(b)(3)(II).

3. Public Meetings:

a. March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.

April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

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April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 503.390 Housing of raptors: Inspection of facilities. (NRS 501.105, 501.181, 503.582, 503.583)]

1. Except as otherwise provided in subsection 2, if the owner of a raptor is present at the facility at which the raptor is housed, the Department may inspect the facility without advance notice by the Department and during any reasonable hour.

2. If a raptor is housed at a facility owned by a person other than the owner of the raptor, the Department:

(a) If the owner of the facility is present at the facility, may inspect the facility without advance notice by the Department and during any reasonable hour; and

(b) May not enter the facility or in any way disturb the raptor unless the owner of the raptor is present.

3. The owner of a raptor shall submit to the Department a signed and dated statement indicating:

(a) That the owner of the raptor agrees to any inspection conducted pursuant to subsection 1; or

(b) If the raptor is housed at a facility owned by a person other than the owner of the raptor, that the owner of the raptor and the owner of the facility agree to any inspection conducted pursuant to subsection 2.

4. The owner of a raptor shall notify the Department of any change in the location of the facility at which the raptor is housed not later than 5 business days after the change.]

2. Explanation for change:

Determined to be a redundant regulation compared to NAC 503.260 that defines inspections of a premises, equipment, species, or records of a falconry license holder.

3. Public Meetings:

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- a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.
March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

1. Regulation Language:

[NAC 502.211 Removal of personal information from lists sold by Department. (NRS 501.181) Upon the written request of a person who has obtained a license, permit, tag or other licensing document from the Department pursuant to title 45 of NRS, or any regulations adopted pursuant thereto, the Department shall remove the name and other personal information of the person from any list sold by the Department.]

2. Explanation for change:

The Department of Wildlife protects a person's personal information by asking a customer if they would allow their information to be shared by the Department to 3rd party entities who ask for it. This distinction determines if a customer's information will be shared or remain private pursuant to chapter 239B or NRS. No exchange of funds are made between the Department and the requestors of lists obtaining customer data.

3. Public Meetings:

- a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.
March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.

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April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.

- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

4. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.
- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.

5. Regulation Language:

[NAC 502.015 “Batch report” defined. (NRS 501.105, 501.181) “Batch report” means a report of the documents issued by a license agent and submitted to the license office.]

6. Explanation for change:

Batch reports are no longer used by the Department. The term is not found anywhere else in NAC 502 besides this definition.

7. Public Meetings:

- a. March 10, 2023 - <https://www.ndow.org/events/regulation-simplification-committee/> - 8 people in attendance.
March 29, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-meeting/> - 10 people in attendance.
April 7, 2023 - <https://www.ndow.org/events/regulation-simplification-committee-2/> - 13 people in attendance.
April 11, 2023 - <https://www.ndow.org/events/april-2023-commission-meeting-2/> - 19 people in attendance.
- b. Persons who provided public comment:
 - i. No public comment on this item.
- c. No public comment on this item.

8. Small Business Impact Statement:

- a. There will be no adverse or beneficial effects from the proposed regulation on small business because it does not regulate the operation of any small business.
- b. There is no anticipated positive or negative economic impact.

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- c. The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional savings to the agency upon approval.
-