

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

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

The Nevada Department of Wildlife is proposing the adoption of regulations pertaining to Chapter 502, 503, and 504 of the Nevada Administrative Code. A workshop will be held during the NDOW Commission Meeting at the Washoe County Chambers, 1001 E. Ninth Street, Building A, Reno, NV 89512, on May 7th, 2022, at 9:00 am. The purpose of the workshop is to solicit written comments from interested persons on the following general topics that may be addressed in the proposed regulations:

Commission General Regulation 501, NAC 502 Tag Transfer, LCB File No. R050-21

The Commission will hold a workshop to consider amending Nevada Administrative Code (NAC) 502.385 that would allow the transfer of a game tag to a non-profit organization and determine the status of the tag if the Department is notified of the tag holder's death. This regulation was created after the passage of Assembly Bill 89 of the 81st Legislative Session.

Commission General Regulation 505, NAC 503 First Come First Served Prevention of Unfair Advantages, LCB File No. R072-21

The Commission will hold a workshop to consider amending NAC 502.4215 that would allow for the suspension of a person from the First Come First Served program for attempting to create an unfair advantage to obtain a big game tag.

Commission General Regulation 507, NAC 501 Petition Process, LCB File No. R045-22

The Commission will consider adopting changes to NAC 501.195 recommended by the Administrative Procedures, Regulations and Policy Committee. The regulation was approved by the Committee at their March meeting and will be considered by the Commission for the first workshop.

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

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

This Notice of Workshop and support material will be on file at the State Library, 100 Stewart

Street, Carson City, Nevada for inspection by members of the public during business hours. Persons wishing to request a copy of this notice and the mentioned regulations may contact Meghan Beyer at meghan.beyer@ndow.org.

These regulations will also be available at the following websites:

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

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

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

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

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

04/15/2022

**DRAFT REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS
LCB FILE NO. XX-XX**

501.195 1. A person who wishes to request that the Commission adopt, file, amend or repeal a permanent regulation, other than a permanent regulation relating to the classification of wildlife or the designation of seasons for hunting, fishing or trapping by the Commission pursuant to the provisions of title 45 of NRS, must submit a written petition to the Commission on a form provided by the Department. The petition may be submitted by mail, facsimile machine or electronic mail and must include:

(a) The name, telephone number, electronic mail address, if any, and mailing address of the petitioner.

(b) A statement of the reason and the legal authority for the adoption, filing, amendment or repeal of the permanent regulation.

(c) The language of the permanent regulation to be adopted, filed, amended or repealed or a description of the subjects and issues involved in the permanent regulation.

2. Upon receipt of a petition requesting the adoption, filing, amendment or repeal of a permanent regulation pursuant to subsection 1, the Commission will refer the petition to the Department to obtain from the Department a recommendation whether to deny the petition or initiate regulation-making procedures.

3. As soon as practicable after receiving a petition, but not later than 20 days after the date on which the petition was received by the Commission, the Department shall:

(a) Review the petition to determine whether there is legal authority for the proposed adoption, filing, amendment or repeal of the permanent regulation; and

(b) Forward to the Commission the petition and the recommendation of the Department whether to deny the petition or initiate regulation-making procedures *considering the statutory authority of the Commission*.

4. Within 30 days after a petition is submitted, *or as soon as the petition can be scheduled on an upcoming agenda*, the Commission will:

(a) Notify the petitioner in writing of its decision to deny the petition, including the reasons for the denial; or

(b) Initiate the regulation-making procedures set forth in chapter 233B of NRS.

5. A decision of the Commission to deny a petition is a final decision for the purposes of judicial review.

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

Re: Commission General Regulation 507 LCB File No. R045-22 - Petition Process

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

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

ANSWER:

This regulation does not regulate any small businesses. Therefore, the Department concluded that there would be no small business impact.

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

ANSWER:

Analysis was not conducted because the Department concluded that there would be no impact to small businesses.

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

- a.) Both adverse and beneficial effects:

ANSWER:

There will be no economic effect on small businesses by the proposed regulation.

- b.) Both direct and indirect effects:

ANSWER:

The Department concluded that there would be no impact to small businesses.

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

ANSWER:

The Department concluded that there would be no impact to small businesses.

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

ANSWER:

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

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:

ANSWER:

This regulation will not propose new fees or increase fees.

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

ANSWER:

This regulation does not include provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity.

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

ANSWER:

This regulation does not regulate any small businesses. Therefore, the Department concluded that there would be no small business impact and no need for a small business impact statement.

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



Tony Wasley, Director
Nevada Department of Wildlife