



Harvesting Edible Portions of Black Bears and Mountain Lions in the Western U.S.

Craig Burkett, Senior Deputy Attorney General
Caitlin Pagni, Legal Researcher



Contents

WESTERN STATES

NRS 503.050
&
NAC 503.0047

PROPOSAL

Harvest Black Bear Meat:

- Montana
- Arizona
- Washington
- Alaska
- Colorado
- California
- Oregon

Harvest Mountain Lion Meat:

- Arizona
- Colorado
- Montana
- Oregon

NEVADA LAW DOES NOT REQUIRE
HARVEST OF EDIBLE PORTIONS

NRS 503.050

Wanton Waste Statute

NRS 503.050 Unlawful to waste game bird, mammal, fish or amphibian.

1. It is unlawful for any person to cause through carelessness, neglect or otherwise any **edible portion** of any game bird, **game mammal**, game fish or game amphibian to go to waste needlessly.

2. It is unlawful for any person to capture or destroy any game mammal, **except a carnivore**, and detach or remove from the carcass the head, hide, antlers, horns or tusks only and leave the carcass to waste.

3. For the purposes of subsection 1, “game bird” does not include a raven, crow or magpie even if classified as a game bird pursuant to [NRS 501.110](#).

[Part 87 1/2:101:1947; 1943 NCL § 3035.87a]—(NRS A [1969, 1358](#); [1971, 1541](#); [1991, 266, 334](#))



NRS 503.050

- NRS does not require harvest of edible portions due to carnivore exception added in 1969
- Bears and mountain lions taxonomically defined as being in the order carnivora
- NV black bear hunting established 2011

NAC 503.0047

- Defines how “edible portion” applies to both big game mammals *and* game mammals
- Dual classification of both black bears and mountain lions creates confusion in interpreting regulation – only wolves, peccaries, and rabbits are not classified as both big game and game mammals
- Exception for mountain lions and black bears in subsection 1(a)
- Proposed Regulation LCB File No. R041-09

NAC 503.0047

NAC 503.0047 “Edible portion” interpreted. (NRS [501.105](#), [501.181](#), [503.050](#))

1. As used in [NRS 503.050](#), the Commission will interpret “edible portion” to mean, with respect to:

(a) A big game mammal, **except mountain lions and black bears:**

- (1) The meat of the front quarters to the knee;
- (2) The meat of the hind quarters to the hock; and
- (3) The meat along the backbone between the front quarters and hind quarters;

(b) A game mammal:

- (1) The meat of the front quarters to the elbow;
- (2) The meat of the hind quarters to the hock; and
- (3) The meat along the backbone between the front quarters and hind quarters;

(c) A game bird, the meat of the breast; and

(d) A game fish, the fillet meat from the gill plate to the tail fin.

[. . .]

(Added to NAC by Bd. of Wildlife Comm’rs by R041-09, eff. 10-27-2009)



Dual Classification

• **NAC 502.020 “Big game mammal” defined.** (NRS 501.105, 501.181) “Big game mammal” means any:

- 1. Pronghorn antelope, black bear, mule deer, mountain goat, mountain lion, moose, Rocky Mountain elk; or
- 2. Of the following subspecies of bighorn sheep:
 - (a) Nelson bighorn sheep;
 - (b) California bighorn sheep; or
 - (c) Rocky Mountain bighorn sheep.

[Bd. of Fish & Game Comm’rs, No. 26 part § 5, eff. 12-4-79]—(NAC A by Bd. of Wildlife Comm’rs by R168-99, 1-19-2000; R029-17, 12-19-2017)

NAC 503.020 Game mammals. (NRS 501.105, 501.110, 501.181) The following wild mammals are further classified as game mammals:

	Common Name	Scientific Name
1. Antelope	Pronghorn.....	Antilocapra americana
2. Bear	Black.....	Ursus americanus
3. Deer	Mule.....	Odocoileus hemionus
4. Goat	Mountain.....	Oreamnos americanus
5. Lion	Mountain (Cougar).....	Felis concolor
6. Moose		Alces alces
7. Peccary		Pecari angulatus
8. Rabbit	Cottontail (Audubon).....	Sylvilagus audubonii
	Cottontail (Nuttall).....	Sylvilagus nuttallii
	Pygmy.....	Sylvilagus idahoensis
	Snowshoe.....	Lepus americanus
9. Sheep	White-tailed Jack.....	Lepus townsendii
	Bighorn.....	Ovis canadensis canadensis Ovis canadensis nelsoni Ovis canadensis californiana
10. Elk	Rocky Mountain.....	Cervus elaphus nelsoni
11. Wolf	Gray.....	Canis lupus

Proposal

- Amend NRS 503.050 to remove “carnivore” exception, replace with “gray wolves”
- Amend NAC 503.0047(1)(a) to strike “except mountain lions and black bears”



Example in Memorandum Exhibit 1

NRS 503.050 Unlawful to waste game bird, mammal, fish or amphibian.

1. It is unlawful for any person to cause through carelessness, neglect or otherwise any edible portion of any game bird, game mammal, game fish or game amphibian to go to waste needlessly.

2. It is unlawful for any person to capture or destroy any game mammal, except a ~~carnivore~~ *gray wolf*, and detach or remove from the carcass the head, hide, antlers, horns or tusks only and leave the carcass to waste.

3. For the purposes of subsection 1, "game bird" does not include a raven, crow or magpie even if classified as a game bird pursuant to [NRS 501.110](#).

[Part 87 1/2:101:1947; 1943 NCL § 3035.87a]—(NRS A [1969, 1358; 1971, 1541; 1991, 266, 334](#))

NAC 503.0047 "Edible portion" interpreted. ([NRS 501.105, 501.181, 503.050](#))

1. As used in [NRS 503.050](#), the Commission will interpret "edible portion" to mean, with respect to:

(a) A big game mammal, ~~except mountain lions and black bears:~~

- (1) The meat of the front quarters to the knee;
- (2) The meat of the hind quarters to the hock; and
- (3) The meat along the backbone between the front quarters and hind quarters;

(b) A game mammal:

- (1) The meat of the front quarters to the elbow;
- (2) The meat of the hind quarters to the hock; and
- (3) The meat along the backbone between the front quarters and hind quarters;

(c) A game bird, the meat of the breast; and

(d) A game fish, the fillet meat from the gill plate to the tail fin.

2. The term does not include:

- (a) Meat from the head or neck;
- (b) Meat that has been damaged and rendered inedible by the method of taking;
- (c) Meat that is reasonably lost as a result of boning or close trimming of bones;
- (d) Bones;
- (e) Sinew; or
- (f) Viscera.

3. As used in this section:

- (a) "Elbow" means the distal joint of the humerus.
- (b) "Gill plate" means the operculum.
- (c) "Hock" means the distal joint of the tibia-fibula.
- (d) "Knee" means the distal joint of the radius-ulna.
- (e) "Tail fin" means the caudal fin.

(Added to NAC by Bd. of Wildlife Comm'rs by R041-09, eff. 10-27-2009)



Questions?

Craig Burkett, Senior Deputy Attorney General

Caitlin Pagni, Legal Researcher