

**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 488, 502, 503, and 504 of the Nevada Administrative Code. A workshop will be held during the Board of Wildlife Commissioners Meeting at the Clark County Government Center 500 S. Grand Central Pkwy, Las Vegas, NV 89155, on September 23rd, 2023, at 8:00 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, 509 Licensing & Vessel Refund, LCB File No. R037-23

The Commission will hold a workshop to consider amending Nevada Administrative Code (NAC) 502 and 488 to allow the Department authority to provide refunds on licenses and vessel products.

Commission General Regulation 511, Wildlife Management Area Regulations

The Commission will hold a workshop to consider amending Chapter 504 of the Nevada Administrative Code (NAC). This Regulation would update Wildlife Management Area (WMA) designations and restrictions.

Commission General Regulation 512, Fishing Regulation Updates

The Commission will hold a workshop to consider amending Chapter 488 and 503 of the Nevada Administrative Code (NAC). This regulation would change vessel motor restrictions, amend tackle restrictions, and reclassify protected species classifications.

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 Cameron Tull at cameron.tull@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/>

<https://nvboardofwildlife.org/>

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 cameron.tull@ndow.org. A reasonable fee may be charged for copies if it is deemed necessary.

08/31/2023

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

LCB File No. R037-23

September 15, 2023

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

AUTHORITY: § 1, NRS 488.045 and 501.181; § 2, NRS 501.105 and 501.181.

A REGULATION relating to fees; authorizing the Department of Wildlife to return all or a portion of certain fees collected by the Department; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners to establish regulations necessary to carry out various provisions of law governing wildlife and the operation of power-driven vessels. (NRS 501.181) Existing law also: (1) sets forth certain fees to be charged and collected by the Department of Wildlife for activities related to wildlife and the operation of power-driven vessels; and (2) requires the Commission to adopt regulations prescribing certain fees to be charged and collected by the Department for activities related to wildlife and the operation of power-driven vessels. (Chapters 488 and 502 of NRS) **Section 1** of this regulation authorizes the Department to return all or a portion of any fee, other than a nonrefundable fee, collected in error pursuant to the provisions of chapter 488 of NRS or chapter 488 of NAC. **Section 2** of this regulation similarly authorizes the Department to return all or a portion of any fee, other than a nonrefundable fee, collected in error pursuant to the provisions of chapter 502 of NRS or chapter 502 of NAC.

Section 1. Chapter 488 of NAC is hereby amended by adding thereto a new section to read as follows:

- 1. The Department may return all or a portion of any fee, other than a nonrefundable fee, collected in error pursuant to the provisions of this chapter or chapter 488 of NRS. Any such refund must be made to the person who paid the fee.*

2. Refunds made pursuant to the provisions of this section may only be made for errors such as mistakes in purchasing or computation, double payments and similar clerical or ministerial errors.

Sec. 2. Chapter 502 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The Department may return all or a portion of any fee, other than a nonrefundable fee, collected in error pursuant to the provisions of this chapter or chapter 502 of NRS. Any such refund must be made to the person who paid the fee.

2. Refunds made pursuant to the provisions of this section may only be made for errors such as mistakes in purchasing or computation, double payments and similar clerical or ministerial errors.

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

Commission General Regulation 509 LCB File No. R037-23 Licensing and Vessel Product Refunds

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

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

ANSWER:

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

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

ANSWER:

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

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

- a.) Both adverse and beneficial effects:

ANSWER:

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

- b.) Both direct and indirect effects:

ANSWER:

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

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

ANSWER:

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

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

ANSWER:

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

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

ANSWER:

The proposed regulation does not provide new or increased fees.

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

ANSWER:


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

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

ANSWER:

The agency concluded that this regulation does not impact small businesses because the changes are associated with a program administered by the Nevada Department of Wildlife.

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



Alan Jenne, Director
Nevada Department of Wildlife