

**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 of the Nevada Administrative Code. A workshop will be held during the Board of Wildlife Commissioners Meeting at the Sparks Legislative Building 745 Fourth St. Sparks, NV 89436, on January 26th, 2024, at 8:30 am. A Zoom link is provided below for those individuals that are unable to attend in person.

If you wish to make public comment, please use this link for Friday, January 26, 2024:

<https://us02web.zoom.us/j/86749955371?pwd=dnN3Wm55MnhRc0k0UnljMmxVM3VoUT09>

Passcode: 142089

If you wish to make public comment, please use this link for Saturday, January 27, 2024:

<https://us02web.zoom.us/j/86096552018?pwd=TmZlaEtUZzBjSFpReHFvc3ZmTys0dz09>

Passcode: 859244

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 514, Moose Regulation

The Commission will hold a workshop to consider amending Chapters 502 and 503 of the Nevada Administrative Code (NAC) to provide for definitions, fees, and regulations concerning moose. This proposed regulation change is necessary to establish definitions for antlered and antlerless moose, eligibility requirements for a moose tag and fees for both resident and non-resident antlered and antlerless moose hunts and to establish requirements for maintaining physical characteristics of the harvested moose.

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 Lynda Barr at lbarr@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) 688-1599 or lbarr@ndow.org. A reasonable fee may be charged for copies if it is deemed necessary.

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

LCB File No. R122-23

December 14, 2023

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

AUTHORITY: §§ 1, 2 and 6, NRS 501.105, 501.181 and 503.120; § 3, NRS 501.105, 501.181 and 503.120; § 4, NRS 501.105, 501.181, 502.130, 502.140, 502.160 and 502.250; § 5, NRS 501.105, 501.181, 502.160 and 502.175.

A REGULATION relating to wildlife; defining certain terms relating to moose; establishing provisions relating to obtaining a tag to hunt moose; revising provisions relating to certain bonus points awarded by the Department of Wildlife; revising provisions relating to the possession of certain parts from certain animals; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners to adopt regulations necessary to the preservation, protection, management and restoration of wildlife, as well as those necessary to carry out the provisions of title 45 of the Nevada Revised Statutes. (NRS 501.105, 501.181) Existing law authorizes the Commission to adopt regulations defining “antlerless” mammals. (NRS 503.120) **Sections 2 and 3** of this regulation define the terms “antlered moose” and “antlerless moose,” respectively.

Existing law requires tags to hunt certain species, including moose. (NRS 502.130) Existing law authorizes the Commission to adopt any regulations necessary relative to the manner of qualifying and applying for, using, completing, attaching, filling out, punching, inspecting, validating or reporting such tags. (NRS 502.160) **Section 4** of this regulation authorizes, with certain exceptions, a resident or nonresident of this State to apply for a tag to hunt antlered moose or antlerless moose. **Section 4** also provides that a person who obtains a tag or replacement tag for an antlered or antlerless moose is not eligible to apply for another tag to hunt that type of moose. Finally, **section 4** requires a person who harvests a moose to, within 5 days after harvesting it, personally present the skull and any antlers of the moose to a representative of the Department of Wildlife for inspection.

Existing law requires the Commission to establish fees for hunting certain big game species, which must not exceed the highest fee for a resident or nonresident tag established pursuant to the Nevada Revised Statutes. (NRS 502.130, 502.250) **Section 4** prescribes the following fees for moose tags: (1) \$120 for a resident antlered moose tag; (2) \$120 for a resident antlerless moose tag; (3) \$1,200 for a nonresident antlered moose tag; and (4) \$1,200 for a nonresident antlerless moose tag.

Existing regulations provide that any bonus points awarded by the Department pursuant to the bonus point program must be awarded in certain enumerated categories of species, subspecies and gender. (NAC 502.4188) **Section 5** of this regulation requires the Department to award bonus points for antlered moose, antlerless moose and moose, either antlered or antlerless.

Existing regulations require a person who kills a deer, elk, mountain goat, antelope or bighorn sheep to maintain possession of a certain portion of the cape or scalp of the animal, as well as any antlers or horns, until the carcass has been frozen, smoked, dried, consumed or accepted by a commercial processing plant for processing. (NAC 503.173) **Section 6** of this regulation adds moose to these requirements.

Section 1. Chapter 502 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Sec. 2. *“Antlered moose” means any moose having at least one antler that is visible above the hairline of the skull of the moose.*

Sec. 3. *“Antlerless moose” means any moose without antlers.*

Sec. 4. 1. *Except as otherwise provided in this subsection, unless his or her privilege is limited or revoked pursuant to law, any resident or nonresident of this State is eligible to apply in any year for an antlered moose tag. A person who obtains an antlered moose tag or a replacement tag for an antlered moose is not eligible to apply for another tag to hunt antlered moose only.*

2. Except as otherwise provided in this subsection, unless his or her privilege is limited or revoked pursuant to law, any resident or nonresident of this State is eligible to apply in any year for an antlerless moose tag. A person who obtains an antlerless moose tag or a replacement tag for an antlerless moose is not eligible to apply for another tag to hunt antlerless moose only.

3. *The fee for:*

(a) A resident antlered moose tag is \$120.

(b) A resident antlerless moose tag is \$120.

(c) A nonresident antlered moose tag is \$1,200.

(d) A nonresident antlerless moose tag is \$1,200.

4. A person who harvests a moose shall, within 5 days after harvesting it, personally present the skull and any antlers of the moose, if applicable, to a representative of the Department for inspection.

5. As used in this section:

(a) "Antlered moose only" means, in a designation of moose that may be taken during an open season, only an antlered moose.

(b) "Antlerless moose only" means, in a designation of moose that may be taken during an open season, only an antlerless moose.

Sec. 5. NAC 502.4188 is hereby amended to read as follows:

502.4188 1. Except as otherwise provided in subsection 2, 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; ~~fox~~

(n) *Antlered moose;*

(o) Antlerless moose; or

(p) Moose ~~H~~, either antlered or antlerless.

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

Sec. 6. NAC 503.173 is hereby amended to read as follows:

503.173 Except as otherwise provided in NAC 502.403, any person who kills a deer, elk, *moose*, mountain goat, antelope or bighorn sheep shall, until the carcass is frozen, smoked, dried, consumed or accepted by a commercial processing plant for processing, maintain possession of at least that portion of the cape or scalp that includes the ears to the base of the muzzle and any antlers or horns. The cape or scalp and any antlers or horns from the animal must be possessed in such a manner that they remain or are kept together with the carcass of the animal.

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

Commission General Regulation 514 LCB File No. R122-23 Antlered/Antlerless Moose defined; tags, fees, inspection; Maintenance of cape or scalp and antlers or horns with carcass.

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 economic 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 of impact reduction 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. NRS already establishes tag 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 not associated with regulating any small business functions 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