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DEPARTMENT OF WILDLIFE
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MEMORANDUM:

APRIL 11, 2024

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Management Analyst Megan Manfredi, Data and Technology Services Division

Title: Commission General Regulation 519, Lifetime Waiting Periods

Description: The Commission will review and revise draft language that would amend Nevada Administrative Code (NAC) chapters 502.345 and 502.364 that would extend the waiting period of a bighorn sheep ram and mountain goat to once in a person's lifetime.

Brief Explanation of the Proposed Regulation:

Per the direction of the Tag Allocation and Application Hunt Committee this proposed regulation change would amend chapters 502.345 for Nelson, Rocky Mountain, and California bighorn sheep rams and 502.364 for mountain goat making the waiting periods for each species and subspecies applied to a customer extended to once in a person's lifetime.

Initiation of the extended waiting periods will be implemented to customers who are awarded a bighorn sheep ram tag or mountain goat tag after the date of regulation passage by Nevada's Legislative Commission.

Recommendation:

The Department recommends that the Commission review, amend if needed, and move towards an additional workshop or adoption of the proposed regulation.

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

LCB File No. R018-24

April 8, 2024

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

AUTHORITY: §§ 1-6, NRS 501.105, 501.181, 502.130, 502.140 and 502.160.

A REGULATION relating to wildlife; defining the term “management hunt”; revising provisions relating to a tag to hunt for a bighorn sheep ram; revising provisions governing eligibility to obtain a tag to hunt a mountain goat; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires, with certain exceptions, a person who hunts any wildlife in this State to obtain a license or permit for such activities and, if he or she wishes to hunt certain designated big game mammals, including bighorn sheep or mountain goats, to obtain an additional license known as a big game tag. (NRS 502.010, 502.130) Existing law authorizes the Board of Wildlife Commissions to adopt regulations necessary relative to the manner of qualifying and applying for such tags and requires the Commission to designate the number of tags for any species which may be obtained by any one person. (NRS 502.140, 502.160)

Existing regulations authorize a resident of Nevada or nonresident to apply for a tag to hunt for a bighorn sheep ram from certain subspecies of bighorn sheep. (NAC 502.345) **Section 2** of this regulation also authorizes a resident of Nevada or nonresident to apply for a tag to hunt for a bighorn sheep ram from a management hunt for bighorn sheep. **Section 1** of this regulation defines the term “management hunt.” **Section 4** of this regulation makes a conforming change to delete the definition of “management hunt” from a provision of existing regulation as **section 1** defines the term for all of chapter 502 of NAC. **Section 5** of this regulation makes a conforming change to add “management hunt” to the type of tag for which a person may apply.

Existing regulations provide that no resident of Nevada or nonresident is eligible to apply for a tag to hunt for a ram from certain subspecies of bighorn sheep or a mountain goat if that person received a tag or replacement tag to hunt for a ram from that subspecies of bighorn sheep or a mountain goat in the immediately preceding 10 years. (NAC 502.345, 502.364) **Sections 2 and 3** of this regulation remove the 10 year waiting period in which a person is not eligible to apply for such a tag and instead provide that, with certain exceptions, a resident of Nevada or nonresident is only eligible to apply for a tag to hunt for a ram from a subspecies of bighorn sheep or a mountain goat if he or she has not at any time after the date this regulation is filed with the Secretary of State, received a tag or replacement tag to hunt for a ram from that subspecies of bighorn sheep or a mountain goat.

Section 6 of this regulation prohibits a person who has received a tag or replacement tag to hunt for a ram from a subspecies of bighorn sheep or a mountain goat at any time in the 10 years immediately preceding the date this regulation is filed with the Secretary of State from applying for a tag to hunt for a ram from that same subspecies of bighorn sheep or a mountain goat for 10 years after the date he or she was awarded such a tag.

Section 1. Chapter 502 of NAC is hereby amended by adding thereto a new section to read as follows:

“Management hunt” means a hunt established to seek the harvest of additional wildlife within a specific population of wildlife.

Sec. 2. NAC 502.345 is hereby amended to read as follows:

502.345 1. ~~Unless~~ *Except as otherwise provided in NAC 502.42694 and 502.4293, or unless* his or her privilege is limited or revoked pursuant to law, any resident of Nevada or nonresident is eligible to apply for a tag to hunt for a ram from ~~one~~ :

(a) *One* or more of the following subspecies of bighorn sheep:

~~(a)~~ (1) Nelson bighorn sheep;

~~(b)~~ (2) California bighorn sheep; or

~~(c)~~ (3) Rocky Mountain bighorn sheep ~~(1)~~ ; or

(b) *A management hunt for bighorn sheep,*

↪ if ~~(1)~~ *in the immediately preceding 10 years,* he or she ~~did not receive~~ *has not previously received* a tag or replacement tag to hunt for a ram from that subspecies *or a management hunt* of bighorn sheep ~~(1)~~ *at any time after the date this regulation is filed with the Secretary of State.*

2. Unless his or her privilege is limited or revoked pursuant to law, any resident of Nevada or nonresident is eligible to apply for a tag to hunt for a ewe from one or more of the following subspecies of bighorn sheep:

(a) Nelson bighorn sheep;

(b) California bighorn sheep; or

(c) Rocky Mountain bighorn sheep,

↳ if, in the immediately preceding 2 years, he or she did not receive a tag or replacement tag to hunt for a ewe from that subspecies of bighorn sheep.

3. A person whose application for a tag to hunt for a ewe is successfully drawn must complete an online course provided by the Department in the gender identification of bighorn sheep before the Department may issue the tag.

4. A person who kills a ram, regardless of subspecies, shall, within 5 days after killing it, personally present the skull and horns of the ram to a representative of the Department for inspection. The inspector shall permanently attach a seal to one of the horns by plugging the seal into the horn or permanently brand an identification number on one of the horns. It is unlawful for any person to alter or remove the seal after the seal is permanently attached to a horn or to alter or remove the permanently branded identification number. It is unlawful to possess or sell the horns of a ram without a seal having been so attached or number so branded.

5. As used in this section, “ewe” means any female bighorn sheep having a horn or horns of at least 5 inches in length each as measured on the outside curve of the horn from the skull to the tip.

Sec. 3. NAC 502.364 is hereby amended to read as follows:

502.364 1. Except as otherwise provided ~~{by a regulation of the Commission or title 45 of NRS, a person may}~~ *in NAC 502.42694 and 502.4293, or unless his or her privilege is limited or revoked pursuant to law, any resident of Nevada or nonresident is eligible to* apply for a mountain goat tag in any year if ~~{, in the immediately preceding 10 years,}~~ he or she ~~{did}~~ *has*

not ~~receive~~ *previously received* a tag or replacement tag for a mountain goat ~~+~~ *at any time after the date this regulation is filed with the Secretary of State.*

2. A person whose application for a mountain goat tag is successfully drawn must complete an online course provided by the Department in the gender identification of mountain goats before the Department may issue the tag.

3. A person who harvests a mountain goat shall, within 5 days after harvesting it, personally present the skull, hide and any edible portion of the animal, or its carcass, to a representative of the Department for inspection.

Sec. 4. NAC 502.4187 is hereby amended to read as follows:

502.4187 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 obtain a tag and is applying for the sole purpose of earning a bonus point, must be awarded a bonus point for 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.

2. 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 per hunting license for each species or category of a species for which the person applied.

3. Except as otherwise provided in subsection 5, the bonus points awarded to a person for a species or category of species accumulate until the person loses his or her bonus points pursuant to this subsection. A person loses all of his or her bonus points for a species or category of a species:

(a) If the person is successful in drawing a tag for a season for that species or category of a species; or

(b) If the person does not apply for a tag or a bonus point for a season for 2 consecutive calendar years during which that type of hunt for a season is open.

4. Upon written request, the Department shall reinstate each bonus point a person lost pursuant to paragraph (b) of subsection 3 if:

(a) During the entirety of the respective 2 consecutive calendar years, the person was mobilized, deployed, training or stationed outside of the United States as an active member of the Armed Forces of the United States, as verified by a copy of his or her orders or other proof satisfactory to the Department; and

(b) The request is submitted to the Department not later than 1 year after the date the person returns to the United States.

5. 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.

6. 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.

7. If an applicant is successful in obtaining a tag for a species or category of a species but transfers the tag to another person pursuant to section 1 of LCB File No. R022-19, the applicant and the new recipient of the tag lose all bonus points for that species or category of species.

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

~~{9.—As used in this section, “management hunt” means a hunt established to seek the harvest of additional wildlife within a population.}~~

Sec. 5. NAC 502.4293 is hereby amended to read as follows:

502.4293 A person who is ineligible to apply for a tag pursuant to NAC 502.341, 502.345, 502.361 or 502.364 may, if he or she is otherwise eligible for the issuance of a tag, apply for a Silver State Tag for a species, ~~{or}~~ subspecies *or management hunt* specified in those sections.

Sec. 6. This regulation is hereby amended by adding thereto the following transitory language which has the force and effect of law but which will not be codified in the Nevada Administrative Code.

Notwithstanding the amendatory provisions of sections 2 and 3 of this regulation removing the 10 year waiting period in which a person is eligible to apply for a tag to hunt for a ram from a subspecies of bighorn sheep or a mountain goat and instead authorizing a person to apply for such a tag only if, beginning on the date this regulation is filed with the Secretary of State, he or she has not previously received a tag to hunt for a ram from that subspecies of bighorn sheep or a mountain goat, as applicable, and except as otherwise provided in NAC 502.42694 and 502.4293, a person who has received a tag or replacement tag at any time during the 10 years immediately preceding the date this regulation is filed with the Secretary of State to hunt for a ram from a subspecies of bighorn sheep listed in paragraph (a) of subsection 1 of NAC 502.345, as amended by section 2 of this regulation, or to hunt a mountain goat pursuant to NAC 502.364, as amended by section 3 of this regulation, is not eligible to apply for another tag to hunt for a ram from that same subspecies of bighorn sheep or a mountain goat, as applicable, for 10 years after the date the tag was awarded.