

**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 of the Nevada Administrative Code. A workshop will be held at the NDOW

Commission YouTube page:

<https://www.youtube.com/channel/UCrFHgHLM0MZA2Hx7og8pFcQ>

on August 14, 2020, 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 493, NAC 488 Simplification, LCB File No. RXXX-XX

The Commission will review the Regulation Simplification Committee's recommendations regarding language updates and simplification of the Nevada Administrative Code (NAC) 488 relating to watercrafts.

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 Megan Manfredi at mmmanfredi@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 mmmanfredi@ndow.org. A reasonable fee may be charged for copies if it is deemed necessary.

07/28/20

**PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 493**

LCB File No. RXXX-XX

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

AUTHORITY: §§1 and 2, NRS 488, NRS 501.181

A REGULATION relating to watercraft.....

NAC 488 is hereby amended to read as follows:

NAC 488.050 Removal of personal information from list sold by Department. (NRS 488.045, 501.181) Upon the ~~written~~ request of a person who has obtained a certificate of number or a certificate of ownership, the Department shall remove the name and other personal information of the person from any list sold by the Department.

(Added to NAC by Bd. of Wildlife Comm'rs by R122-03, eff. 1-20-2004)

NAC 488.405 Life ~~preservers~~ jackets: Number and types required. (NRS 488.045, 488.193, 501.181)

1. Except as otherwise provided in this section, a person shall not use any vessel, regardless of its method of propulsion:

(a) Which is less than 16 feet in length, unless there is at least one life ~~preserver~~ jacket of ~~type I, II or III~~ on board for each person of an appropriate size and type for the person for whom it is intended; or

(b) Which is 16 feet or more in length, unless there is at least one life ~~preserver~~ jacket of ~~type I, II or III~~ on board for each person of an appropriate size and type for the person for whom it is intended and at least one life ~~preserver~~ of ~~type IV~~ throwable personal flotation device on board.

2. The requirements of subsection 1 do not apply to the operation of a racing shell, rowing scull, racing canoe or racing kayak which is:

(a) Manually propelled;

(b) Recognized by a national or international racing association for use in competitive racing; and

(c) Designed to carry and does carry only equipment which is solely for competitive racing; and

(d) *Actively racing or practicing for racing.*

3. The requirements of paragraph (b) of subsection 1 do not apply to a person who uses a canoe or kayak that is enclosed by a deck and spray skirt if:

(a) The person has on board a life preserver of type I, II or III jacket of an appropriate size and type for the person for whom it is intended; or

(b) The person wears a life preserver of type V jacket special use approved by the United States Coast Guard for that special use.

4. On any vessel, a life preserver jacket of type V special use or type V hybrid type may be used in lieu of a life preserver of any other approved type I, II or III if it is approved by the United States Coast Guard and:

(a) If it is of type V special use type, is worn and used in accordance with the instructions marked on it.

(b) If it is of type V hybrid type, is worn while the vessel is underway, except when the user is in an enclosed space.

5. For the purposes of this section, the types of life preservers are as follows:

— (a) Type I is a life preserver which has over 20 pounds of buoyant force and is designed to turn an unconscious person in water to a position where his or her face is out of the water;

— (b) Type II is a buoyant vest which has at least 15.5 pounds of buoyant force and is designed to turn an unconscious person in water to a position where his or her face is out of the water;

— (c) Type III is a buoyant vest or jacket which has at least 15.5 pounds of buoyant force but is not designed to turn an unconscious person in water;

— (d) Type IV is a throwable device, such as a ring buoy or buoyant cushion;

— (e) Type V hybrid is a personal flotation device which has 7.5 pounds of buoyant force when it is not inflated, and 22 pounds of buoyant force when it is inflated; and

— (f) Type V special use is a personal flotation device approved by the United States Coast Guard for a restricted use or activity.

6. For the purposes of this section, a vessel is being used if the vessel:

(a) Is upon the waters of this State, including, without limitation, if it is tied or fastened to a dock, mooring or shore; and

(b) Is not aground on the shore.

[Bd. of Wildlife Comm'rs, Motorboat Reg. No. 100 § 30, eff. 2-10-82] — (NAC A 1-1-83; 12-3-90; 11-23-94; R206-97, 6-19-98)

NAC 488.410 Life preservers jackets: Condition; markings; size; requirements for inflation. (NRS 488.045, 488.193, 501.181)

1. Each life preserver jacket and throwable personal floatation device required by NAC 488.405 to be on board a vessel must be:

(a) In serviceable condition;

(b) Legibly marked with the number of approval of the United States Coast Guard;

(c) Of appropriate size and type to fit the person for whose use it is intended; and

(d) Noninflatable, if the person for whose use it is intended is:

- (1) Waterskiing;
- (2) On a personal watercraft;
- (3) Under 16 years of age; or
- (4) Participating in a commercial activity, including, without limitation, a boat livery.

2. For the purposes of paragraph (a) of subsection 1, a life ~~preserver~~ *jacket* that is inflatable is in serviceable condition only if:

- (a) The inflation mechanism is functional and armed;
- (b) Each inflation indicator is green;
- (c) Each inflation chamber is capable of holding air; and
- (d) The oral inflation tube is functional.

[Bd. of Wildlife Comm'rs, Motorboat Reg. No. 100 § 31, eff. 2-10-82] — (NAC A by R206-97, 6-19-98)

NAC 488.495 Temporary placement of buoy for practice courses or marine events; fee; administrative fine. (NRS 488.045, 488.261, 501.181, 501.243)

1. A person who wishes to obtain a permit for the temporary placement of a buoy for practice courses or marine events must submit an application to the Department on a form provided by the Department. The application must be submitted at least 30 days before the date of the proposed placement and must include:

- (a) The name and telephone number of the person responsible for ensuring that the conditions of the permit are complied with; and
- (b) A ~~diagram~~ *or map of sufficient detail* identifying the number of buoys to be placed and a description of the placement of the buoys.

2. If a permit for the temporary placement of a buoy for a practice course is issued, any buoy placed in the water under authority of the permit:

- (a) May not interfere with the normal flow of traffic for boats or with the use of water or shoreline areas already in use by other recreational users;
- (b) May not be left in place overnight;
- (c) Must be in an area which is of sufficient size so that the course is a minimum of 100 feet from any shoreline and 500 feet from any beach frequented by bathers or swimmers;

(d) Must be placed for recreational purposes unless otherwise authorized pursuant to a permit issued for a marine event; and

- (e) Must be in compliance with all other applicable federal and state regulations.

↪ No practice course may have more than six turns as determined by the placement of the buoys, and only one motorboat at any given time may be driven or navigated through a practice course.

3. The Department shall collect:

(a) For the issuance of a permit for the temporary placement of a buoy for practice courses for which 10 buoys or less are needed, a fee of \$25. If more than 10 buoys are needed, a fee of \$50 must be collected.

(b) For a permit for the temporary placement of buoys for marine events, a fee of \$50. The Department shall not collect a fee for a permit issued to a charitable organization for the temporary placement of buoys for marine events.

4. A permit for the temporary placement of a buoy for practice courses or marine events may be revoked or suspended if:

(a) The person responsible for the temporary placement of the buoy fails to comply with all applicable statutes and regulations concerning the buoy; or

(b) The buoy becomes a hazard to navigation.

5. The Department shall:

(a) Remove any buoys which are determined to be unlawfully placed; and

(b) Assess an administrative fine of \$100 for the removal of such buoys and assess an additional fine in an amount equal to the cost to the Department in labor and equipment for the removal.

6. The provisions of this section do not apply within the Lake Mead National Recreation Area. The placement of any buoy within that area must be in accordance with the conditions or restrictions on a use or activity imposed by the Superintendent of the Lake Mead National Recreation Area pursuant to the provisions of subparagraph (2) of paragraph (a) of 36 C.F.R. § 1.5 and effective on October 8, 1994. The provisions of such conditions or restrictions may be enforced by the Department.

7. A copy of the conditions or restrictions specified in subsection 6 may be obtained free of charge from the Superintendent of the Lake Mead National Recreation Area, 601 Nevada Highway, Boulder City, Nevada 89005 or from the main or any regional office of the Department.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 11-23-94)

NAC 488.573 Issuance of boater education card to person who successfully completes Boat Nevada correspondence course or proficiency examination; methods of compliance; information on courses. (NRS 488.045, 488.730, 488.750, 501.181)

1. The Department shall issue a boater education card, ~~without fee,~~ to any person who submits the information required in subsection 2 of NRS 488.750 and who:

(a) Completes the Boat Nevada correspondence course and self test with a minimum score of 80 percent; or

(b) Receives a minimum score of 80 percent on a proficiency examination.

2. A person who wishes to take a proficiency examination pursuant to subsection 1 may request an examination appointment at any office of the Department during regular business hours, Monday through Friday.

3. A person may obtain the Boat Nevada correspondence course and self test by:

(a) Requesting the material in person at any of the offices of the Department;

(b) Mailing a request in writing to the Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512; or

(c) Visiting the ~~Internet website of Boat Nevada at <http://www.boatnevada.org>~~ Department's website.

4. A person may obtain information on available courses in safe boating by:

(a) Requesting the information in person or by telephone from any of the regional offices of the Department;

(b) Mailing a request to the Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512; or

(c) Visiting the ~~Internet website of Boat Nevada at <http://www.boatnevada.org>~~ Department's website.

(Added to NAC by Bd. of Wildlife Comm'rs by R022-03, eff. 10-30-2003)

NAC 488.495 Temporary placement of buoy for practice courses or marine events; fee; administrative fine. (NRS 488.045, 488.261, 501.181, 501.243)

1. A person who wishes to obtain a permit for the temporary placement of a buoy for practice courses or marine events must submit an application to the Department on a form provided by the Department. The application must be submitted at least 30 days before the date of the proposed placement and must include:

(a) The name and telephone number of the person responsible for ensuring that the conditions of the permit are complied with; and

(b) A diagram or map identifying the number of buoys to be placed and a description of the placement of the buoys.

2. If a permit for the temporary placement of a buoy for a practice course is issued, any buoy placed in the water under authority of the permit:

(a) May not interfere with the normal flow of traffic for boats or with the use of water or shoreline areas already in use by other recreational users;

(b) May not be left in place overnight;

(c) Must be in an area which is of sufficient size so that the course is a minimum of 100 feet from any shoreline and 500 feet from any beach frequented by bathers or swimmers;

(d) Must be placed for recreational purposes unless otherwise authorized pursuant to a permit issued for a marine event; and

(e) Must be in compliance with all other applicable federal and state regulations.

↪ No practice course may have more than six turns as determined by the placement of the buoys, and only one motorboat at any given time may be driven or navigated through a practice course.

3. The Department shall collect:

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(a) The person responsible for the temporary placement of the buoy fails to comply with all applicable statutes and regulations concerning the buoy; or

(b) The buoy becomes a hazard to navigation.

5. The Department shall:

(a) Remove any buoys which are determined to be unlawfully placed; and

(b) Assess an administrative fine of \$100 for the removal of such buoys and assess an additional fine in an amount equal to the cost to the Department in labor and equipment for the removal.

6. The provisions of this section do not apply within the Lake Mead National Recreation Area. The placement of any buoy within that area must be in accordance with the conditions or restrictions on a use or activity imposed by the Superintendent of the Lake Mead National Recreation Area pursuant to the provisions of subparagraph (2) of paragraph (a) of 36 C.F.R. § 1.5 and effective on October 8, 1994. The provisions of such conditions or restrictions may be enforced by the Department.

7. A copy of the conditions or restrictions specified in subsection 6 may be obtained free of charge from the Superintendent of the Lake Mead National Recreation

Area, ~~601 Nevada Highway, Boulder City, Nevada 89005~~ or from the main or any regional office of the Department.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 11-23-94)

NAC 488.492 Approval of marine event: Restriction; agreement to reimburse Department. (NRS 488.045, 488.305, 501.181, 501.243)

1. The Department shall not approve a marine event if the Director of the Department determines that providing the personnel and resources of the Department which would be necessary to ensure that the marine event is conducted safely will impair the ability of the Department to perform its other duties.

2. The Director may require a person in charge of a marine event to enter into an agreement to reimburse the Department as a condition of approval of the marine event if the Department reasonably anticipates that ~~a~~ at least two protection units will be needed to ensure that the marine event is conducted safely. In determining whether the person in charge of such a marine event must enter into an agreement to reimburse the Department, the Director shall consider:

- (a) The type and nature of the marine event;
- (b) Whether the marine event will substantially increase or disrupt the normal traffic on the water;
- (c) Whether the marine event requires special consideration to be taken to ensure the safety of the spectators; and
- (d) Any other relevant factors that will assist the Department in determining whether the marine event will be conducted safely.

3. The Director shall not require a person in charge of a minor marine event to enter into an agreement to reimburse the Department as a condition of approval of the marine event if the Department reasonably anticipates that:

- (a) There will be small crowds of spectators attending the marine event; and
- ~~(b) Not more than one~~ No protection unit will be needed to ensure that the marine event is conducted safely.

4. The amount for which a person in charge of a marine event must agree to reimburse the Department must be estimated based on the following:

- (a) For each officer or employee of the Department to work at the marine event:
 - (1) At the hourly rate for the officer or employee at his or her existing pay grade;

(2) For overtime, at a rate that is equal to one and one-half the hourly rate of the officer or employee; and

(3) A per diem allowance and travel expenses provided for state officers and employees generally while performing official duties of the Department unless the person in charge of the marine event makes the necessary arrangements for the prepayment of meals and lodging for the Department personnel and the amount of the arrangements is equal to or greater than the state rate.

(b) For each vessel, \$70 per hour, plus the cost of the fuel used.

(c) For each vehicle, \$31 per day, plus a rate equal to the standard mileage reimbursement rate for which a deduction is allowed for the purposes of federal income tax.

5. An agreement to reimburse the Department must include a provision which states that the person in charge of the marine event agrees that, if the amount of the actual cost incurred by the Department is greater than the amount of the estimated cost set forth in the agreement, the amount which must be reimbursed to the Department will be increased by the amount by which the actual cost exceeds the estimated cost or by an amount equal to 5 percent of the estimated cost, whichever is less.

6. The Director may require, as part of an agreement to reimburse the Department, the person in charge of a marine event to furnish a bond to ensure that reimbursement is made.

7. A person in charge of a marine event who has executed an agreement to reimburse the Department pursuant to this section shall remit a certified check for the appropriate amount to the Department not later than 14 days after the completion of the marine event.

8. The Department shall deposit any money received pursuant to an agreement to reimburse the Department into the Wildlife Account in the State General Fund to be used to offset the costs incurred by the Department to ensure that the marine event to which the agreement relates was conducted safely.

9. An agreement to reimburse the Department must include a provision pursuant to which the person in charge of a marine event agrees to defend, protect, indemnify and hold harmless the State of Nevada, the Department and its officers, agents and employees from and against any and all claims, losses, suits and actions resulting from the activities of the person in charge of the marine event, its subcontractors, agents or employees under the written agreement and to pay all claims, damages, judgments, legal costs or any other expense or liability related thereto.

10. As used in this section:

(a) "Agreement to reimburse the Department" means an agreement entered into by a person in charge of a marine event with the Department in accordance with NRS 488.305 pursuant to which the person agrees to reimburse the Department for expenses incurred by the Department to ensure that the event is conducted safely.

(b) "Protection unit" means one officer and one patrol vessel or one patrol vehicle, or both a patrol vessel and patrol vehicle. *A second officer embarked upon the same patrol vessel as the first officer is considered a separate protection unit.*

(Added to NAC by Bd. of Wildlife Comm'rs by R116-00, eff. 3-29-2001; A by R020-08, 6-17-2008)

NAC 488.445 Report concerning certain occurrences. (NRS 488.045, 488.550, 501.181)

1. Except as otherwise provided in subsection 4, the operator of a vessel shall submit to the Department a report, on a form provided by the Department or the United States Coast Guard, whenever as a result of an occurrence involving the vessel or its equipment:

(a) A person dies;

(b) A person is injured and receives medical treatment beyond first aid;

(c) Damage occurs to the vessel and other property which totals more than \$500 2000; or

(d) A person disappears from the vessel under circumstances indicating his or her death or injury.

2. The report must be submitted within 48 hours after the occurrence if a person dies within 24 hours after the occurrence, is injured and receives medical treatment beyond first aid, or disappears from the vessel.

3. The report must be submitted within 10 days after the occurrence or death if an earlier report is not required by subsection 2.

4. If the operator of the vessel cannot submit the report, the owner shall submit it.

[Bd. of Wildlife Comm'rs, Motorboat Reg. No. 100 § 46, eff. 2-10-82] — (NAC A by R114-02, 1-21-2003)

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

Re: Commission General Regulation 493 LCB File No. RXXX-XX NAC 488 Simplification

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:
- b.) Both direct and indirect effects:

ANSWER:

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

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:

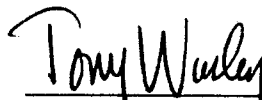
This regulation does not overlap or duplicate any local, state, or federal regulation.

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

**NEVADA DEPARTMENT OF WILDLIFE
NEVADA BOARD OF WILDLIFE COMMISSIONERS
NOTICE OF INTENT TO ACT UPON A REGULATION**

**Notice of Hearing for the Adoption of Regulations of the
Nevada Board of Wildlife Commissioners**

**LCB File No. R103-19
Commission General Regulation 490**

Please note the update in time and location

The Nevada Board of Wildlife Commissioners will hold a public hearing broadcast live at the NDOW Commission YouTube page:

<https://www.youtube.com/channel/UCrFHgHLM0MZA2Hx7og8pFcQ>

on August 14, 2020, at 9:00 am. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to Chapter 502 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. **The need for and the purpose of the proposed regulation or amendment:**
This regulation addresses only one bonus point awarded per species per hunting license, the bonus point eligibility of children under 12, party applications, deployed service men and women, and tags returned by party members. It also would provide hunters an extra opportunity to purchase tags which were not re-allocated because of the 14-day deadline as described in NAC 502.421 was missed.
2. **Either the terms or the substance of the regulations to be adopted, amended, or repealed, or a description of the subjects and issues involved:**
This regulation would allow children under 12 to purchase a bonus point if they turn 12 before the first day of the last season for that species. The regulation also addresses the limit of one bonus point per eligible species per hunting license: hunters who return a tag that was awarded as part of a party application, as well as, restores bonus points to active military unable to apply for hunts in two consecutive years due to being deployed during the application periods. Lastly, the regulation would allow a first-come-first-serve opportunity for returned tags that miss the 14-day deadline.
3. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and, in each case, must include:**
 - (a) **Both adverse and beneficial effects on businesses; and**
There are no adverse nor beneficial effects on businesses.
 - (b) **Both immediate and long-term effects on businesses:**
There are no immediate nor long-term effects on businesses.
 - (c) **Both Adverse and beneficial effects on the public; and**

There is no adverse effect on the public. The beneficial effect will be that sportsmen and women could receive an additional opportunity to purchase a tag which were not re-allocated because of 14-day deadline was missed. It would also give active military and children under 12 the ability to obtain bonus points.

(d) Both immediate and long-term effects on the public:

Once implemented, it would give sportsmen and women an immediate and better opportunity of obtaining a tag and would allow the Department to re-issue more of the tags that were returned unused.

4. The estimated cost to the agency for enforcement of the proposed regulation:

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.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency:

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

6. If the regulation is required pursuant to federal law, a citation and description of the federal law:

This regulation is not required pursuant to federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:

There are no federal regulations that regulate this same activity.

8. Whether the proposed regulation establishes a new fee or increases an existing fee:

The regulation does not establish a new fee nor increase an existing fee.

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. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this

notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

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 regulation may be obtained by contacting the Director's Office at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511 or mmmanfredi@ndow.org. A reasonable fee may be charged for copies if it is deemed necessary.

07/28/20

**NEVADA DEPARTMENT OF WILDLIFE
NEVADA BOARD OF WILDLIFE COMMISSIONERS
NOTICE OF INTENT TO ACT UPON A REGULATION**

**Notice of Hearing for the Adoption of Regulations of the
Nevada Board of Wildlife Commissioners**

**LCB File No. R058-20
Commission General Regulation 491**

Please note the update in time and location

The Nevada Board of Wildlife Commissioners will hold a public hearing broadcast live at the NDOW
Commission YouTube page:

<https://www.youtube.com/channel/UCrFHgHLM0MZA2Hx7og8pFcQ>
on August 14, 2020, at 9:00 am. The purpose of the hearing is to receive comments from all interested
persons regarding the adoption of regulations that pertain to Chapter 502 of the Nevada Administrative
Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. **The need for and the purpose of the proposed regulation or amendment:**
This regulation would allow the department the use of new and emerging technologies to notify
hunt applicants of their draw results while keeping the 48-hour post draw requirement.
2. **Either the terms or the substance of the regulations to be adopted, amended, or repealed,
or a description of the subjects and issues involved:**
This regulation clarified the authority of the Department to notify hunt applicants of their draw
results by any means the Department chooses while keeping the 48-hour post draw requirement.
This change will allow the Department the ability to use current technology as a notification
delivery method.
3. **The estimated economic effect of the regulation on the business which it is to regulate and
on the public. These must be stated separately and, in each case, must include:**
 - (a) **Both adverse and beneficial effects on businesses; and**
There are no adverse nor beneficial effects on businesses.
 - (b) **Both immediate and long-term effects on businesses:**
There are no immediate nor long-term effects on businesses.
 - (c) **Both Adverse and beneficial effects on the public; and**
There is no adverse effect on the public. The beneficial effect will be that sportsmen and
women could receive notification of their draw results in any form as technology
advances.
 - (d) **Both immediate and long-term effects on the public:**
Once implemented, it would give sportsmen and women the benefit of receiving

notification of their draw results in the form provided by the Department that is most convenient to them.

4. **The estimated cost to the agency for enforcement of the proposed regulation:**
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.
5. **A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency:**
This regulation does not include provisions that duplicate or are more stringent than federal, state, or local standards.
6. **If the regulation is required pursuant to federal law, a citation and description of the federal law:**
This regulation is not required pursuant to federal law.
7. **If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:**
There are no federal regulations that regulate this same activity.
8. **Whether the proposed regulation establishes a new fee or increases an existing fee:**
The regulation does not establish a new fee nor increase an existing fee.

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. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Board of Wildlife Commissioners may proceed immediately to act upon any written submissions

A copy of this notice and the regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

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 regulation may be obtained by contacting the Director's Office at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120, Reno, Nevada 89511 or mmmanfredi@ndow.org. A reasonable fee may be charged for copies if it is deemed necessary.

07/28/20

**NEVADA DEPARTMENT OF WILDLIFE
NEVADA BOARD OF WILDLIFE COMMISSIONERS
NOTICE OF INTENT TO ACT UPON A REGULATION**

**Notice of Hearing for the Adoption of Regulations of the
Nevada Board of Wildlife Commissioners**

**LCB File No. R035-20
Commission General Regulation 492**

Please note the update in time and location

The Nevada Board of Wildlife Commissioners will hold a public hearing broadcast live at the NDOW
Commission YouTube page:

<https://www.youtube.com/channel/UCrFHgHLM0MZa2Hx7og8pFcQ>

on August 14, 2020, at 9:00 am. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to Chapter 503 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. **The need for and the purpose of the proposed regulation or amendment:**
This regulation would limit the use of advancing technologies in the filed while locating, hunting, or taking game birds or game mammals in the spirit of fair chase.
2. **Either the terms or the substance of the regulations to be adopted, amended, or repealed, or a description of the subjects and issues involved:**
This regulation would include a section concerning what equipment or devices may be used or possessed while locating, hunting, or taking any game bird or game mammal. This section also addresses exceptions for certain sights attached to a firearm, bow, or crossbow. This regulation would also address language regulating usage of devices that have a time lapse recording function.
3. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and, in each case, must include:**
 - (a) **Both adverse and beneficial effects on businesses; and**
There are no adverse nor beneficial effects on businesses.
 - (b) **Both immediate and long-term effects on businesses:**
There are no immediate nor long-term effects on businesses.
 - (c) **Both Adverse and beneficial effects on the public; and**
There is no beneficial effect on the public. The only adverse effect would be if a member of the public had already purchased an item that would be deemed illegal for use in Nevada in the spirit of fair chase.
 - (d) **Both immediate and long-term effects on the public:**

There are no immediate nor long-term effects on the public.

4. **The estimated cost to the agency for enforcement of the proposed regulation:**
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.
5. **A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency:**
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7. **If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:**
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