

LEGAL NOTICE



In accordance with Neb. Rev. Stat. 84-907, a public hearing conducted by the Nebraska Game and Parks Commission will be held June 21, 2019, in the Alma Golf Course Clubhouse, located at 102 Dick Brown Memorial Drive, Alma, Nebraska, prior to consideration and/or enactment of the following:

Pursuant to the provisions of Neb. Rev. Stat. §§ 37-806, a public hearing will be held at 8:30 a.m., for Commissioner District Five (5) input on proposed listing and de-listing of State Threatened and Endangered Species.

Pursuant to the provisions of Neb. Rev. Stat. §§ 84-901 to 84-920, a public hearing will be held at 8:45 a.m., to consider amendments to Chapter 1, Administration Regulations, Section 002, Rules of practice and procedure for the conduct of public hearings regarding public hearings on rules, regulations, orders, adjudication of other matters, and other hearing and opportunities for public input.

Pursuant to the provisions of Neb. Rev. Stat. §§ 37-301 through 37-316, 37-353, 37-401, 37-403 through 37-406, 37-411, 37-412, 37-413, 37-414, 37-418, 37-426 through 37-429, 37-447 through 37-453, 37-527, 37-455 through 37-461, 37-463, 37-464, 37-477 through 37-479, 37-482.01, 37-501 through 37-503, 37-508, 37-509, 37-512, 37-514, 37-520, 37-525, 37-527, 37-529, 37-532, 37-534, 37-537, 37-540, 37-547, 37-560, 37-563, 37-701, 37-708, 37-802 through 37-811, a public hearing will be held at 9:00 a.m., to consider amendments to Chapter 4, Wildlife Regulations, Section 001, General Regulations Governing Wildlife Species, regarding language that clarifies the process and requirements for those persons applying for limited landowner permits to hunt antelope, deer or turkey; provides for the allowance of late season doe/fawn antelope hunters the ability to legally carry a centerfire rifle or handgun while hunting; and to clarify the process for landowners to attain a Damage Control permit for deer, antelope, elk or game birds. The changes also update and provide language for any landowner that would like to attain a Damage Control permit for deer, antelope, elk or game birds for damage done to their property and specifies how permittees shall comply with the terms of the issuance of the Damage Control permit.

Pursuant to the provisions of Neb. Rev. Stat. §§ 37-301, 37-304, 37-308, 37-308.01, 37-314, 37-315, 37-317, 37-404, 37-406, 37-409, 37-447, 37-449, 37-450, 37-452, 37-453, 37-455, 37-455.01, 37-456, 37-529, 37-701, 37-706, 37-708, a public hearing will be held at 9:15 a.m., to consider amendments to Chapter 4, Section 003, Antelope, Deer, Elk, regarding section updates for regulation consistency, as well as check-in requirements for any deer unit that is designated as an "Earn-A-Buck" unit and clear definition of "buck" and "antlerless" deer.

Pursuant to the provisions of Neb. Rev. Stat. §§ 37-301, 37-304, 37-308, 37-308.01, 37-314, 37-228, 37-404, 37-405, 37-411, 37-426, 37-452, 37-473, 37-613, a public hearing will be held at 9:30 a.m., to consider amendments to Chapter 4, Wildlife Regulations, Section 037, Mountain Lions; regarding season dates, permits authorized, shooting hours and areas open.

Information regarding listing and de-listing of State Threatened and Endangered Species is available for review on the Commission's website <http://outdoornebraska.gov/listingaction/>.

Copies of the proposed regulations and the Fiscal Impact Statement shall be available for public inspection at the Game and Parks Commission office and the Office of the Secretary of State.

All interested persons may attend and testify orally or by written submission at the public hearing. Persons interested in submitting written comments for the Commission to include in the record of the hearing must designate written comments for inclusion and provide them to Sandra Paice at the Lincoln office, 2200 North 33rd St., Lincoln NE 68503-0370, by 1:00 P.M. CT, June 19, 2019.

James Douglas, Director

DRAFT FISCAL IMPACT STATEMENT

Agency: Nebraska Game and Parks Commission	
Title: 163	Prepared by: Sandra Paice
Chapter: 1	Date prepared: May 16, 2019
Subject: Section <u>002</u> , Rules of practice and procedure for the conduct of public hearings	Telephone: 402/471-5432

Type of Fiscal Impact:

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	(X)	(X)	(X)
Increased Costs	()	()	()
Decreased Costs	()	()	()
Increased Revenue	()	()	()
Decreased Revenue	()	()	()
Indeterminable	()	()	()

Provide an Estimated Cost & Description of Impact:

State Agency: \$0
 Political
 Subdivision: \$0
 Regulated
 Public: \$0

If indeterminable, explain why:

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: ~~August 12, 2013~~ August 15, 2018

Title 163 - Nebraska Game and Parks Commission

Chapter 4 - Wildlife Regulations

037 Mountain Lions

The following regulations are prescribed by the Game and Parks Commission, State of Nebraska in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-308, 37-308.01, 37-314, 37-228, 37-404, 37-405, 37-411, 37-426, 37-452, 37-473, 37-613. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 202 through 247 of the Game Law, are used.

037.01 Management Unit Boundaries: Federal and state sanctuaries and refuges are closed, unless otherwise authorized.

037.01A Pine Ridge

Those parts of Box Butte, Dawes, Sheridan, and Sioux counties north of the Niobrara River and west of NE Hwy. 27.

037.01A1 Pine Ridge North Sub-unit

Those parts of Dawes, Sheridan, and Sioux counties north of NE Hwy. 20 and west of NE Hwy. 27. ~~All state and federal public lands are closed.~~

037.01A2 Pine Ridge South Sub-unit

Those parts of Box Butte, Dawes, Sheridan, and Sioux counties north of the Niobrara River, south of NE Hwy. 20, and west of NE Hwy. 27.

037.02 Open Seasons:

037.02A Pine Ridge North Sub-unit (037.01A1)

Season 1: January ~~1~~ 2 through February ~~28~~ 29, ~~2019~~ 2020, except the season shall immediately close if either the annual harvest limit or female sub-limit (037.03A) is reached.

037.02B Pine Ridge South Sub-unit (037.01A2):

Season 1: January ~~1~~ 2 through February ~~28~~ 29, ~~2019~~ 2020, except the season shall immediately close if either the annual harvest limit or female sub-limit (037.03B) is reached ~~prior to February 28~~.

037.02C Pine Ridge North Sub-unit (037.01A1)

Auxiliary Season: The auxiliary season will open March 15 through March 31, **2019 2020**, if the annual harvest limit or female sub-limit (037.03A) was not reached during Season 1 (037.02A), except the season shall immediately close if either the annual harvest limit or female sub-limit (037.03A) is reached prior to March 31.

037.02D Pine Ridge South Sub-unit (037.01A2)

Auxiliary Season: The auxiliary season will open March 15 through March 31, **2019 2020**, if the annual harvest limit or female sub-limit (037.03B) was not reached during Season 1 (037.02B), except the season shall immediately close if either the annual harvest limit or female sub-limit (037.03B) is reached prior to March 31.

037.03 Annual Harvest Limits:

037.03A Pine Ridge North Sub-unit (037.01A1):

Four (4) mountain lions, with a sub-limit of two (2) females.

037.03B Pine Ridge South Sub-unit (037.01A2):

Four (4) mountain lions, with a sub- limit of two (2) females.

037.04 Permits:

037.04A Pine Ridge North Sub-unit (037.01A1):

Season 1: The Commission shall issue three hundred and twenty (320) permits by lottery. No person shall be issued more than one (1) permit per calendar year. Permits shall be issued to Nebraska residents only.

037.04B Pine Ridge South Sub-unit (037.01A2):

Season 1: The Commission shall issue three hundred twenty (320) permits by lottery. No person shall be issued more than one (1) permit per calendar year. Permits shall be issued to Nebraska residents only.

037.04C Pine Ridge North Sub-unit Auxiliary Season:

If the annual harvest limit or female sub-limit (037.03A) have not been met by the end of the Pine Ridge North Sub-unit (037.01A1) Season 1 (037.02A), unsuccessful permittees may apply to convert their permit to a Pine Ridge North Auxiliary Season (037.02C) permit. A number of auxiliary permits equal to the number of animals remaining in the harvest limit for the sub-unit will be issued by lottery.

037.04D Pine Ridge South Sub-unit Auxiliary Season:

If the annual harvest limit or female sub-limit (037.03B) have not been met by the end of the Pine Ridge North Sub-unit (037.01A2) Season 1 (037.02B), unsuccessful permittees may apply to convert their permit to a Pine Ridge South Auxiliary Season (037.02D) permit. A number of auxiliary permits equal to the number of animals remaining in the harvest limit for the sub-unit will be issued by lottery.

037.05 Permit Bag Limit: One (1) mountain lion of either sex.

037.06 Shooting Hours: 30 minutes before sunrise to 30 minutes after sunset.

037.07 Application Periods:

037.07A Pine Ridge: Applications for lottery permits shall be accepted from 1:00 p.m. CST on the Tuesday following Labor Day through September 28 27 prior to each open season. Mail applications must be received in the Commission's Lincoln headquarters office by 5 p.m. CST, and internet applications must be received by 11:59 p.m. CST. All valid applications accompanied by the required fee (Administration Regulations, Chapter 1, Section 006) shall be considered equally in a random drawing. It shall be unlawful to submit more than one application per calendar year for a mountain lion permit. If more than one such application is submitted by or for any person, all of that person's applications shall be excluded from the drawing and the accompanying fees shall be forfeited.

037.08 Checking: Any mountain lion harvested must be reported to the Commission within eight (8) hours of recovering the animal using a phone number or website specified by the Commission or in person at a district office during normal business hours. The entire unfrozen carcass, with proof of gender naturally attached, must be presented to a Commission representative within 24 hours of the time it is killed to allow for inspection and attachment of an official harvest seal. Once notified of harvest, unless the Commission may make arrangements for a later check, has been notified and arrangements are made for a later check. The permittee shall furnish the Commission with the date and location of kill prior to the attachment of the harvest seal. The harvest seal must remain attached to the mountain lion until the pelt is tanned, mounted or otherwise preserved. The Commission may collect premolar teeth to allow determination of age and a tissue sample from each mountain lion harvested.

037.09 Weapons Allowed: Firearms and archery equipment as specified in 001.01B2.

037.10 It shall be unlawful to:

037.10A harvest or attempt to harvest a mountain lion with a spotted coat (kitten) or any mountain lion accompanying another mountain lion.

Title 163
Chapter 4

037.10B hunt mountain lions without first confirming that the harvest limit or female sub-limit has not been met, and the season is open each day by checking the Commission-provided toll-free number or season status website.

037.10C hunt mountain lions with the aid of dogs, traps or bait, with the exception that dogs may be used during an auxiliary season (037.02C, 037.02D), if an auxiliary season is held.

037.10D fail to check or report any mountain lion taken as prescribed in 037.08.

037.10E falsely check or report the harvest of any mountain lion.

037.10F obtain more than one mountain lion permit per calendar year.