

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

LCB File No. R093-05

August 18, 2005

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

AUTHORITY: §§1, 2, 4 and 7-9, NRS 501.105 and 501.181; §3, NRS 501.105, 501.181 and 503.597; §§5 and 6, NRS 501.105, 501.110 and 501.181.

A REGULATION relating to wildlife; revising the provisions concerning the classification and taking of wildlife; and providing other matters properly relating thereto.

Section 1. Chapter 503 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *“Commission” means the Board of Wildlife Commissioners.*

Sec. 3. *Game fish taken under the authority of a fishing license or fishing permit may not be transported alive from the body of water where the game fish was taken.*

Sec. 4. NAC 503.0001 is hereby amended to read as follows:

503.0001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 503.001 to 503.0045, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.

Sec. 5. NAC 503.060 is hereby amended to read as follows:

503.060 The following species of fish and all hybrids thereof are classified as game fish:

1. Cold-water game fish are:

	Common Name	Scientific Name
(a) Cutthroat trout	Bonneville	<i>Oncorhynchus clarki utah</i>
	Lahontan	<i>Oncorhynchus clarki henshawi</i>
	Snake River (Yellowstone)	<i>Oncorhynchus clarki bouvieri</i>
(b) Salmon		<i>Oncorhynchus ssp.</i>
	Atlantic	<i>Salmo salar</i>
(c) Trout	Brook	<i>Salvelinus fontinalis</i>
	Brown	<i>Salmo trutta</i>
	Bull	<i>Salvelinus confluentis</i>
	Lake	<i>Salvelinus namaycush</i>
	Rainbow	<i>Oncorhynchus mykiss</i>
	Redband	<i>Oncorhynchus mykiss gibbsi</i>
(d) Whitefish	Mountain	<i>Prosopium williamsoni</i>

2. Warm-water game fish are:

	Common Name	Scientific Name
(a) Pike	Northern	<i>Esox lucius</i>
(b) Bullhead	Black	<i>Ameiurus melas</i>

	Common Name	Scientific Name
	Brown	<i>Ameiurus nebulosus</i>
(e) (b) Catfish	Channel	<i>Ictalurus punctatus</i>
	White	<i>Ameiurus catus</i>
(d) (c) Bass	Striped	<i>Morone saxatilis</i>
	White	<i>Morone chrysops</i>
	Largemouth Black	<i>Micropterus salmoides</i>
	Smallmouth Black	<i>Micropterus dolomieu</i>
	Spotted	<i>Micropterus punctulatus</i>
(e) (d) Crappie	Black	<i>Pomoxis nigromaculatus</i>
	White	<i>Pomoxis annularis</i>
(f) (e) Perch	Sacramento	<i>Archoplites interruptus</i>
	Yellow	<i>Perca flavescens</i>
(g) (f) Sunfish	Bluegill	<i>Lepomis macrochirus</i>
	Green	<i>Lepomis cyanellus</i>
	Redear	<i>Lepomis microlophus</i>
(h) (g) Walleye		<i>Stizostedion vitreum</i>

Sec. 6. NAC 503.110 is hereby amended to read as follows:

503.110 1. Except as otherwise provided in this section and NAC 504.486, the importation, transportation or possession of the following species of live wildlife or hybrids thereof, including viable embryos or gametes, is prohibited:

(a) Fish:

Common Name	Scientific Classification
(1) Lampreys	All species in the family Petromyzontidae
(2) Freshwater stingray.....	All species in the family Potamotrygonidae
(3) Freshwater shark.....	All species in the genus <i>Carcharhinus</i>
(4) Bowfin	<i>Amia calva</i>
(5) Gars.....	All species in the family Lepisosteidae
(6) Herring and shad, except threadfin shad	All species in the family Clupeidae, except <i>Dorosoma petenense</i>
(7) European Whitefish	All species in the genus <i>Leuciscus</i>
(8) Mexican banded tetra.....	<i>Astyanax mexicanus</i>
(9) Piranhas	All species in the genera <i>Serrasalmus</i> , <i>Serrasalmo</i> , <i>Pygocentrus</i> , <i>Teddyella</i> , <i>Rooseveltiella</i> and <i>Pygopristis</i>
(10) South American Parasitic Catfish.....	All species in the families Cetoposidae and Trichomycteridae
(11) White perch.....	<i>Morone americana</i>
(12) Freshwater drum	<i>Aplodinotus grunniens</i>
(13) Grass carp, except certified	

Common Name

Scientific Classification

- triploids as authorized by a
special permit..... *Ctenopharyngodon idella*
- (14) Pike top minnow *Belonesox belizanus*
- (15) Snakehead All species in the genera *Ophicephalus* and
Channa
- (16) Walking catfish..... All species in the genera *Clarias*,
Heteropneustes and *Dinotopterus*
- (17) Tiger fish..... *Hoplias malabaricus*
- (18) Sticklebacks All species in the genera *Apeltes*, *Eucalia*,
Gasterosteus and *Pungitius*
- (19) Tilapia..... All species in the genera *Tilapia* and
Sarotherodon
- (20) Nile perch All species in the genera *Lates* and
Luciolates
- (21) Goldeye..... All species in the genus *Hiodon*
- (22) Carp:
- (I) Bighead..... *Hypophthalmichthys nobilis*
- (II) Black (snail) *Mylopharyngodon piceus*
- (III) Crucian..... *Carassius carassius*
- (IV) Indian *Catla catla*, *Cirrhina mrigala* and *Labeo*
rohita

Common Name

Scientific Classification

- (V) Silver *Hypophthalmichthys molitrix*
- (23) Rudd..... *Scardinius erythrophthalmus*
- (24) *Northern Pike*..... *Esox lucius***

(b) Reptiles:

Common Name

Scientific Classification

- (1) Alligators and caimans All species in the family Alligatoridae
- (2) Crocodiles All species in the family Crocodylidae
- (3) Gharial (gavial)..... All species in the family Gavialidae
- (4) Bird snake All species in the genus *Thelotornis*
- (5) Boomslang *Dispholidus typus*
- (6) Keelbacks..... All species in the genus *Rhabdophis*
- (7) Burrowing Asps All species in the family Atractaspidae
- (8) Coral snakes, cobras, kraits,
mambas and Australian elapids All species in the family Elapidae, except
species in the subfamily Hydrophiinae
- (9) Pit vipers and true vipers, except
species indigenous to this State All species in the family Viperidae, except
species indigenous to this State

Common Name**Scientific Classification**

(10) Snapping Turtles..... All species in the family Chelydridae

(c) Amphibians:

Common Name**Scientific Classification**

(1) Clawed frogs..... All species in the genus *Xenopus*

(2) Giant or marine toads *Bufo horribilis*, *Bufo marinus* and *Bufo paracnemis*

(d) Mammals:

Common Name**Scientific Classification**

(1) Wild Dogs or Dhole..... *Cuon alpinus*

(2) Raccoon Dog *Nyctereutes procyonoides*

(3) Mongooses and Meerkats All species in the genera *Atilax*, *Cynictis*,
Helogale, *Mungos*, *Suricate*, *Ichneumia*
and *Herpestes*

(4) Wild European Rabbit *Oryctolagus cuniculus*

(5) Multimammate Rat or Mouse..... All species in the genus *Mastomys*

Common Name**Scientific Classification**

(=Praomys)

- (6) Bats All species in the order Chiroptera
- (7) Nutria *Myocastor coypus*
- (8) Coyote *Canis latrans*
- (9) Foxes All species in the genera *Vulpes*, *Fennecus*,
Urocyon, *Alopex*, *Lycalopex* and
Pseudalopex
- (10) Raccoon *Procyon lotor*
- (11) Skunk All species in the genera *Spilogale*, *Mephitis*
and *Conepatus*
- (12) Wild pigs and hogs All species in the family Suidae, except
domestic breeds of *Sus scrofa*
- (13) Axis deer *Cervus* (=Axis) *axis*, *C. porcinus*, *C. kuhli*
and *C. calamianesis*
- (14) Red deer, elk and wapiti All subspecies of *Cervus elaphus*, except
those members of *C. elaphus nelsoni*
which are alternative livestock, as that
term is defined in NRS 501.003
- (15) Rusa deer *Cervus timorensis*
- (16) Sambar deer *Cervus unicolor*
- (17) Sika deer *Cervus nippon*

Common Name**Scientific Classification**

- (18) Roe deer *Capreolus capreolus* and *C. pygargus*
- (19) White-tailed deer *Odocoileus virginianus*
- (20) Moose *Alces alces*
- (21) Reedbucks All species in the genus *Redunca*
- (22) Oryx and Gemsbok All species in the genus *Oryx*
- (23) Addax *Addax nasomaculatus*
- (24) Blesbok, Topi and Bontebok All species in the genus *Damaliscus*
- (25) Hartebeests All species in the genera *Alcelaphus* and
Sigmoceros
- (26) Wildebeest and Gnus All species in the genus *Connochaetes*
- (27) Chamois *Rubicapra rubicapra* and *R. pyrenaica*
- (28) Tahr All species in the genus *Hemitragus*
- (29) Ibex, Wild Goats, Tur and All species in the genus *Capra*, except
Markhor domestic goats, *Capra hircus*
- (30) Barbary (Aoudad) Sheep *Ammotragus lervia*
- (31) Mouflon sheep, Urial, Bighorn and
Argali All species in the genus *Ovis*, except
domestic sheep, *Ovis aries*

(e) Birds:

Common Name**Scientific Classification**

- (1) Pink Starling or Rosy Pastor..... *Sturnus roseus*
- (2) Red-billed Dioch..... *Quelea quelea*
- (3) Red-whiskered Bul-bul..... *Pycnonotus jososus*

(f) Crustaceans:

Common Name**Scientific Classification**

- (1) Asiatic mitten crab..... *Eriocheir sinensis*
- (2) Crayfish All species in the families Parastacidae,
Ambaridae and Astacidae, except
Procambarus clarkii, *Orconectes causii*
and indigenous species of the genus
Pacifastacus

(g) Mollusks:

Common Name**Scientific Classification**

- (1) African giant snail *Achatina fulica*
- (2) Zebra mussel..... *Dreissena polymorpha*

Common Name

Scientific Classification

(3) New Zealand mud snail..... Potamopyrgus antipodarum, P. jenkinsi

2. The headquarters of the Department and each regional office of the Department will maintain a physical description and picture of each species listed in this section when reasonably available.

3. The Department may issue a permit or license for the importation, transportation or possession of a species listed in this section only to:

(a) A zoo or aquarium which is an accredited institutional member of the American *Zoo and Aquarium* Association. ~~[of Zoological Parks and Aquariums.]~~

(b) A person who displays, exhibits or uses the species for entertainment or commercial photography, including, without limitation, motion pictures, still photography or television, if the species:

(1) Is accompanied by evidence of lawful possession;

(2) Is not in this State for more than 90 days; and

(3) Is maintained under complete control and prohibited from coming into contact with members of the general public.

➡ If the person is displaying, exhibiting or using mammals for commercial purposes other than for food or fiber, he must possess the appropriate license issued by the United States Department of Agriculture.

(c) A college, university or governmental agency, for scientific or public health research.

(d) Any other scientific institution, as determined by the Department, for research or medical necessity.

(e) Any person engaged in commercial aquaculture, upon application and proof to the Department that the activity will not be detrimental to aquatic life, other wildlife or recreational uses. As a condition of the issuance to such a person of a license for the possession of a species listed in this section, a bond may be required to provide for the removal of any species to which the license applies that may escape or be released from captivity for any reason. The amount of the bond will be determined by the Department after considering the degree of potential hazard to wildlife.

(f) A tax-exempt nonprofit organization that exhibits wildlife solely for educational or scientific purposes.

4. An interstate shipment of a species listed in this section may be transported through this State, without a permit or license issued by the Department, if:

(a) The shipper or transporter has evidence of lawful possession of the species issued by the state or country where the species originated;

(b) Mammals, birds or fish are accompanied by a health certificate issued by the state or country where the species originated that indicates the destination, origin and proof of ownership of the species being transported;

(c) The species is in this State for less than 48 hours; and

(d) The species is not unloaded or otherwise released while being transported through this State.

5. This section does not apply to the Department when it is conducting authorized introductions or transplantations of a native species of big game mammal listed in this section.

Sec. 7. NAC 503.142 is hereby amended to read as follows:

503.142 The ~~[Board of Wildlife Commissioners]~~ *Commission* hereby establishes the following exceptions to paragraph (b) of subsection 1 of NRS 503.150:

1. During a type of hunt that is restricted to muzzle-loading firearms, a person may hunt a big game mammal only with a muzzle-loading rifle or muzzle-loading musket, and may use only a lead ball, a lead bullet, a semijacketed bullet or a metal alloy bullet that expands. The use of smokeless powder is prohibited. Only black powder or a black powder substitute such as Pyrodex or Triple 7 may be used as a propellant. A sabot round may be used. The muzzle-loading rifle or muzzle-loading musket must have the following characteristics:

(a) A wheel lock, matchlock or flintlock ignition system, or a percussion ignition system that uses a primer or percussion cap;

(b) A single barrel of caliber .45 or larger; and

(c) Open sights or peep sights. The use of a sight that is operated or powered by a battery, electronics or a radioactive isotope such as tritium is prohibited.

↪ The muzzle-loading rifle or the muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

2. During a type of hunt that is restricted to muzzle-loading firearms, it is unlawful for a person hunting under the authority of a tag for such a hunt to carry in the field a firearm or longbow and arrow except for:

(a) A muzzle-loading rifle or a muzzle-loading musket with the characteristics set forth in subsection 1; or

(b) A flintlock or percussion handgun. However, it is unlawful to use such a handgun to hunt a big game mammal.

3. During a type of hunt in which the use of any legal weapon is authorized by a regulation of the Commission, a person may hunt a big game mammal with a muzzle-loading rifle or muzzle-loading musket only if:

(a) The muzzle-loading rifle or muzzle-loading musket has:

- (1) A single barrel of caliber .45 or larger; and
- (2) Open sights, peep sights or a rifle scope.

(b) The person uses a lead ball, a lead bullet, a semijacketed bullet or a metal alloy bullet that expands. A sabot round may be used.

↪ The muzzle-loading rifle or muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

4. A person may hunt big game mammals with a rifle if the rifle uses a centerfire cartridge of caliber .22 or larger.

5. A person may hunt big game mammals with a handgun if the handgun uses a centerfire cartridge, has a barrel length of 4 inches or more and:

(a) Uses a cartridge of caliber .22 or larger with an overall loaded length of 2 inches or more; or

(b) Uses a cartridge of caliber .24 or larger with a case of length no less than the length of the case of a cartridge for a Remington magnum of caliber .44.

6. A person may hunt deer and mountain lion with a shotgun no larger than 10 gauge and no smaller than 20 gauge. Rifled slugs must be used when hunting deer.

Sec. 8. NAC 503.145 is hereby amended to read as follows:

503.145 The ~~[Board of Wildlife Commissioners]~~ *Commission* hereby establishes the following exception to paragraph (f) of subsection 1 of NRS 503.150. Except as otherwise provided by paragraph (c) of subsection 1 of NAC 503.142, a sight attached to a firearm or longbow that is used to hunt a game mammal or game bird may be illuminated or powered by:

1. A battery contained within the sight;
2. Light-gathering fiber optics;
3. A radioactive isotope such as tritium; or
4. Iridescent or fluorescent paint.

↪ It is unlawful for a person to hunt a game mammal or a game bird with a weapon that is equipped with a sight that is capable of casting or projecting a beam of light from the sight to the animal.

Sec. 9. NAC 503.210 is hereby amended to read as follows:

503.210 When practicing falconry on game species, a licensee shall comply with the provisions of title 45 of NRS and all regulations of the ~~[Board of Wildlife Commissioners.]~~ *Commission*. A species of wildlife which is classified as protected by the Department, or as threatened or endangered by the United States Fish and Wildlife Service, that is taken incidentally by a raptor may not be retained or possessed by a licensee. A species of wildlife which is classified as a game species by the Department that is taken incidentally by a raptor during the closed season may not be retained or possessed by the licensee. A licensee shall not intentionally release a raptor after any wildlife which is in a refuge or in a state or national park or is on privately owned property where the licensee does not have permission to hunt.