

LCB File No. R062-99

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

**NOTICE OF INTENT TO ACT UPON A REGULATION
Notice of Hearing for The Amendment of Regulations of The
Nevada Board of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing at 8:30 a.m. on July 24, 1999, at the Elko Convention and Visitors Authority, 700 Moren Way, Elko, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 280 pertaining to Chapter 504 of the Nevada Administrative Code.

1. **The need for and purpose of the proposed regulation:** The existing regulation is outdated or incorrect regarding the correct title of wildlife refuges and other lands, administered by the federal government, where hunting and trapping is prohibited; the regulation is also overly restrictive regarding species which may be hunted on designated portions of those lands; and one refuge is not addressed at all. Proposes to amend NAC 504.340 by correcting the names of national wildlife refuges and other federally administered properties; adopt less restrictive and more current language regarding species which may be hunted on the Sheldon National Wildlife Refuge; and adopt reference to the Ash Meadows National Wildlife Refuge.
2. **Text of the proposed regulation:** Attached.
- 3A. **The estimated economic effect of the regulation on the business which it is to regulate:**
 - (a) Adverse effect - None.
 - (b) Beneficial effect - None.
 - (c) Immediate effect - None.
 - (d) Long-term effect - None.
- B. **The estimated economic effect of the regulation on the public which it is to regulate:**
 - (a) Adverse effect - None.
 - (b) Beneficial effect - None.
 - (c) Immediate effect - None.

(d) Long-term effect - None.

4. **Estimated cost to the Division of Wildlife for enforcement of the proposed regulation:** For practical purposes this regulation does not change the way enforcement has been handled on this issue nor does it increase costs.
5. **Description of, and citation to, any regulations of other state or local government 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.** The U.S. Fish and Wildlife Service has regulatory provisions in 50CFR, part 32.47 which indicate what species may be hunted on designated portions of wildlife refuges normally closed to hunting.
6. **If the regulation is required pursuant to federal law, a citation and description of the federal law:** Not applicable.
7. **If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:** Not applicable.
8. **The proposed regulation establishes a new fee or increases an existing fee:** X No
 Yes

Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary, Board of Wildlife Commissioners, Post Office Box 10678, Reno, Nevada 89520. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, at least five days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available for inspection and may be copied at the following locations:

Nevada Division of Wildlife
1100 Valley Road
Reno, Nevada
(775) 688-1500

Region I Office
380 W. "B" Street
Fallon, NV 89406
(775) 423-3171

Region II Office
1375 Mt. City Highway

Region III Office
4747 W. Vegas Drive

Elko, NV 89801
(775) 738-5332

Las Vegas, NV 89108
(702) 486-5127

The regulations will also be available for inspection at all county main public libraries. 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 Council Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies 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, shall 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.

This notice of hearing has been posted at the above locations.

**NOTICE OF HEARING FOR ADOPTION OF REGULATIONS OF
THE STATE OF NEVADA BOARD OF WILDLIFE COMMISSIONERS**

The Board of Wildlife Commissioners will hold a public hearing at 8:30 a.m. on July 24, 1999, at the Great Basin College, 1500 College Parkway, Greenhaw Technical Building, Room 130, Elko, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

Commission General Regulation Number 277: Proposes to amend Chapter 503 of the Nevada Administrative Code by prohibiting hunting for the period of 96 hours after flying over a big game management unit.

Commission General Regulation Number 279: Proposes to amend NAC 502.380 by deleting the reference to "tundra" as it applies to the hunting of swan; and establishes a provision for the mandatory inspection of a harvested swan.

Commission General Regulation Number 280: Proposes to amend NAC 504.340 by correcting the names of national wildlife refuges and other federally administered properties; deleting information which is outdated.

Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary, Board of Wildlife Commissioners, Post Office Box 10678, Reno, Nevada 89520. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, at least five days before the scheduled public hearing.

A copy of the regulations to be adopted will be on file at the State Library, 401 N. Carson Street, Carson City, Nevada and each main library, for inspection by members of the public during business hours. Additional copies of the regulations to be Adopted will be available at the Division of Wildlife, 1100 Valley Road, Reno, Nevada, for inspection and copying by members of the public during business hours. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

These regulations are available for inspection at the following locations:

Nevada Division of Wildlife's:
Region I Office
380 W. "B" Street
Fallon, NV 89406
(775) 423-3171

Region III Office
4747 W. Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

Region II Office

1375 Mt. City Highway
Elko, NV 89801
(775) 738-5332

NOTE: We are please to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Suzanne Scourby, in writing, at the Nevada Division of Wildlife, P.O. Box 10678, Reno, Nevada 89520, or call Suzanne at 688-1500, as soon as possible.

LCB File No. R062-99

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

COMMISSION GENERAL REGULATION 280

Authority: NRS 501.105, 501.181
Notice of Intent: June, 1999
Workshop Date: July , 1999
Commission Approval: July , 1999

EXPLANATION: Proposes to amend NAC 504.340 by correcting the names of national wildlife refuges and other federally administered properties; deleting information which is outdated.

NOTE: Matter in *italics* is new; matter within brackets [] is to be omitted.

Section 1. NAC 504.340 is hereby amended to read as follows:

504.340 The following areas are closed to all hunting and trapping:

1. Those portions of the Lake Mead National Recreation Area which are within:

(a) A 1-mile radius of Overton Landing, Willow Beach, Rogers Spring, the area for cabins at Stewart's Point, Echo Bay, Eldorado Canyon, Cottonwood Cove and the petroglyphs of Grapevine Canyon.

(b) The Lower or Boulder Basin, including all of the area from Hoover Dam to a line running north and south near the peninsula between Hamblin Bay and Rotary Cove. The townships or portions of them located within the Lake Mead National Recreation Area and included within this closed area are: T. 20 S., R. 63 E., R. 64 E., R. 65 E.; Sections 6, 7 and 18 of T. 21 S., R. 66 E.; T. 21 S., R. 63 E., R. 63 1/2 E., R. 64 E., R. 65 E. and T. 22 S., R. 64 E. and R. 65 E., M.D.B. & M.

(c) A 1/2-mile strip parallel to the west shoreline of Lake Mohave from Hoover Dam south to a point 2 miles south of the campground at Willow Beach.

(d) The area of land extending 1/2 mile west of the water elevation of Lake Mohave and the Colorado River between the southern boundary of the Lake Mead National Recreation Area and the crossing of those cables of the power line located approximately 5 1/4 miles north of Davis Dam and all waters between that cable and the southern boundary.

2. All portions of the Stillwater ~~[wildlife management area]~~ *National Wildlife Refuge* in Churchill County south of Division Road ~~[and commonly designated as the Refuge Area]~~ except that trapping is allowed to the extent authorized pursuant to 50 C.F.R. §§ 31.14 and 31.16.

3. All portions of the Ruby Lake National Wildlife Refuge, except that hunting is allowed ~~[as otherwise posted in the portion]~~ on designated areas of the refuge in Elko and White Pine counties *pursuant to the provisions of 50 C.F.R §§ 32.47* and trapping is allowed to the extent authorized pursuant to 50 C.F.R. §§ 31.14 and 31.16, *to the extent permitted by the board of wildlife commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.*

4. All portions of the Death Valley National ~~[Monument]~~ *Park*.

5. All portions of the Sheldon National Wildlife Refuge, except that ~~[the hunting of game animals and upland game birds is allowed on the portion of the refuge which was formerly known as the Charles Sheldon Antelope Range]~~ *hunting is permitted on designated areas of the refuge pursuant to the provisions of 50 C.F.R. §§ 32.47*, to the extent permitted by the board of wildlife commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

6. All portions of Clark, Lincoln and Nye counties within the boundaries of the ~~[United States Air Force's bombing and gunnery range]~~ *Nellis Air Force Range*, the Nevada Test Site,

and the Desert National Wildlife ~~[Range]~~ *Refuge*, except that certain described portions of the Desert National Wildlife ~~[Range]~~ *Refuge pursuant to the provisions of 50 C.F.R. §§ 32.47* and the ~~[bombing and gunnery range]~~ *Nellis Air Force Range* will be opened for the hunting of bighorn sheep, *to the extent permitted by the board of wildlife commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.*

7. All portions of Clark, Lincoln and Nye counties within the boundaries of the ~~[United States Air Force's bombing and gunnery range]~~ *Nellis Air Force Range*, the Nevada Test Site, and the Desert National Wildlife ~~[Range]~~ *Refuge*, except that certain described portions of the Desert National Wildlife ~~[Range]~~ *Refuge*, not within the ~~[bombing and gunnery range]~~ *Nellis Air Force Range*, will be opened for the hunting of deer *pursuant to the provisions of 50 C.F.R. §§ 32.47, to the extent permitted by the board of wildlife commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.*

8. All portions of the Pahrnagat National Wildlife Refuge in Lincoln County, except ~~[as otherwise posted]~~ *that hunting is permitted on designated areas of the refuge pursuant to the provisions of 50 C.F.R. §§ 32.47, to the extent permitted by the board of wildlife commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.*

9. All portions of the Great Basin National Park.

10. *All portions of the Ash Meadows National Wildlife Refuge except that hunting is permitted on designated areas of the refuge pursuant to the provisions of 50 C.F.R. §§ 32.47, to the extent permitted by the board of wildlife commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.*