

LCB File No. R108-99

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

The Board of Wildlife Commissioners will hold a public hearing at 9:00 a.m. on September 11, 1999, at the Humboldt County Convention Center, 50 West Winnemucca, Winnemucca, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 284 pertaining to Chapter 502 of the Nevada Administrative Code.

1. **The need for and purpose of the proposed regulation:** An evaluation of the artificial lures with single barbless hooks angling regulation on the Marys River and tributaries of the Marys River has determined the biological necessity for this restrictive regulation is unwarranted. The regulation is unnecessarily restrictive to anglers.
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, costs are minimal for the time expended on conducting the inspections.
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. No overlap or duplication

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:** 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 regulation 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
Elko, NV 89801
(775) 738-5332

Region III Office
4747 W. Vegas Drive
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 Counsel 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.

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PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS COMMISSION GENERAL REGULATION 284

Authority: NRS 501.105 & 501.181
Notice of Intent: August , 1999
Workshop Date: September, 1999
Commission Approval: September , 1999

EXPLANATION: Proposes to amend Section 503.506 of the Nevada Administrative Code by removing the artificial lures with single barbless hooks requirement from the Marys River and tributaries of the Marys River.

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

Section 1. NAC 503.506 is hereby amended as follows:

503.506 1. Region II consists of all waters in Elko, Eureka, Lander and White Pine counties.

2. Within this region:

(a) The possession while fishing or use of fish as bait, whether dead or alive, or parts thereof, except preserved salmon eggs, is prohibited.

(b) Aquatic bait may be used only in the water from which it is taken.

3. Only artificial lures may be used in Crittenden Reservoir and the collection ditch of the Ruby Lake National Wildlife Refuge.

4. Only artificial lures with single barbless hooks may be used on the ~~[Marys River, tributaries of the Marys River and the]~~ south fork of the Humboldt River from the access causeway for the Lucky Nugget subdivision upstream to Lee. Only one single barbless hook may be attached to each hook eye or ring of the lure.