

**LCB File No. R093-03**

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

**NOTICE OF INTENT TO ACT UPON A REGULATION**

**Notice of Hearing for The (Adoption/Amendment/Repeal) of Regulations of The  
Nevada Board Of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing September 26 and 27, 2003 at the TO BE ANNOUNCED, ELY, NV. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 316 (LCB File R093-03) pertaining to Chapter 503 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: (Description of regulation)  
The proposed change would add the fathead minnow to the list of species authorized for sale by permitted bait dealers in the Western Region. This species is known to exist in certain waters of the region and is authorized for use as bait.
2. Text of the proposed regulation:  
See attached.
- 3A. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) Adverse effect -- None.
  - (b) Beneficial effect – Will allow regional bait dealers to sell another species of bait fish.
  - (c) Immediate effect – N/A
  - (d) Long-term effect - N/A
- 3B. The estimated economic effect of the regulation on the public which it is to regulate:
  - (a) Adverse effect – N/A
  - (b) Beneficial effect – N/A
  - (c) Immediate effect – N/A
  - (d) Long-term effect – N/A

4. Estimated cost to the Department of Wildlife for enforcement of the proposed regulation:  
None.
5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates, N/A. The duplication or overlapping is necessary because \_\_\_\_\_. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency: \_\_\_\_\_.
6. If the regulation is required pursuant to federal law, a citation and description of the 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:  
N/A
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, 1100 Valley Road, Reno, Nevada 89512. 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

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

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

Southern Region  
4747 Vegas Drive  
Las Vegas, NV 89108  
(702) 486-5127

The regulations will 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 are 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.

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Terry R. Crawforth, Secretary  
Board of Wildlife Commissioners

LCB File No. R093-03

PROPOSED REGULATION OF THE BOARD  
OF WILDLIFE COMMISSIONERS

**Authority:** NRS 501.105, 501.119, 501.181,

**Notice of Intent:**

**Workshop Date:** September 26, 2003.

**Commission Approval:** September 27, 2003.

**EXPLANATION:** The proposed change would add the fathead minnow to the list of species authorized for sale by permitted bait dealers in the Western Region. This species is known to exist in certain waters of the region and is authorized for use as bait.

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

**NAC 503.510 Aquatic bait and live bait: Capture, sale, holding and transportation; reference work for naming of species. (NRS 501.105, 501.181, 503.310)**

Section 1. Aquatic bait and the following species of live bait may be captured, offered for sale, held or transported by a person permitted to sell live bait, subject to any special conditions contained in the annual permit issued by the division or in subsection 2:

Species	Authorized Species by Region		
	Western Region	Eastern Region	Southern Region
Lahontan redbside ( <i>Richardsonius egregius</i> )	X		
Red shiner ( <i>Notropis lutrensis</i> )		N	X
Tui chub ( <i>Gila bicolor</i> )	X	O	
Speckled dace ( <i>Rhinichthys osculus</i> )	X	N	
Mosquitofish ( <i>Gambusia</i> ssp.)	X	E	
Carp ( <i>Cyprinus carpio</i> )	X		X
Goldfish ( <i>Carassius auratus</i> )		P	X
Golden shiner ( <i>Notemigonus crysoleucas</i> )		E	X
Fathead minnow ( <i>Pimephalespromelas</i> )	<i>X</i>	R	X
Threadfin shad ( <i>Dorosoma petenense</i> )		M	X

Mountain sucker		I	
( <i>Catostomus platyrhynchus</i> )	X	T	
Tahoe sucker ( <i>Catostomus tahoensis</i> )	X	T	
Longjaw mudsucker ( <i>Gillichthys mirabilis</i> )		E	X
Salamander (Waterdogs) ( <i>Ambystoma</i> )		D	X
Piute Sculpin ( <i>Cottus beldingi</i> )	X		

Sec. 2. In the Western Region, the capture of any fish used as live bait for sale from the Carson River drainage below Quilici Dam is prohibited. The Quilici Dam is located near Dayton, Nevada.

Sec. 3. The reference work from which the species listed in subsection 1 were named is special publication 12 of the American Fisheries Society, *A List of Common and Scientific Names of Fishes from the United States and Canada*, 4th ed., 1980.