

LCB File No. R094-03

**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, NEVADA. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 317 (LCB File R_____) pertaining to Chapter 503 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: (Description of regulation)
This regulation proposes to change the status of the bull frog to unprotected and the northern leopard frog to protected. The widely introduced non-native bull frog has been identified as a threat to native amphibian and fish populations. A change in status would enable appropriate control measures and would eliminate the requirement of a fishing license to harvest bull frogs. The northern leopard frog has reportedly experienced declines across its native range and statutory protection is warranted.
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 -- N/A.
 - (b) Beneficial effect -- N/A
 - (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

N/A

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.

Terry R. Crawforth, Secretary
Board of Wildlife Commissioners

LCB File No. R094-03

PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

Authority: NRS 501.105, 501.119, 501.181,
Notice of Intent: August , 2003.
Workshop Date: September 26, 2003.
Commission Approval: September 27, 2003.

EXPLANATION: This regulation proposes to change the status of the bull frog to unprotected and the northern leopard frog to protected. The widely introduced non-native bull frog has been identified as a threat to native amphibian and fish populations. A change in status would enable appropriate control measures and would eliminate the requirement of a fishing license to harvest bull frogs. The northern leopard frog has reportedly experienced declines across its native range and statutory protection is warranted.

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

Section 1. NAC 503.075 is hereby amended to read as follows:

503.075 1. Amphibians are classified as game, protected, threatened, sensitive, endangered or unprotected amphibians.

2. [The following amphibians are classified as game amphibians:

Common Name Scientific Name
Bullfrog Rana catesbeiana

3.] The following amphibians are classified as protected:

Table with 3 columns: Common Name, Scientific Name. Rows include (a) Frog with Northern leopard frog (Rana pipiens), Relict leopard (Rana onca), Spotted (Rana luteiventris) and (b) Toad with Amargosa (Bufo nelsoni).

4.] 3. Unprotected amphibians are all species of amphibians which are not classified as game, protected, threatened, sensitive or endangered amphibians.

Section 2. NAC 502.288 is hereby repealed.

502.288 [Any person who is 12 years of age or over must possess a fishing license when taking bullfrogs.]