

**LCB File No. R160-03**

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

**COMMISSION GENERAL REGULATION 322**

**NOTICE OF INTENT TO ACT UPON A REGULATION  
Notice of Hearing for The Adoption 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 December 6, 2003 at the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 322 (LCB File #R\_\_\_\_\_) pertaining to Chapter 503 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation or amendment: (Description of regulation)

The proposed regulation changes language regarding the use of electric motors in designated areas and adds the lagoon south of Laughlin within Section 33, T32S.,R66E.,M.D.B.&M., as marked with signs and buoys, or both, to the list of areas limited to vessels without motors and vessels under power of electric motors, for purposes of resource protection. The areas of the lagoon proposed for protection by this regulation are described as “back water areas”, utilized by sensitive native fish. A regulation more restrictive than a “flat wake” regulation is required in these areas.

2. The terms or the substance of the regulation to be adopted or a description of the subjects and issues involved:

The regulation proposes to add specific areas of the lagoon south of Laughlin to NAC 488.470, which limits access to vessels without motors and vessels under power of electric motors. A minor change in language to the regulation proposes, vessels under power of electric motors to replace vessels with electric motors. This allows boats with gas motors to operate in the area as long as they are only under power of electric motors when in the designated areas.

3a. The estimated economic effect of the regulation on the business which it is to regulate:

- (1) Adverse effect - N/A
- (2) Beneficial effect - N/A
- (3) Immediate effect - N/A
- (4) Long-term effect - N/A

3b. The estimated economic effect of the regulation on the public which it is to regulate:

(1) Adverse effect – N/A

(2) Beneficial effect - N/A

(3) Immediate effect – N/A

(4) Long-term effect – N/A

4. Estimated cost to the Department of Wildlife for enforcement of the proposed regulation:  
None. This area is patrolled as part of our established boating enforcement program.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates: None. The duplication or overlapping is necessary because: N/A If the proposed regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency is:

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:  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 (5) 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 Department of Wildlife  
1100 Valley Road  
Reno, Nevada  
(775) 688-1500

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

NDOW - Eastern Region  
60 Youth Center Road  
Elko, NV 89801  
(775) 777-2300

NDOW - 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. R160-03

PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

Note: Matter in *italics* is new' matter within brackets ~~H~~ is to be omitted

Authority:
Workshop Date: December 5, 2003

Notice of Intent:
Adoption Date:

Explanation: The proposed regulation changes language regarding use of electric motors in designated areas and adds the lagoon south of Laughlin within Section 33, T32S., R66E., M.D.B.&M., as marked with signs and buoys, or both, to the list of areas limited to vessels without motors and vessels under power of electric motors, for purposes of resource protection. The areas of the lagoon proposed for protection by this regulation are described as "back water areas", utilized by sensitive native fish species.

NAC 488.470 Areas limited to vessels without motors; areas limited to vessels without motors and vessels ~~[with]~~ *under power of* electric motors. (NRS 488.045, 488.059, 501.181, 501.243)

Section 1. Only vessels without motors are permitted on the following waters:

Table with 2 columns: Waters, County. Rows include Angel Lake (Elko), Blue Lakes (Humboldt), Schroeder Reservoir (Lincoln), Spooner Lake (Douglas), Marlette Lake (Washoe).

2. Only vessels without motors and vessels ~~[with]~~ *under power of* electric motors are permitted on the following waters:

Table with 2 columns: Waters, County. Rows include Groves Lake (Lander), Sparks Marina Park (Washoe), and The lagoon south of Laughlin within Section 33, T32S., R66E., M.D.B.&M., as marked with signs and buoys, or both (Clark).