

**ADOPTED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R149-12

Effective December 20, 2012

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 501.105, 501.181 and 503.300; §2, NRS 501.105, 501.181 and 503.310.

A REGULATION relating to fishing; providing that gizzard shad may be used as live bait fish in certain waters; and providing other matters properly relating thereto.

Section 1. NAC 503.507 is hereby amended to read as follows:

503.507 1. The Southern Region consists of all waters in Clark, Esmeralda, Lincoln and Nye Counties.

2. In the waters of Lake Mead, Lake Mohave and the Colorado River located in Clark County:

(a) Only golden shiner, fathead minnow, mosquitofish, red shiner, *gizzard shad*, threadfin shad, carp and goldfish may be used as live bait fish.

(b) Other forms of aquatic and animal life, including, but not limited to, the waterdog, grasshopper, earthworm and crayfish, may be used as bait.

(c) A person holding a fishing license may purchase fish authorized for use as bait from a dealer in bait licensed in Arizona, California or Nevada or may, for his or her own use, take fish authorized for use as bait by:

(1) A dipnet;

(2) A cast net with a radius not exceeding 4 feet measured from the horn to the headline;

(3) A seine not exceeding 10 feet in length and 4 feet in width; or

(4) A trap for minnows not exceeding 12 inches in depth, 12 inches in width or 24 inches in length.

3. Only artificial lures may be used in the Dacey Reservoir.

4. In all other waters of the Southern Region, the capture, possession while fishing or use of fish as bait, whether dead or alive, or parts thereof, other than preserved salmon eggs is prohibited.

Sec. 2. NAC 503.508 is hereby amended to read as follows:

503.508 In the waters of the Colorado River, Lake Mead and Lake Mohave:

1. In addition to fish used as live bait, forms of animal life such as waterdogs, grasshoppers, earthworms and crayfish may be used for bait.

2. Only the following species of live fresh-water fish may be lawfully raised, possessed, transported, sold, offered for sale, imported, used or taken from the waters of the Colorado River for use as live bait:

(a) Golden shiner.

(b) Fathead minnow.

(c) Mosquitofish.

(d) Red shiner.

(e) Threadfin shad.

(f) Carp.

(g) Goldfish.

(h) Gizzard shad.

3. A fisherman with a valid license may possess or use as live bait only the species of fish named in subsection 2. These species of fish may be purchased only from a dealer in bait licensed in Arizona, California or Nevada or may be taken for personal use only with a:

- (a) Dipnet;
- (b) Cast net with a radius not exceeding 4 feet measured from the horn to the leadline;
- (c) Seine not exceeding 10 feet in length and 4 feet in width; or
- (d) Trap for minnows not exceeding 12 inches in depth, 12 inches in width and 24 inches in length.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

**Informational statement relating to Commission General Regulation No. 410
(LCB File No. R 149-12 as required by Chapter 233B.066.**

1. Description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife and other interested persons; presented at the Nevada Board of Wildlife Commissioners' (NBWC).

2. The number of persons who:

(a) **Attended each hearing:** 29 Workshop/ 29 Hearing.

(b) **Testified at each hearing:** 1 Workshop/ 0 Hearing

(c) **Submitted to the agency written statements:** 0

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary: The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife and other interested persons; presented at the Nevada Board of Wildlife Commissioners' (NBWC).

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:

No recommendations to change the regulation were received from the public, county advisory boards or NBWC members.

5. The estimated economic effect of the regulations on the businesses they are to regulate and on the public.

(a) **Estimated economic effect on the businesses which they are to regulate.**

(1) **Adverse** – No adverse economic effect is anticipated from this regulation on businesses as gizzard shad are not commercially collected or marketed within the State.

(2) **Beneficial** – No beneficial economic effect is anticipated as no businesses currently market gizzard shad for use as bait in the state nor have expressed a desire to do so.

(3) **Immediate** – No immediate economic effect is anticipated from this regulation as it does not regulate businesses of any kind

(4) **Long term** – No long term economic effect is anticipated from this regulation as it does not regulate businesses of any kind, although under this regulation businesses could market gizzard shad as bait in the future if there was a desire to do so.

(b) **Estimated economic effect on the public which they are to regulate.**

- (1) **Adverse** – No adverse economic effect on the public is anticipated from this regulation.
- (2) **Beneficial** – Beneficial economic effects could occur to the public by providing an additional species of live bait fish which could be collected from the wild for use by anglers
- (3) **Immediate** – No immediate economic effect is anticipated from this regulation.
- (4) **Long term** – No substantive long term economic effect is anticipated to the public from this regulation as it only provides an alternative live bait fish species for use by anglers in addition to other live bait fish species already present in the wild.

6. The estimated cost to the agency for enforcement of the proposed regulation:

Enforcement and monitoring will be included in existing programs. There will be no additional costs to the Department for enforcement of the proposed regulations.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary: This regulation is specific to authorized live bait fish species allowed for sport angling and does not overlap or duplicate any other state or local government agency regulations.

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency: This regulation is specific authorized live bait fish species allowed for sport angling and does not overlap or duplicate any federal law.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions: This regulation is not required by federal law.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used: This regulation does not establish or increase any fees.