

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

LCB File No. R156-12

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, 503.380 and 504.295.

A REGULATION relating to crayfish; authorizing a holder of a permit to take crayfish from the waters of Lake Tahoe to sell the crayfish to a food wholesaler or restaurant for human consumption; requiring the buyer and the seller of the crayfish to retain certain records of the purchase; and providing other matters properly relating thereto.

Section 1. NAC 503.540 is hereby amended to read as follows:

503.540 1. Except as otherwise provided in subsection 2, it is unlawful for any person to take crayfish from any of the waters of the State for commercial purposes.

2. A person may obtain a permit to take crayfish commercially from the waters of Lake Tahoe upon application and payment to the Department of an annual permit fee of \$500 if the Department:

- (a) Approves the location, time and manner of conducting the operation; and
- (b) Determines the operation is not deleterious to fish or other wildlife indigenous or planted or propagated in those waters at public expense.

3. A holder of a permit issued pursuant to subsection 2 may sell any crayfish taken under the authority of the permit to a food wholesaler or restaurant for the purpose of human consumption.

4. A food wholesaler who purchases any crayfish from a holder of a permit issued pursuant to subsection 2 may sell the crayfish to a restaurant for the purpose of human consumption.

5. A person who sells any crayfish pursuant to subsection 3 or 4 shall, at the time of the sale, provide the buyer with a record of purchase that includes, without limitation:

(a) The name and address of the holder of the permit;

(b) The number of the permit;

(c) The date of purchase of the crayfish;

(d) The total amount of crayfish purchased, set forth in pounds and ounces; and

(e) The name and address of the seller, if different from the holder of the permit.

6. A copy of the record of purchase required by subsection 5 must be retained by the buyer and seller for at least 4 years and be made available for inspection at any reasonable time during that period upon request by the Department.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

**Informational statement relating to Commission General Regulation No. 417
(LCB File No. R156-12 - 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:** 0 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** – This will have no adverse economic impact on affected businesses or permittees. Required recordkeeping is minimal in conformance with normal business practices.

(2) **Beneficial** – There may be a beneficial economic effect on wholesale and retail restaurants by eliminating the need for those businesses to purchase a commercial live possession of wildlife permit (\$500) which would be required without this regulation.

(3) **Immediate** – No immediate additional expense or economic benefit is anticipated for permittees or businesses

(4) **Long term** – Record keeping requirements are minimal and records may be destroyed after four years. No long term effect is anticipated.

- (b) **Estimated economic effect on the public which they are to regulate.**
- (1) **Adverse** – No requirement is made of the general public and no effect is anticipated.
 - (2) **Beneficial** – No requirement is made of the general public and no effect is anticipated.
 - (3) **Immediate** – No requirement is made of the general public and no effect is anticipated.
 - (4) **Long term** – No requirement is made of the general public and no effect is anticipated.

6. The estimated cost to the agency for enforcement of the proposed regulation:
There will be no additional cost to the Department for enforcement. Records would only be accessed in conjunction with other Department activities.

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 does not duplicate or overlap with any other regulation by state or local government entities or any federal agency.

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency: This regulation does not duplicate or overlap any federal regulations.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions: There are no federal regulations which regulate the activities addressed by this regulation.

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 a new fee or increase any existing fees.