

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

LCB File No. R158-12

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 and 501.181.

A REGULATION relating to trapping; establishing additional areas in which trapping is prohibited; providing an exception; and providing other matters properly relating thereto.

Section 1. NAC 504.340 is hereby amended to read as follows:

504.340 1. Except as otherwise provided in this section:

(a) The following areas are closed to all hunting and trapping:

(1) Those portions of the Lake Mead National Recreation Area which are within:

(I) A 1-mile radius of Overton Landing, Willow Beach, Rogers Spring, the area for cabins at Stewart's Point, Echo Bay, Eldorado Canyon, Cottonwood Cove and the petroglyphs of Grapevine Canyon.

(II) The Lower or Boulder Basin, including all of the area from Hoover Dam to a line running north and south near the peninsula between Hamblin Bay and Rotary Cove. The townships or portions of them located within the Lake Mead National Recreation Area and included within this closed area are: T. 20 S., R. 63 E., R. 64 E., R. 65 E.; Sections 6, 7 and 18 of T. 21 S., R. 66 E.; T. 21 S., R. 63 E., R. 63 1/2 E., R. 64 E., R. 65 E. and T. 22 S., R. 64 E. and R. 65 E., M.D.B. & M.

(III) A 1/2-mile strip parallel to the west shoreline of Lake Mohave from Hoover Dam south to a point 2 miles south of the campground at Willow Beach.

(IV) The area of land extending 1/2 mile west of the water elevation of Lake Mohave and the Colorado River between the southern boundary of the Lake Mead National Recreation Area and the crossing of those cables of the power line located approximately 5 1/4 miles north of Davis Dam and all waters between that cable and the southern boundary.

(2) All portions of the Stillwater National Wildlife Refuge in Churchill County south of Division Road, except that trapping is allowed to the extent authorized pursuant to 50 C.F.R. §§ 31.14 and 31.16.

(3) All portions of the Ruby Lake National Wildlife Refuge, except that:

(I) Hunting is allowed pursuant to 50 C.F.R. § 32.47 on designated areas of the refuge in Elko and White Pine Counties and to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118; and

(II) Trapping is allowed to the extent authorized pursuant to 50 C.F.R. §§ 31.14 and 31.16 and by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(4) All portions of the Death Valley National Park.

(5) All portions of the Sheldon National Wildlife Refuge, except that hunting is authorized on designated areas of the refuge pursuant to 50 C.F.R. § 32.47, to the extent permitted by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(6) All portions of Clark, Lincoln and Nye Counties within the boundaries of ~~[Nellis Air Force]~~ *the Nevada Test and Training* Range, the Nevada ~~[Test]~~ *National Security* Site and the Desert National Wildlife Refuge, except that the hunting of bighorn sheep is authorized in certain described portions of the Desert National Wildlife Refuge pursuant to 50 C.F.R. § 32.47 and ~~[Nellis Air Force]~~ *the Nevada Test and Training* Range, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(7) All portions of Clark, Lincoln and Nye Counties within the boundaries of ~~[Nellis Air Force]~~ *the Nevada Test and Training* Range, the Nevada ~~[Test]~~ *National Security* Site and the Desert National Wildlife Refuge, except that certain described portions of the Desert National Wildlife Refuge, not within ~~[Nellis Air Force]~~ *the Nevada Test and Training* Range, will be opened for the hunting of deer pursuant to 50 C.F.R. § 32.47, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(8) All portions of the Pahrnagat National Wildlife Refuge in Lincoln County, except that hunting is permitted on designated areas of the refuge pursuant to 50 C.F.R. § 32.47, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(9) All portions of the Great Basin National Park.

(10) All portions of the Ash Meadows National Wildlife Refuge, except that hunting is permitted on designated areas of the refuge pursuant to 50 C.F.R. § 32.47, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(b) Trapping is prohibited within 1,000 feet of each side of the following designated hiking trails established within that portion of the Humboldt-Toiyabe National Forest that is located north of the Washoe County-Carson City line, west of U.S. Highway No. 395 and south of U.S. Interstate Highway No. 80:

- (1) Hunter Creek Trail, United States Forest Service Trail No. 21053;
- (2) Jones Creek-Whites Creek Trail, United States Forest Service Trail No. 21056;
- (3) Ophir Creek Trail, United States Forest Service Trail No. 21059;
- (4) Tahoe Rim Trail, United States Forest Service Trail No. 21055; and
- (5) Thomas Creek Trail, United States Forest Service Trail No. 21057.

(c) Trapping is prohibited, other than with a box or cage trap, within 1,000 feet of each side of the following designated hiking trails, campgrounds, picnic areas and recreation areas established within that portion of the Humboldt-Toiyabe National Forest that is located west of U.S. Highway No. 95 and north and east of State Route No. 160 in the Spring Mountains National Recreation Area:

- (1) Bristlecone Trail, United States Forest Service Trail No. 148;*
- (2) Cathedral Rock Trail, United States Forest Service Trail No. 155;*
- (3) Echo/Little Falls Trail, United States Forest Service Trail No. 141;*
- (4) Fletcher Canyon Trail, United States Forest Service Trail No. 165;*
- (5) Griffith Peak Trail, United States Forest Service Trail No. 140;*
- (6) Mary Jane Falls Trail, United States Forest Service Trail No. 159;*
- (7) Mummy Springs Trail, United States Forest Service Trail No. 161;*
- (8) North Loop Trail, United States Forest Service Trail No. 146;*
- (9) Robber's Roost Trail, United States Forest Service Trail No. 162;*

- (10) Sawmill Loop Trail, United States Forest Service Trail No. 973;*
- (11) South Loop Trail, United States Forest Service Trail No. 145;*
- (12) Trail Canyon Trail, United States Forest Service Trail No. 147;*
- (13) Dolomite Campground;*
- (14) Fletcher View Campground;*
- (15) Hilltop Campground;*
- (16) Kyle Canyon Campground and Picnic Area;*
- (17) Mahogany Grove Group Campground;*
- (18) McWilliams Campground;*
- (19) Cathedral Rock Picnic Area;*
- (20) Cathedral Rock Group Picnic Area;*
- (21) Deer Creek Picnic Area;*
- (22) Foxtail Group Picnic Area;*
- (23) Old Mill Picnic Area;*
- (24) Sawmill Picnic Area; and*
- (25) Blue Tree Dispersed Recreation Area, including United States Forest Service Trail Nos. 849, 850, 851 and 852.*

(d) Trapping is prohibited, other than with a box or cage trap, within one-half mile of any residence in the Spring Mountains National Recreation Area, T. 19 S., R. 59 E., Sections 3, 7, 8, 9, 10 and 16.

(e) Trapping is prohibited, other than with a box or cage trap, within 200 feet of each side of the following designated multi-use routes:

- (1) Cardamine Road, United States Forest Service Road No. 001;*

(2) Champion Road, United States Forest Service Road No. 203;

(3) Mack's Canyon Road, United States Forest Service Road Nos. 073, 073A and 073B;

(4) Power Line Road, United States Forest Service Road Nos. 577, 577A, 577B, 872 and 873; and

(5) Telephone Canyon Road, United States Forest Service Road Nos. 530 and 530A.

2. The provisions of ~~paragraph~~ *paragraphs (b), (c) and (d)* of subsection 1 do not prohibit the lawful placing or setting of a trap or snare inside a fence on private property that is located or partially located within 1,000 feet of a trail specified in ~~that~~ *paragraph (b) of that subsection or a road, trail, campground, picnic area, recreation area or residence specified in paragraphs ~~1~~ (c) and (d) of that subsection.*

3. A person who holds a permit issued pursuant to NAC 503.710 to 503.740, inclusive, may trap in any area specified in subsection 1 in accordance with that permit.

4 As used in this section:

(a) "Box or cage trap" means a device that is designed to contain or confine an animal within a box or cage. The term does not include any device that is designed, built or made to close upon or hold fast any portion of an animal.

(b) "Residence" means any house, room, apartment, tenement or other building designed or intended for occupancy as a residence.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

**Informational statement relating to Commission General Regulation No. 419
(LCB File No. R158-12 - 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: 13 Workshop/ 1 Hearing**
- (c) **Submitted to the agency written statements: 1**

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:

The regulation was changed based on public input.

5. The estimated economic effect of the regulations on the businesses they are to regulate and on the public. The regulation is not designed nor intended to effect businesses.

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

- (1) **Adverse** – This regulation does not affect businesses.
- (2) **Beneficial** – This regulation does not affect businesses.
- (3) **Immediate** – This regulation does not affect businesses.
- (4) **Long term** – This regulation does not affect businesses.

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

- (1) **Adverse** – **This regulation will require trappers to potentially trap areas further from their residence, thus resulting in an increase in fuel cost and wear and tear on vehicles.**
- (2) **Beneficial** – There is no beneficial economic effect to trappers.
- (3) **Immediate** – This regulation will require trappers to potentially trap areas further from their residence, thus resulting in an increase in fuel cost and wear and tear on vehicles.

- (4) **Long term** – This regulation will require trappers to potentially trap areas further from their residence, thus resulting in an ongoing increase in fuel cost and wear and tear on vehicles

6. The estimated cost to the agency for enforcement of the proposed regulation: If there is 100% compliance there should be no increase cost for enforcement. For every violation there will be an estimated \$2,400 cost to the sportsmen of this state for investigative time. This is based on a 96 hour required visitation period and having a game warden monitor the illegal trap until the trapper arrives to check his trap.

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: There are no other overlapping regulations.

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency: There are no other overlapping 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 this same activity.

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: There are no new fees associated with this regulation.