

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

LCB File No. R055-13

COMMISSION GENERAL REGULATION NUMBER 432

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

AUTHORITY: §1, NRS 488.045, 488.059, 501.181, 501.243.

A REGULATION relating to wildlife; establishes provisions pertaining to vessel reduced speed required on Jiggs Reservoir.

Section 1. *Chapter 488 of NAC is hereby amended by adding thereto section 2, inclusive of this regulation, to read as follows.*

Section 2. NAC 488.455 Areas in which reduced speed required.

1. On the following waters, a vessel must be operated at a speed that leaves a flat wake, but in no case may a vessel be operated at a speed in excess of 5 nautical miles per hour:

<u>Waters</u>	<u>County</u>
(a) Bassett Lake.....	White Pine
(b) Cave Lake.....	White Pine
(c) Knott Creek Reservoir.....	Humboldt
(d) Jakes Creek Reservoir.....	Elko
(e) Onion Valley Reservoir.....	Humboldt
(f) Wayne E. Kirch Wildlife Management Area.....	Nye
(g) The lagoon south of Laughlin within sec. 33, T. 32 S., R. 66 E., M.D.B. & M., as marked with signs or buoys, or both.....	Clark
(h) Likes Lake.....	Churchill
(i) The Pitt Taylor Arm of Rye Patch Reservoir.....	Pershing
(j) Illipah Reservoir.....	White Pine
(k) Mason Valley Wildlife Management Area.....	Lyon
(l) Upper Wall Canyon Reservoir.....	Washoe
(m) Echo Canyon Reservoir.....	Lincoln
(n) Silver Creek Reservoir.....	White Pine
(o) Key Pittman Wildlife Management Area.....	Lincoln
(p) Colorado River, the backwater south of Big Bend State Park within sec. 5, T. 33 S., R. 66E., M.D.B. & M., as marked with signs or buoys, or both	Clark
<i>(q) Jiggs Reservoir</i>	<i>Elko</i>

2. All boat harbors and other areas designated by buoys on any of the following waters are zones in which a vessel must be operated at a speed that leaves a flat wake, but in no case may a vessel be operated at a speed in excess of 5 nautical miles per hour:

<u>Waters</u>	<u>County</u>
(a) Lake Mead National Recreation Area.....	Clark

(b) South Fork Reservoir.....	Elko
(c) Wildhorse Reservoir.....	Elko
(d) Lake Tahoe, Zephyr Cove.....	Douglas
Cave Rock.....	Douglas
Glenbrook Bay.....	Douglas
Round Hill Pines Beach.....	Douglas
Sand Harbor.....	Washoe
Incline Village General Improvement District Boat Ramp.....	Washoe
Crystal Shores West.....	Washoe
(e) Washoe Lake State Park.....	Washoe
County Boat Ramp.....	Washoe
(f) Walker Lake State Recreation Area.....	Mineral
Sportsmen’s Beach.....	Mineral
(g) Lahontan Reservoir, Churchill Beach.....	Churchill
North Shore Marina.....	Churchill
Silver Springs Beach.....	Lyon
(h) Rye Patch Reservoir, Rye Patch Dam Access.....	Pershing
(i) Topaz Lake, Boat Ramps.....	Douglas
(j) Colorado River, adjacent to Harrah’s Casino in Laughlin.....	Clark
(k) Big Bend of the Colorado State Recreation Area, the lagoon used for launching boats.....	Clark

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 on _____ at _____ a.m., at the _____. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 432 (LCB File No. R055-13) pertaining to Chapter 502 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: (Description of regulation) – Currently Jiggs Reservoir has no special regulation limiting boating speed, but does prohibit water skiing. The reservoir is too small (max 45 surface acres) and shallow (max 10 feet) to safely accommodate water skiing and other boating-related activities such as fishing. The reservoir has not been maintained at full capacity for many years since water seeps from the permeable bottom soil. Nevada Department of Wildlife is currently sealing the bottom in order to increase the water level that will restore the trout and bass fisheries. Recreational fishing is the principal management for this reservoir. It is expected that jet ski use will increase as the water level increases and the agency feels that excessive speeds from jet skies and larger boats will become unsafe. Most users are expected to come from Elko, about 35 miles to the north. However, South Fork Reservoir is located 20 miles south of Elko, which has vast boating and jet skiing accommodations and use because of its large size (1,640 acres and depth of 67 feet).

2. Text of the proposed regulation: NAC 488.455, See attached.

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

- (a) Adverse effect - none
- (b) Beneficial effect – Possible increase in launch/entrance fees to South Fork State Park if boaters want to boat at unlimited speeds.
- (c) Immediate effect – none
- (d) Long-term effect – none

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

- (a) Adverse effect – If boaters use South Fork Reservoir they will have to pay fees to enter and launch within the State park.
- (b) Beneficial effect – none
- (c) Immediate effect – none
- (d) Long-term effect – none

4. Estimated cost to the Department of Wildlife for enforcement of the proposed regulation: Minimal. Game Wardens will make the same routine patrols to area. Biologists will be working on the fisheries frequently in the first two years after the reservoir bottom has been sealed, and can report any violation to Game Wardens as necessary.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates, _____ 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: _____. None known.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law. None.
7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions: None.
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
60 Youth Center Road
Elko, NV 89801
(775) 777-2300

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.

/s/
Tony Wasley, Secretary
Board of Wildlife Commissioners