

PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

LCB File No. R056-13

COMMISSION GENERAL REGULATION NUMBER 433

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

AUTHORITY: §1, NRS 501.105, 501.181, 503.310.

A REGULATION relating to wildlife; establishes provisions pertaining to removing fishing tackle restriction to Andorno Creek, Coleman Creek, and the North Fork of Battle Creek.

Section 1. *Chapter 503 of NAC is hereby amended by adding thereto section 2, inclusive of this regulation, to read as follows.*

Section 2. NAC 503.504 Western Region: Applicable waters; restrictions on bait and lures.

1. The Western Region consists of all waters within Carson City and Churchill, Douglas, Humboldt, Lyon, Mineral, Storey, Pershing and Washoe counties.

2. In the area of the Carson River Basin from Quilici Dam (12 miles below Dayton) above the Lahontan Reservoir downstream to and including Lahontan Reservoir, the Carson River below Lahontan Dam and all of the waters within Lahontan Valley, Churchill County:

(a) Only Lahontan redbreast (shiner), speckled dace, Tahoe sucker, mountain sucker, mosquitofish, carp, tui chub, Sacramento blackfish, fathead minnows and Piute sculpin may be used as live bait fish.

(b) Fish used as live bait may be taken only from the Carson or Truckee River Basin in Carson City or Churchill, Douglas, Lyon, Storey or Washoe county or purchased only from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Carson River Basin.

3. In the area of the Carson River Basin from the boundary between California and Nevada to Quilici Dam:

(a) Only Lahontan redbreast (shiner), speckled dace, Tahoe sucker, mountain sucker and mosquitofish may be used as live bait fish.

(b) Fish used as live bait may be taken only from the Carson River above Quilici Dam or purchased only from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Carson River Basin.

4. In the Humboldt River Basin, from Stahl Diversion Dam (near Golconda, Humboldt County) to and including Rye Patch Reservoir, the Pitt-Taylor and Chimney reservoirs, the Humboldt River below Rye Patch Dam and all waters of the Humboldt River in Lovelock Valley, Pershing and Churchill counties:

(a) Only Lahontan redbreast (shiner), tui chub, speckled dace, Tahoe sucker, mountain sucker, Sacramento blackfish, fathead minnows and carp may be used as live bait fish.

(b) Fish used as live bait may only be taken from the Humboldt River and its tributaries or be purchased from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Humboldt River Basin.

5. In the waters of Lake Tahoe and its tributaries located in Carson City and Douglas and Washoe counties:

(a) Only Lahontan redbside (shiner), tui chub, Tahoe sucker, mountain sucker, Piute sculpin and speckled dace may be used as live bait fish.

(b) Fish used as live bait may be taken only from, and must be native to, Lake Tahoe and its tributaries.

6. In the waters of the Main Walker River from the bridge of the Southern Pacific Railroad near Wabuska downstream to and including Weber Reservoir on the Walker River Indian Reservation and the Lower Walker River down to and including Walker Lake:

(a) Only Lahontan redbside (shiner), tui chub, speckled dace, Tahoe sucker, mountain sucker, carp and mosquitofish may be used as live bait fish.

(b) Fish used as live bait may only be taken from the Walker River Basin in Lyon or Mineral county or be purchased from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Walker River Basin.

7. The use of fish as bait, whether alive or dead, or parts thereof, is prohibited in the ponds and sloughs of the Mason Valley Wildlife Management Area and the Fort Churchill Cooling Ponds.

8. In the lower Truckee River Basin, which includes the Truckee River and its tributaries from below the I-80 bridge which is upstream from the Crystal Peak Park to, but excluding Pyramid Lake, and including Paradise Ponds, Virginia Lake, Washoe Lake and the Fernley Wildlife Management Area:

(a) Only Lahontan redbside (shiner), speckled dace, Tahoe sucker, mountain sucker, Piute sculpin, mosquitofish, tui chub, fathead minnows and carp may be used as live bait fish.

(b) Fish used as live bait may only be taken from the Truckee River or its tributaries or be purchased from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Truckee River Basin.

9. In the upper Truckee River Basin, which includes the Truckee River and diversion ditches and tributaries above the I-80 bridge which is upstream from the Crystal Peak Park to the California state line, only artificial lures with single barbless hooks may be used. Only one single barbless hook may be attached to each hook eye or ring of the lure.

10. The following provisions apply to all other waters in the Western Region:

(a) The capture, possession while fishing or the use of fish as bait, whether dead or alive, or parts thereof, other than preserved salmon eggs, is prohibited.

(b) Only artificial lures with single barbless hooks may be used in Catnip Reservoir, Hobart Reservoir, Knott Creek Reservoir, including inlet and outlet streams, Marlette Lake, including tributaries and outlet streams ~~], Andorno Creek, Coleman Creek, the North Fork of Battle Creek]~~ and that portion of the East Walker River which is from one-quarter of a mile above the confluence of the East Walker River and Sweetwater Creek downstream to one-half of a mile below the confluence of the East Walker River and Red Wash Creek. Only one single barbless hook may be attached to each hook eye or ring of the lure.

(c) Only artificial lures may be used in Hinkson Slough on the Mason Valley Wildlife Management Area.

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 433 (LCB File No. R056-13) pertaining to Chapter 502 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: (Description of regulation) – NDOW proposes to change the special fishing regulations (use of artificial lures and single barbless hooks only) for Andorno, Colman, and North Fork Battle creeks to a general fishing regulation (any legal fishing method) for Humboldt County. These streams fall within of the Lahontan cutthroat trout (LCT) recovery program and fish populations have been restored and are self-sustaining. These streams are remote and receive very little angling use and, therefore, they are to the point that the public can now harvest some of these fish. Local public support for future LCT restoration will increase by allowing anglers to use less restrictive fishing tackle for catching a Nevada native fish.
2. Text of the proposed regulation: NAC 503.504, 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 – Increased angling opportunity may improve fishing license sales.
 - (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 – none
 - (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: None. The proposed regulation is less restrictive and Game Wardens will continue to make the same routine patrols to streams.

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.
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.

