

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

## **LCB File No. R056-13**

### **NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION**

The Nevada Department of Wildlife is proposing the adoption of regulations pertaining to Chapters 502 and 503 of the Nevada Administrative Code. A workshop has been set at 9:00 a.m., on December 6, 2013 at the City of Reno, 1 East First Street, Reno, Nevada. The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulation:

**Commission General Regulation 431 – LCB File No. R054-13 – AIS Decal Use Defined -**  
The Commission may adopt a regulation relating to watercraft; revising provisions concerning the aquatic invasive species fee for certain vessels; and providing other matters properly relating thereto.

**Commission General Regulation 432 – LCB File No. R055-13 – Jiggs-Flatware -** The Commission may adopt a regulation relating to wildlife; revising provisions related to waters on which a reduced speed is required; and providing other matters properly relating thereto.

**Commission General Regulation 433 – LCB File No. R056-13 – Remove Fishing Tackle Restrictions –** The Commission may adopt a regulation relating to fishing; removing Andorno Creek, Coleman Creek and the North Fork of Battle Creek from the waters restricted to use only artificial lures with single barbless hooks; and providing other matters properly relating thereto.

**Commission General Regulation 434 – LCB File No. R057-13 – Unit Boundaries -** The Commission may adopt a regulation relating to wildlife management areas and units; and providing other matters properly relating thereto.

**Commission General Regulation 436 – LCB File No. R089-13 – Reciprocal Lake Mead/Lake Mohave – Colorado River -** The Commission may adopt a regulation relating to wildlife; revising provisions relating to licenses required for fishing in the reciprocal waters of the Colorado River, lake Mead and Lake Mohave; and providing other matters properly relating thereto.

**Commission General Regulation 437 – LCB File No. R090-13 – Creating Ewe Hunt -** The Commission may adopt a regulation relating to wildlife; revising provisions relating to the assessment of demerit points for conviction of certain wildlife violations; establishing distinct tags for the hunting of ram and ewe bighorn sheep; and providing other matters properly relating thereto.

**Commission General Regulation 438 – LCB File No. R091-13 – Bonus Point Program -**

The Commission may adopt a regulation relating to wildlife; providing an exception to the prohibition on the submission of applications for hunting tags and bonus points under certain circumstances; prohibiting the award of bonus points for depredation hunts and management hunts; providing for the award of bonus points in the categories of ewes of certain bighorn sheep; and providing other matters properly relating thereto.

This Notice of Workshop has been sent to all persons on the agency’s mailing list for administrative regulations and posted at the following locations:

Nevada Department of Wildlife  
1100 Valley Road  
Reno, NV 89512  
(775) 688-1500

Western Region Office  
380 W. B Street  
Fallon, NV 89406  
(775) 423-3171

Eastern Region Office  
60 Youth Center Road  
Elko, NV 89801  
(775) 777-2300

Southern Region Office  
4747 Vegas Drive  
Las Vegas, NV 89108  
(702) 486-5127

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting Joanne Trendler at the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512, (775) 688-1549. A reasonable fee for copying may be charged.

Mailed: November 1, 2013

**NOTICE OF HEARING FOR ADOPTION OF REGULATION OF  
THE STATE OF NEVADA BOARD OF WILDLIFE COMMISSIONERS**

The Board of Wildlife Commissioners will hold a public hearing at 9:00 a.m., on December 7, 2013 at the City of Reno, 1 East First St., Reno, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations. If a person who is directly affected by the proposed action fails to appear to request to make an oral presentation, the Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

**Commission General Regulation 431 – LCB File No. R054-13 – AIS Decal Use Defined -**

The Commission may adopt a regulation relating to watercraft; revising provisions concerning the aquatic invasive species fee for certain vessels; and providing other matters properly relating thereto.

**Commission General Regulation 432 – LCB File No. R055-13 – Jiggs-Flatwake -**

The Commission may adopt a regulation relating to wildlife; revising provisions related to waters on which a reduced speed is required; and providing other matters properly relating thereto.

**Commission General Regulation 433 – LCB File No. R056-13 – Remove Fishing Tackle**

**Restrictions** – The Commission may adopt a regulation relating to fishing; removing Andorno Creek, Coleman Creek and the North Fork of Battle Creek from the waters restricted to use only artificial lures with single barbless hooks; and providing other matters properly relating thereto.

**Commission General Regulation 434 – LCB File No. R057-13 – Unit Boundaries -**

The Commission may adopt a regulation relating to wildlife management areas and units; and providing other matters properly relating thereto.

**Commission General Regulation 436 – LCB File No. R089-13 – Reciprocal Lake**

**Mead/Lake Mohave – Colorado River -** The Commission may adopt a regulation relating to wildlife; revising provisions relating to licenses required for fishing in the reciprocal waters of the Colorado River, lake Mead and Lake Mohave; and providing other matters properly relating thereto.

**Commission General Regulation 437 – LCB File No. R090-13 – Creating Ewe Hunt -**

The Commission may adopt a regulation relating to wildlife; revising provisions relating to the assessment of demerit points for conviction of certain wildlife violations; establishing distinct tags for the hunting of ram and ewe bighorn sheep; and providing other matters properly relating thereto.

**Commission General Regulation 438 – LCB File No. R091-13 – Bonus Point Program -**

The Commission may adopt a regulation relating to wildlife; providing an exception to the prohibition on the submission of applications for hunting tags and bonus points under certain circumstances; prohibiting the award of bonus points for depredation hunts and management hunts; providing for the award of bonus points in the categories of ewes of certain bighorn sheep; and providing other matters properly relating thereto.

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.

A copy of the regulations to be adopted will be on file at the State Library, 401 N. Carson Street, Carson City, Nevada and each county main library, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available at the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada, for inspection and copying by members of the public during business hours. 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.

This regulation is available for inspection at the following locations:

Western Region Field Office  
 380 W. "B" Street  
 Fallon, NV 89406  
 (775) 423-3171

Southern Region  
 4747 Vegas Dr.  
 Las Vegas, NV 89108  
 (702) 486-5127

Eastern Region  
 60 Youth Center Road  
 Elko, NV 89801  
 (775) 777-2300

Reno Headquarters  
 1100 Valley Road  
 Reno, Nevada 89512  
 (775) 688-1500

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Director's Office, in writing, at the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512, or call Directors office, at 688-1599, as soon as possible.

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 /s/  
 Tony Wasley, Secretary  
 Board of Wildlife Commissioners

Mailed: November 1, 2013

**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 at 9:00 a.m. on December 7, 2013 at the City of Reno, 1 East First Street, Reno, Nevada. 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.

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