

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

LCB File No. R089-13

Effective December 23, 2013

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

AUTHORITY: §1, NRS 501.105, 501.181, 502.030 and 502.045.

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.

Section 1. NAC 502.285 is hereby amended to read as follows:

502.285 1. *When fishing in the reciprocal waters of the Colorado River, Lake Mead and Lake Mohave from the shore of Nevada, each person who is 12 years of age or over must possess:*

- (a) An Arizona fishing license;*
- (b) A Nevada fishing license; or*
- (c) A Nevada Interstate Boundary Waters license.*

2. When fishing ~~on~~ *in* the reciprocal waters of the Colorado River, Lake Mead and Lake Mohave ~~from a location other than the shore of Nevada,~~ each person who is ~~14~~ *12* years of age or over must possess:

- (a) An ~~Arizona Colorado River special use stamp, in addition to an~~ Arizona fishing license;
- or
- (b) A Nevada Colorado River special use stamp, in addition to ~~an~~ :
- (1) A Nevada fishing license ; or ~~an~~*

(2) A Nevada Interstate Boundary Waters license . †

~~↪ unless the person is fishing from the shore of the state in which he or she is licensed.~~

~~—2.†~~ 3. The fee for the Nevada Colorado River special use stamp is \$3, and the stamp is effective from March of the year that the stamp is issued through February of the following year.

~~†3.†~~ 4. A person who holds a Nevada Colorado River special use stamp must validate the stamp by signing the person's name in ink across the face of the stamp and affixing the stamp to his or her fishing license or permit to fish, or the person must provide any other such documentation as the Department provides as proof that he or she has paid to the Department the fee for the special use stamp.

~~†4.†~~ 5. Persons under ~~†4†~~ 12 years of age may fish in the reciprocal waters of the Colorado River, Lake Mead and Lake Mohave without obtaining a special use stamp, license or permit to fish.

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS
LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement**

**LCB File No. – R089-13
CGR Number - 436**

MEMORANDUM

To: Legislative Counsel Bureau **Date:** December 12, 2013
From: Tony Wasley, Secretary, Board of Wildlife Commissioners
Subject: Informational statement relating to Commission General Regulation No. 436
(LCB File No. R089-13) - as required by Chapter 233B.066.

1. A clear and concise explanation of the need for the adopted regulation.

This adopted regulation will adjust the required minimum age for a fishing license as specified in NAC 502.285 on reciprocal waters with Arizona of the Colorado River (Lake Mead, Lake Mohave and the Colorado River downstream of Davis Dam) to be in conformation with the Memorandum of Understanding between Nevada Board of Wildlife Commissioners (NBWC) and the Arizona Game and Fish Commission dated 9/24/2013. That MOU requires that the minimum age for a fishing license be set at the highest minimum age required by the two states. This minimum age was previously set at 14 because that was the minimum required age for a fishing license in Arizona. Because Arizona's minimum age requirement will change to 10 years old on January 1, 2014, this regulation will set the minimum age at 12 years old which is the minimum age required in Nevada.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

A copy of the proposed regulation was noticed and provided to Nevada's 17 County Advisory Boards to Manage Wildlife as part of the NBWC agenda and support material for their December 6 and 7, 2013 workshop and meeting. Those County Advisory Boards to Manage Wildlife (CABMW) that held public meetings prior to the December 6-7 NBWC workshop and meeting provided opportunity for public comment at their individual meetings. Public comment was solicited at the NBWC workshop on December 6 in Reno and at the NBWC meeting on December 7 prior to NBWC approval of the regulation.

No public comment was received on the proposed regulation at any CAB meetings based on a review of submitted individual CAB meeting minutes and reports. No public comment was given on the proposed regulation at the NBWC workshop on December 6 or the NBWC meeting on December 7.

3. **The number of persons who:**
 - (a) **Attended each hearing: 28 Workshop 27 Hearing**
 - (b) **Testified at each hearing: 0 Workshop Hearing**
 - (c) **Submitted written comments: 0**

4. **For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing: (SEE ATTACHED COMMENT CARDS)**
 - (a) Name;
 - (b) Telephone number;
 - (c) Business address;
 - (d) Business telephone number;
 - (e) Electronic mail address; and
 - (f) Name of entity or organization represented.

5. **A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

This regulation only adjusts the minimum age requirement for a fishing license on certain waters. It does not affect the operations of or requirements to any business and no effect is anticipated on any business as a result of this change.

6. **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 public comment or testimony was received expressing concern or need to modify the regulation as proposed. The regulation as proposed is consistent with the requirements of the MOU between NBWC and the Arizona Fish and Game Commission for fishing license requirements on reciprocal waters of the Colorado River and will insure that Nevada fishing license holders can fish on any reciprocal waters or the Arizona shoreline without having to obtain a separate Arizona junior fishing license at age 10.

7. **The estimated economic effect of the regulation on the business which it is to regulate and on the public.**
 - (a) **Estimated economic effect on the businesses which they are to regulate.**

This regulation does not regulate activities of any business. No adverse economic effect on any business is anticipated, as the effect of the regulation is expected to be a small but unquantifiable increase in junior fishing license sales because of the change in required minimum age for a fishing license. Any economic effect on businesses is anticipated to be beneficial because of an increase in revenue through increased vendor fees from higher license sales, but because the number of additional anglers requiring a fishing license is not known, the amount of any beneficial economic effect cannot be estimated. Any economic effect would occur immediately as a result of additional license sales, but beginning

primarily at the start of the 2014 license year (March 1) and would continue at a similar rate for the foreseeable future as this license age requirement would continue indefinitely with any change driven by a future change in Arizona fishing license requirements which cannot be predicted.

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

This regulation will now require minors between the ages of 12 and 14 to obtain a Nevada fishing license to fish on reciprocal waters of the Colorado River. However this change will only apply to minor anglers who *only* fish on those reciprocal waters as the age requirement of 12 years old has always applied to other waters in Nevada including other waters in Clark County. Without this regulation any minor anglers would have to obtain an additional Arizona fishing license at age 10 to fish on the Arizona shoreline and Arizona portions of the reciprocal waters. The cost of an annual junior (age 12-15) Nevada fishing license is \$13 (resident) or \$21 (non-resident). Because a fishing license was not previously required for anglers between the ages of 12 and 14 who are fishing *only* on reciprocal waters there is no record of the number of individuals in that category, so it is not possible to estimate the amount of economic effect on that affected public. However, any economic effect on that affected public is presumed to be adverse because of the requirement to now purchase a junior fishing license for those individuals.

Any economic effect to affected individuals would occur immediately as a result of the additional license requirement, but beginning primarily at the start of the 2014 license year (March 1), and would continue at a similar rate for the foreseeable future as this license age requirement would continue indefinitely with any change driven by a future change in Arizona fishing license requirements which cannot be predicted.

8. The estimated cost to the agency for enforcement of the proposed regulation:

No additional cost is anticipated to the agency for enforcement of the adopted regulation. Any necessary enforcement will be incorporated into existing law enforcement activities and associated costs.

9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

This regulation is specific to the age requirement of anglers fishing with a Nevada fishing license and does not overlap or duplicate any other State or government agency regulations

10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

No federal regulations apply to this activity

11. 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 provide a new fee or increase an existing fee.

_____/s/
Tony Wasley, Secretary
Board of Wildlife Commissioners