

PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

LCB File No. R089-13

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.

/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 7th, 2013 at 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 Commission General Regulation 436 (LCB File No. R089-13) pertaining to Chapter 502 of the Nevada Administrative Code.

- 1) The need for and purpose of the proposed regulation: This regulation amends language making the requirement for a minor to fish in the Colorado River, Lake Mead and Lake Mohave system consistent with the rest of the state. Recent changes in Arizona fishing license requirements, and the MOU under which both states administer reciprocal waters makes differential age requirements unnecessary.
- 2) Text of the proposed regulation: See attached draft language.
- 3) Will this regulation likely impose a direct and significant economic burden upon small business?
No, this regulation would not impose a direct and significant economic burden on small business.
- 4) Will this regulation directly restrict formation, operation or expansion of small business?
No, this regulation would not restrict formation, operation or expansion of small business.
- 5) Describe how the concerted effort was made to determine the business impact:
This regulation does not affect business.
- 6A. Describe the estimated economic effect of the regulation on the business which it is to regulate:
 - (i) Adverse effect – There is no adverse effect on business.
 - (ii) Beneficial effect – There is no beneficial effect to business.
- 6B. Describe the estimated economic effect of the regulation on the public which it is to regulate:
 - (i) Adverse effect – No adverse economic impact on the public
 - (ii) Beneficial effect – No beneficial economic impact on the public.

- 7) Describe the method used to calculate the financial impact (positive, negative, or none) on small businesses: No affect on small business.
- 8) The name of the person(s) conducting the analysis of the likely impact of the proposed regulation:
Maureen Hullinger
- 9) Estimated cost to the Department of Wildlife for enforcement of the proposed regulation: Enforcement costs fall within the current duties of the Department.

A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates None, the duplication or overlapping is necessary because _____.

If the proposed regulation overlaps or duplicates a federal regulation what is the name of the regulatory federal agency? No duplication or overlap

- 10) If the regulation is required pursuant to federal law provide, a citation and description of the federal law. Not required by federal law.
- 11) If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions: No summary needed.
- 12) The proposed regulation establishes a new fee or increases an existing fee: X No
Yes

This statement shall be made available to the public at least 15 days before the public workshop.

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.

It is our belief that a concerted effort has been made by NDOW to determine the impact of the proposed regulation on small businesses and the information contained in this statement is accurate.

This notice of hearing has been posted at the above locations.

/s/
Tony Wasley, Secretary
Board of Wildlife Commissioners