

# PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

LCB File No. R087-14

## COMMISSION GENERAL REGULATION 450

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

AUTHORITY: §§1 and 2, NRS 501.105, 501.181, and 503.570.

A REGULATION relating to trapping; specifying the minimum period during which a person must visit or cause to be visited certain traps, snares or similar devices.

**Section 1.** NAC 503.152 is hereby amended to read as follows:

503.152 A person who is required pursuant to NRS 503.570 to visit or cause to be visited a trap, snare or similar device shall ensure that the trap, snare or similar device is visited at least:

- 1. Once each calendar day in the following Wildlife Management Units, as defined in NAC 504.210, or portions thereof so described in section 1, excluding private property:*
  - a. All of Unit 192;*
  - b. All of Unit 194;*
  - c. That portion of Unit 195 west of Lagomarcino Canyon-Lousetown Road from its intersection with Interstate 80 to its intersection with State Route No. 341 and State Route No. 341 from its intersection with Lousetown Road to its intersection with U.S. Highway No. 50;*
  - d. All of Unit 196;*
  - e. That portion of Unit 286 outside of the Desert National Wildlife Refuge;*
  - f. That portion of Unit 262 south of State Route No. 157 (Kyle Canyon Road) from its intersection with U.S. Highway No. 95 to the Cathedral Rock Trail trailhead; east of the Charleston Peak Trail South Loop from the Cathedral Rock Trail trailhead to the summit of the Spring Mountains ridgeline, the Spring Mountains ridgeline that runs south from the Charleston Peak Trail South Loop to Griffith Peak and continuing to Lovell Summit, the unimproved dirt road from Lovell Summit to its intersection with Lovell Canyon Road, and Lovell Canyon Road from its intersection with the unimproved dirt road from Lovell Summit to its intersection with State Route No. 160; north of State Route 160 from its intersection with Lovell Canyon Road to its intersection with Interstate 15; and within ½ mile west of U.S. Highway No. 95 from its intersection with State Route No. 157 (Kyle Canyon Road) to its intersection with Cold Creek Road, ½ mile north and west of State Route No. 157 (Kyle Canyon Road), ½ mile either side of State Route No. 158 (Deer Springs Road), ½ mile either side of State Route No. 156 (Lee Canyon Road), ½ mile either side of Cold Creek Road, and ½ mile of residences in the Cold Creek community;*
  - g. That portion of Unit 263 north of the unimproved dirt road from Interstate 15 to the western boundary of the Sloan Canyon National Conservation Area and the western, southern, and eastern boundary of the Sloan Canyon National Conservation Area from the unimproved dirt road from Interstate 15 to the southern boundary of the Clark County Illegal*

*Firearm Discharge Area and the southern boundary of the Clark County Illegal Firearm Discharge Area from the eastern boundary of the Sloan Canyon National Conservation Area to U.S. Highway No. 95, excluding the North McCullough Wilderness Area;*

*h. That portion of Unit 268 within the Clark County Illegal Firearm Discharge Area;*  
*and*

*j. All of Unit 269;*

2. Once each 96 hours *in all other Wildlife Management Units, as defined in NAC 504.210, or portions thereof not included in section 1;*

~~11~~ 3. By a person who is a holder of a trapping license issued by the Department; and

~~12~~ 4. In a manner which ensures that any mammal caught in the trap, snare or similar device is removed from the trap, snare or similar device.

**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 TBA. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of Commission General Regulation 450 (LCB File No. R087-14) pertaining to Chapter 503 of the Nevada Administrative Code.

- 1) The need for and purpose of the proposed regulation:

User group concerns voiced at the 2013 Legislative Session resulted in Senate Bill 213, NRS 503.570, which directs the Nevada Board of Wildlife Commissioners (NBWC) to adopt regulations setting forth the frequency at which a person who takes wild animals by means of traps, snares or similar device must visit or cause to be visited each device. The regulations must require the person to visit a device at least once each 96 hours. It further directs the NBWC to consider requiring a trap, snare or similar device placed in close proximity to a populated or heavily used area by persons to be visited more frequently than a device which is not placed in close proximity to such an area.

- 2) Text of the proposed regulation:

Please see the attached draft language of this regulation.

- 3) Will this regulation likely impose a direct and significant economic burden upon small business?

There are no economic impacts on businesses or groups. This regulation affects individual sportsmen who participate in trapping.

- 4) Will this regulation directly restrict formation, operation or expansion of small business?

This regulation does not restrict the formation, operation or expansion of small business.

- 5) Describe how the concerted effort was made to determine the business impact:

This regulation does not impact small business.

- 6A. Describe the estimated economic effect of the regulation on the business which it is to regulate:

(i) Adverse effect – This regulation does not regulate businesses.

(ii) Beneficial effect – This regulation does not regulate businesses.

6B. Describe the estimated economic effect of the regulation on the public which it is to regulate:

- (i) Adverse effect – This regulation will regulate sportsmen who elect to trap in the designated calendar day visitation areas. They will be required to visit those traps more frequently than under current regulation. These sportsmen may have to incur additional costs to meet visitation requirements in those areas.
- (ii) Beneficial effect – Sportsmen affected by this proposed regulation have not voiced any beneficial economic effects to their commercial or recreational endeavors.

7) Describe the method used to calculate the financial impact (positive, negative, or none) on small businesses:

The proposed changes in this regulation only impact individual trapping sportsmen and do not impact small business; therefore it was not necessary to calculate the financial impact.

8) The name of the person(s) conducting the analysis of the likely impact of the proposed regulation:

Paul Dankowski, Acting Chief Game Warden for NDOW.

9) Estimated cost to the Department of Wildlife for enforcement of the proposed regulation:

Game wardens are already enforcing trap visitation regulations. There should not be any additional costs incurred or cost savings realized.

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.

There are no regulations of other state or local government agencies which overlap or duplicate the proposed regulation.

If the proposed regulation overlaps or duplicates a federal regulation what is the name of the regulatory federal agency?

The proposed regulation does not overlap or duplicate a federal regulation.

10) If the regulation is required pursuant to federal law provide, a citation and description of the federal law.

The regulation is 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:

There is no federal regulation that covers this activity.

- 12) The proposed regulation establishes a new fee or increases an existing fee: X No

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 Department of Wildlife offices:

Headquarters – Headquarters  
1100 Valley Road  
Reno, Nevada  
(775) 688-1549

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



## Small Business Impact Statement

Commission General Regulation 450

LCB File No. R087-14

### Trap Visitation

Senate Bill 213, NRS 503.570, directs the Nevada Board of Wildlife Commissioners (NBWC) to adopt regulations setting forth the frequency at which a person who takes or causes to be taken wild animals by means of traps, snares or similar devices which do not, or are not designed to, cause immediate death to the mammals, must visit a trap, snare or similar device. The regulations must require the person to visit a trap, snare or similar device at least once each 96 hours. It further directs the NBWC to consider requiring a trap, snare or similar device placed in close proximity to a populated or heavily used area by persons to be visited more frequently than a trap, snare or similar device which is not placed in close proximity to such an area.

This proposed regulation impacts individual sportsmen and does not impact small businesses. Although licensed trappers can organize into special interest groups, they are licensed as individual sportsmen and are not bound by any laws that regulate small businesses.

Sportsmen that participate in trapping can do so as a recreational pursuit, a commercial venture or a combination of both. Although there is a commercial component to trapping, licensing is done on an individual basis and individuals are not required to be licensed or permitted as a business entity.

NDOW concludes that this proposed regulation does not impose any direct and significant economic burden upon nor does it restrict the formation, operation or expansion of a small business.

A copy of the Small Business Impact Statement 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 Small Business Impact Statement by contacting Joanne Trendler at 775-688-1549 and are also available at the following locations:

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

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

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

NDOW - Reno Headquarters – Law Enforcement  
1100 Valley Road  
Reno, Nevada 89512  
(775) 688-1549

