

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

LCB File No. R112-14

August 18, 2014

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

AUTHORITY: §1, NRS 501.105 and 501.181.

A REGULATION relating to trapping; prohibiting trapping, other than with a box or cage trap, within 1,000 feet of certain trails and campgrounds and within one-half mile of certain residences; authorizing the placing or setting of a trap, snare or similar device inside a fence on certain private property; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners to adopt regulations necessary to preserve, protect, manage and restore wildlife and its habitat in this State and to carry out the provisions of title 45 of NRS governing wildlife, including the manner and means of taking wildlife and the closing of any area to hunting, fishing or trapping. (NRS 501.105, 501.181) Existing law makes it unlawful for any person to place or set any steel trap which is used for the purpose of trapping mammals and is larger than a No. 1 Newhouse trap within 200 feet of any public road or highway in this State. (NRS 503.580). Existing regulations prohibit trapping, other than with a box or cage trap: (1) within 1,000 feet of each side of certain designated hiking trails, campgrounds, picnic areas and recreation areas located in a portion of the Humboldt-Toiyabe National Forest in the Spring Mountains National Recreation Area; or (2) within 200 feet of each side of certain designated multi-use routes. (NAC 504.340) This regulation: (1) expands the prohibition against trapping within 1,000 feet of those designated trails and campgrounds to include the Bonanza Trail, Cold Creek Campground and Willow Creek Campground; and (2) specifies that the prohibition against trapping within 200 feet of each side of those multi-use routes does not prohibit the lawful placing or setting of a trap, snare or similar device inside a fence on private property that is located or partially located within 200 feet of those multi-use routes.

Section 1. NAC 504.340 is hereby amended to read as follows:

504.340 1. Except as otherwise provided in this section:

(a) The following areas are closed to all hunting and trapping:

(1) Those portions of the Lake Mead National Recreation Area which are within:

(I) A 1-mile radius of Overton Landing, Willow Beach, Rogers Spring, the area for cabins at Stewart's Point, Echo Bay, Eldorado Canyon, Cottonwood Cove and the petroglyphs of Grapevine Canyon.

(II) The Lower or Boulder Basin, including all of the area from Hoover Dam to a line running north and south near the peninsula between Hamblin Bay and Rotary Cove. The townships or portions of them located within the Lake Mead National Recreation Area and included within this closed area are: T. 20 S., R. 63 E., R. 64 E., R. 65 E.; Sections 6, 7 and 18 of T. 21 S., R. 66 E.; T. 21 S., R. 63 E., R. 63 1/2 E., R. 64 E., R. 65 E. and T. 22 S., R. 64 E. and R. 65 E., M.D.B. & M.

(III) A 1/2-mile strip parallel to the west shoreline of Lake Mohave from Hoover Dam south to a point 2 miles south of the campground at Willow Beach.

(IV) The area of land extending 1/2 mile west of the water elevation of Lake Mohave and the Colorado River between the southern boundary of the Lake Mead National Recreation Area and the crossing of those cables of the power line located approximately 5 1/4 miles north of Davis Dam and all waters between that cable and the southern boundary.

(2) All portions of the Stillwater National Wildlife Refuge in Churchill County south of Division Road, except that trapping is allowed to the extent authorized pursuant to 50 C.F.R. §§ 31.14 and 31.16.

(3) All portions of the Ruby Lake National Wildlife Refuge, except that:

(I) Hunting is allowed pursuant to 50 C.F.R. § 32.47 on designated areas of the refuge in Elko and White Pine Counties and to the extent authorized by the Board of Wildlife

Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118; and

(II) Trapping is allowed to the extent authorized pursuant to 50 C.F.R. §§ 31.14 and 31.16 and by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(4) All portions of the Death Valley National Park.

(5) All portions of the Sheldon National Wildlife Refuge, except that hunting is authorized on designated areas of the refuge pursuant to 50 C.F.R. § 32.47, to the extent permitted by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(6) All portions of Clark, Lincoln and Nye Counties within the boundaries of the Nevada Test and Training Range, the Nevada National Security Site and the Desert National Wildlife Refuge, except that the hunting of bighorn sheep is authorized in certain described portions of the Desert National Wildlife Refuge pursuant to 50 C.F.R. § 32.47 and the Nevada Test and Training Range, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(7) All portions of Clark, Lincoln and Nye Counties within the boundaries of the Nevada Test and Training Range, the Nevada National Security Site and the Desert National Wildlife Refuge, except that certain described portions of the Desert National Wildlife Refuge, not within the Nevada Test and Training Range, will be opened for the hunting of deer *to the extent authorized* pursuant to 50 C.F.R. § 32.47 ~~to the extent authorized~~ and by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(8) All portions of the Pahrangat National Wildlife Refuge in Lincoln County, except that hunting is permitted on designated areas of the refuge pursuant to 50 C.F.R. § 32.47, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(9) All portions of the Great Basin National Park.

(10) All portions of the Ash Meadows National Wildlife Refuge, except that hunting is permitted on designated areas of the refuge pursuant to 50 C.F.R. § 32.47, to the extent authorized by the Board of Wildlife Commissioners in regulations governing seasons, hours and bag limits adopted pursuant to NRS 501.118.

(b) Trapping is prohibited within 1,000 feet of each side of the following designated hiking trails established within that portion of the Humboldt-Toiyabe National Forest that is located north of the Washoe County-Carson City line, west of U.S. Highway No. 395 and south of U.S. Interstate Highway No. 80:

- (1) Hunter Creek Trail, United States Forest Service Trail No. 21053;
- (2) Jones Creek-Whites Creek Trail, United States Forest Service Trail No. 21056;
- (3) Ophir Creek Trail, United States Forest Service Trail No. 21059;
- (4) Tahoe Rim Trail, United States Forest Service Trail No. 21055; and
- (5) Thomas Creek Trail, United States Forest Service Trail No. 21057.

(c) Trapping is prohibited, other than with a box or cage trap, within 1,000 feet of each side of the following designated hiking trails, campgrounds, picnic areas and recreation areas established within that portion of the Humboldt-Toiyabe National Forest that is located west of U.S. Highway No. 95 and north and east of State Route No. 160 in the Spring Mountains National Recreation Area:

- (1) *Bonanza Trail, United States Forest Service Trail No. 151;*
- (2) Bristlecone Trail, United States Forest Service Trail No. 148;
- ~~(2)~~ (3) Cathedral Rock Trail, United States Forest Service Trail No. 155;
- ~~(3)~~ (4) Echo/Little Falls Trail, United States Forest Service Trail No. 141;
- ~~(4)~~ (5) Fletcher Canyon Trail, United States Forest Service Trail No. ~~165;~~
- ~~(5)~~ 157;
- (6) Griffith Peak Trail, United States Forest Service Trail No. 140;
- ~~(6)~~ (7) Mary Jane Falls Trail, United States Forest Service Trail No. 159;
- ~~(7)~~ (8) Mummy Springs Trail, United States Forest Service Trail No. 161;
- ~~(8)~~ (9) North Loop Trail, United States Forest Service Trail No. 146;
- ~~(9)~~ (10) Robber's Roost Trail, United States Forest Service Trail No. 162;
- ~~(10)~~ (11) Sawmill Loop Trail, United States Forest Service Trail No. 973;
- ~~(11)~~ (12) South Loop Trail, United States Forest Service Trail No. 145;
- ~~(12)~~ (13) Trail Canyon Trail, United States Forest Service Trail No. 147;
- ~~(13)~~ (14) *Cold Creek Campground;*
- (15) Dolomite Campground;
- ~~(14)~~ (16) Fletcher View Campground;
- ~~(15)~~ (17) Hilltop Campground;
- ~~(16)~~ (18) Kyle Canyon Campground and Picnic Area;
- ~~(17)~~ (19) Mahogany Grove Group Campground;
- ~~(18)~~ (20) McWilliams Campground;
- ~~(19)~~ (21) *Willow Creek Campground;*
- (22) Cathedral Rock Picnic Area;

~~{(20)}~~ (23) Cathedral Rock Group Picnic Area;

~~{(21)}~~ (24) Deer Creek Picnic Area;

~~{(22)}~~ (25) Foxtail Group Picnic Area;

~~{(23)}~~ (26) Old Mill Picnic Area;

~~{(24)}~~ (27) Sawmill Picnic Area; and

~~{(25)}~~ (28) Blue Tree Dispersed Recreation Area, including United States Forest Service

Trail Nos. 849, 850, 851 and 852.

(d) Trapping is prohibited, other than with a box or cage trap, within one-half mile of any residence in ~~{the}~~ :

(1) *The* Spring Mountains National Recreation Area ~~{}~~; *and*

(2) *The area included in* T. 19 S., R. 59 E., Sections 3, 7, 8, 9, 10 and 16.

(e) Trapping is prohibited, other than with a box or cage trap, within 200 feet of each side of the following designated multi-use routes:

(1) Cardamine Road, United States Forest Service Road No. 001;

(2) Champion Road, United States Forest Service Road No. 203;

(3) Mack's Canyon Road, United States Forest Service Road Nos. 073, 073A and 073B;

(4) Power Line Road, United States Forest Service Road Nos. 577, 577A, 577B, 872 and 873; and

(5) Telephone Canyon Road, United States Forest Service Road Nos. 530 and 530A.

2. The provisions of paragraphs (b), (c) and (d) of subsection 1 do not prohibit the lawful placing or setting of a trap, ~~{or}~~ snare *or similar device* inside a fence on private property that is located or partially located within 1,000 feet of ~~{a}~~ :

(a) *A* trail specified in paragraph (b) of that subsection ~~{or a road}~~;

(b) A trail, campground, picnic area ~~1~~ or recreation area ~~for residence~~ specified in ~~paragraphs~~ paragraph (c) ~~and (d)~~ of that subsection ~~1~~; or

(c) A residence specified in paragraph (d) of that subsection.

3. *The provisions of paragraph (e) of subsection 1 do not prohibit the lawful placing or setting of a trap, snare or similar device inside a fence on private property that is located or partially located within 200 feet of a multi-use route specified in that paragraph.*

4. A person who holds a permit issued pursuant to NAC 503.710 to 503.740, inclusive, may trap in any area specified in subsection 1 in accordance with that permit.

~~4~~ 5. As used in this section:

(a) “Box or cage trap” means a device that is designed to contain or confine an animal within a box or cage. The term does not include any device that is designed, built or made to close upon or hold fast any portion of an animal.

(b) “Residence” means any house, room, apartment, tenement or other building designed or intended for occupancy as a residence.