

LCB File No. R198-97

**Notice of the 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., Friday, January 16, 1998, at the Henderson City Council Chambers, 240 Water Street, Henderson, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations (**CGR 260**) pertaining to Chapter 503 of the Nevada Administrative Code.

1. **The need for and purpose of the proposed regulation:** Board of Wildlife Commission adoption of CGR 98-9 on September 27, 1997, imposed a catch and release regulation on Marys River and tributaries in Elko County, Nevada. The Board further expressed a desire to regulate method of take at these waters, as catch and release angling using bait tackle is detrimental to captured trout. Hence the need to amend **NAC 503.506 Region II: Applicable waters: restrictions on bait and lures** to enact less harmful artificial lure restrictions at Marys River and tributaries.
2. The estimated economic effect of the regulation on the business which it is to regulate: **N/A.**
 - (a) Adverse effect—**None.**
 - (b) Beneficial effect—**None.**
 - (c) Immediate effect—**None.**
 - (d) Long term effect—**None.**
- B. 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 Division of Wildlife for enforcement of the proposed regulation: **Enforcement will be subsequent to routine patrol activities with no additional expense incurred.**
5. Description of, and citation to, any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. 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: **N/A.**
7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions: **N/A.**
8. The proposed regulation establishes a new fee or increases an existing fee: **No.**

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, Post Office Box 10678, Reno, Nevada 89520. 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, 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
(702) 688-1500

Region I Office
380 W. "B" Street
Fallon, NV 89406
(702) 423-3171

Region II Office
1375 Mt. City Highway
Elko, NV 89801
(702) 738-5332

Region III Office
4747 W. Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

The regulations will also 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 which is prepared and published monthly by the Legislative Counsel 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.

LCB File No. R198-97
STATE OF NEVADA
PROPOSED REGULATION OF THE BOARD OF WILDLIFE
COMMISSIONERS COMMISSION GENERAL REGULATION 260

Authority: NRS 501.181, 503.300 and 503.310

Notice of Intent: December 17, 1997

Commission Approval:

EXPLANATION: Board of Wildlife Commission adoption of CGR 98-9 on September 27, 1997, imposed a catch and release regulation on Marys River and tributaries in Elko County, Nevada. The Board further expressed a desire to regulate method of take at these waters, as catch and release angling using bait tackle is detrimental to captured trout. Hence, the need to amend **NAC 503.506, Region II: Applicable waters: restrictions on bait and lures** to enact less harmful artificial lure restrictions at Marys River and tributaries.

Note: Matter in *italics* is new; matter within brackets [] is to be omitted

Section 1. NAC 503.506 is hereby amended to read as follows:

503.506 Region II consists of all waters in Elko, Eureka, Lander and White Pine counties.

2. Within this region:

(a) The possession while fishing or use of fish as bait, whether dead or alive, or parts thereof, except preserved salmon eggs, is prohibited.

(b) Aquatic bait may be used only in the water from which it is taken.

3. Only artificial lures may be used in Crittenden Reservoir and the collection ditch of the Ruby Lake National Wildlife Refuge.

4. Only artificial lures with single barbless hooks may be used on *Marys River and tributary streams and* the south fork of the Humboldt River from the access causeway for the Lucky Nugget subdivision upstream to Lee. Only one single barbless hook may be attached to each hook eye or ring of the lure.