

**LCB File No. R137-98**

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

**NOTICE OF INTENT TO ACT UPON A REGULATION  
Notice of Hearing for The Amendment of Regulations of The  
Nevada Board Of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing at 9 a.m. on August 15, 1998, at the Commercial Hotel, 345 Fourth Street, Elko, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 270 pertaining to Chapter 503 of the Nevada Administrative Code.

**1. The need for and purpose of the proposed regulation:**

This proposed regulatory action is the update of an existing regulation concerning the classification of fishes and amphibians in Nevada. The status of wild fish and amphibian populations is dynamic, and new information prompts changes in classification. Additionally, changes in federal classification through the Endangered Species Act as amended in 1973 are reflected in state classifications. The proposed revision reflects those changes.

**2. Text of the proposed regulation: Attached**

**3A. The estimated economic effect of the regulation on the business which it is to regulate:**

- (a) Adverse effect - No
- (b) Beneficial effect - No
- (c) Immediate effect - No
- (d) Long-term effect - No

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

- (a) Adverse effect - No
- (b) Beneficial effect - No
- (c) Immediate effect - No
- (d) Long-term effect - No

4. **Estimated cost to the Division of Wildlife for enforcement of the proposed regulation:**

None

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:  X  No  
     Yes**

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 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  
(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 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.

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

LCB File No. R137-98

STATE OF NEVADA  
PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS  
COMMISSION GENERAL REGULATION 270

Authority: NRS 501.105, 501.110, 501.181

Notice of Intent:

Workshop Date: August 15, 1998

Commission Approval:

EXPLANATION: Amends NAC 503.060, 503.065 and 503.067 by updating the classification of game fish, updating threatened and endangered species, and removing some species which are presently classified as sensitive.

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

Section 1. NAC 503.060 is hereby amended to read as follows:

503.060 [ **Game fish include** ] *The following species of fish, including hybrids thereof, are further classified as game fish:*

Trout and salmon (Salmonidae)

|                 | Common Name                        | Scientific Name                     |
|-----------------|------------------------------------|-------------------------------------|
| Cutthroat trout | Bonneville                         | <i>Oncorhynchus clarki utah</i>     |
|                 | Lahontan                           | <i>Oncorhynchus clarki henshawi</i> |
|                 | Snake River ( <i>Yellowstone</i> ) | <i>Oncorhynchus clarki bouvieri</i> |
| Salmon          |                                    | <i>Oncorhynchus ssp.</i>            |
| Salmon          | Atlantic                           | <i>Salmo salar</i>                  |
| Trout           | Brook                              | <i>Salvelinus fontinalis</i>        |
|                 | Brown                              | <i>Salmo trutta</i>                 |
|                 | [ <b>Dolly Varden</b> ]            | <i>Salvelinus malma</i> ]           |
|                 | Bull                               | <i>Salvelinus confluentis</i>       |

|         |                                   |
|---------|-----------------------------------|
| Lake    | <i>Salvelinus namaycush</i>       |
| Rainbow | <i>Oncorhynchus mykiss</i>        |
| Redband | <i>Oncorhynchus mykiss gibbsi</i> |

Whitefish (Coregonidae)

|           | Common Name | Scientific Name              |
|-----------|-------------|------------------------------|
| Whitefish | Mountain    | <i>Prosopium williamsoni</i> |

Pike (Esocidae)

|      | Common Name | Scientific Name    |
|------|-------------|--------------------|
| Pike | Northern    | <i>Esox lucius</i> |

Catfishes (Ictaluridae)

|          | Common Name | Scientific Name            |
|----------|-------------|----------------------------|
| Bullhead | Black       | <i>Ameiurus melas</i>      |
|          | Brown       | <i>Ameiurus nebulosus</i>  |
| Catfish  | Channel     | <i>Ictalurus punctatus</i> |
|          | White       | <i>Ameiurus catus</i>      |

Temperate basses (Perchichthyidae)

|      | Common Name | Scientific Name         |
|------|-------------|-------------------------|
| Bass | Striped     | <i>Morone saxatilis</i> |
|      | White       | <i>Morone chrysops</i>  |

Sunfishes (Centrarchidae)

|      | Common Name      | Scientific Name              |
|------|------------------|------------------------------|
| Bass | Largemouth Black | <i>Micropterus salmoides</i> |

|         |                  |                                   |
|---------|------------------|-----------------------------------|
|         | Smallmouth Black | <i>Micropterus dolomieu</i>       |
|         | Spotted          | <i>Micropterus punctulatus</i>    |
| Crappie | Black            | <i>Pomoxis nigromaculatus</i>     |
|         | White            | <i>Pomoxis annularis</i>          |
| Perch   | Sacramento       | <i>sArchoplites interruptu</i>    |
| Sunfish | Green            | <i>Lepomis cyanellus</i>          |
|         | Redear           | <i>Lepomis microlophus</i>        |
|         | <b>Bluegill</b>  | <b><i>Lepomis macrochirus</i></b> |

Perches (Percidae)

|         | Common Name | Scientific Name             |
|---------|-------------|-----------------------------|
| Perch   | Yellow      | <i>Perca flavescens</i>     |
| Walleye |             | <i>Stizostedion vitreum</i> |

Sec. 2. NAC 503.065 is hereby amended to read as follows:

503.065 1. [Protected fish include] *The following species of fish are further classified as protected:*

Minnows (Cyprinidae)

|             | Common Name                          | Scientific Name                                |
|-------------|--------------------------------------|--|
| <b>Chub</b> | <b><i>Alvord tui</i></b>             | <b><i>Gila alvordensis</i></b>                 |
|             | <b><i>Fish Creek Springs tui</i></b> | <b><i>Gila bicolor euchila</i></b>             |
|             | <b><i>Sheldon tui</i></b>            | <b><i>Gila Bicolor eurysoma</i></b>            |
| Dace        | [ Desert                             | <b><i>Eremichthys acros</i> ]</b>              |
|             | <b><i>Oasis Valley speckled</i></b>  | <b><i>Rhinichthys osculus ssp.</i></b>         |
| Spinedace   | [ Big Spring                         | <b><i>Lepidomeda mollispinispratensis</i>]</b> |

|                         |   |
|-------------------------|---|
| Virgin [ <b>River</b> ] | <i>Lepidomeda mollispinis mollispinis</i> |
| [ <b>White River</b>    | <i>Lepidomeda albivallis</i> ]            |

Suckers (Catostomidae)

| Common Name        | Scientific Name                               |
|--------------------|---|
| Sucker             | [ <b>Razorback</b> <i>Xyrauchen texanus</i> ] |
| <i>Wall Canyon</i> | <i>Catostomus ssp.</i>                        |
| <i>Warner</i>      | <i>Catostomus warnerensis</i>                 |
| White River Desert | <i>Catostomus clarki intermedius</i>          |

Killifishes (Cyprinodontidae)

| Common Name                | Scientific Name   |
|----------------------------|---|
| Springfish                 | Preston White River <i>Crenichthys baileyi albivallis</i> |
| <i>Moorman White River</i> | <i>Crenichthys baileyi thermophilus</i>                   |
| [ <b>Railroad Valley</b>   | <i>Crenichthys nevadae</i>                                |
| <b>White River</b>         | <i>Crenichthys baileyi baileyi</i> ]                      |

2. The following species of protected fish are further classified as endangered:

Minnows (Cyprinidae)

| Common Name | Scientific Name                                  |
|-------------|--|
| Chub        | Bonytail <i>Gila elegans</i>                     |
|             | Pahrnagat roundtail <i>Gila robusta jordani</i>  |
|             | <i>Virgin River</i> <i>Gila robusta seminuda</i> |
| Dace        | Moapa <i>Moapa coriacea</i>                      |
|             | Ash Meadows <i>Rhinichthys osculus</i>           |
|             | [ <b>Amargosa</b> ] speckled <i>nevadensis</i>   |

|                  |                                     |                                  |
|------------------|-------------------------------------|----------------------------------|
|                  | <i>Clover Valley speckled</i>       | <i>R. o. oligoporus</i>          |
|                  | <i>Independence Valley speckled</i> | <i>R. o. lethoporus</i>          |
| <i>Spinedace</i> | <i>White River</i>                  | <i>Lepidomeda albivalis</i>      |
| Squawfish        | Colorado                            | <i>Ptychocheilus lucius</i>      |
| Woundfin         |                                     | <i>Plagopterus argentissimus</i> |

Suckers (Catostomidae)

|               | Common Name      | Scientific Name          |
|---------------|------------------|--------------------------|
| <i>Sucker</i> | Cui-ui           | <i>Chasmistes cujus</i>  |
|               | <i>Razorback</i> | <i>Xyrauchen texanus</i> |

Killifishes (Cyprinodontidae)

|                   | Common Name                      | Scientific Name                                    |
|-------------------|----------------------------------|--|
| Poolfish          | Pahrump                          | <i>Empetrichthys latos</i> [ <i>latos</i> ]        |
| Pupfish           | Devil's Hole                     | <i>Cyprinodon diabolis</i>                         |
|                   | Warm Springs [ <i>Amargosa</i> ] | <i>Cyprinodon nevadensis</i><br><i>pectoralis</i>  |
|                   | [ <i>Ash Meadows Amargosa</i>    | <i>Cyprinodon nevadensis</i><br><i>mionectes</i> ] |
| <i>Springfish</i> | <i>Hiko White River</i>          | <i>Crenichthys baileyi grandis</i>                 |
|                   | <i>White River</i>               | <i>C. b. baileyi</i>                               |

3. *The following species of protected fish are further classified as threatened:*

*Minnows (Cyprinidae)*

|             | Common Name   | Scientific Name          |
|-------------|---------------|--------------------------|
| <i>Dace</i> | <i>Desert</i> | <i>Eremichthys acros</i> |



*Spinedace*

*Big Spring*

*Lepidomeda mollispinis  
pratensis*

*Killifishes (Cyprinodontidae)*

*Common Name*

*Scientific Name*

*Pupfish*

*Ash Meadows Amargosa*

*Cyprinodon nevadensis  
mionectes*

*Springfish*

*Railroad Valley*

*Crenichthys nevadae*

Sec. 3. NAC 503.067 is hereby amended to read as follows:

503.067 1. [ Sensitive fish include ] *The following species of protected fish are further classified as sensitive:*

Minnows (Cyprinidae)

|      | Common Name                          | Scientific Name                  |
|------|--------------------------------------|----------------------------------|
| Chub | Big [Smokey] <i>Smoky</i> Valley Tui | <i>Gila bicolor ssp.</i>         |
|      | [ Fish Creek Springs Tui             | <i>Gila bicolor euchila ]</i>    |
|      | Fish Lake Valley Tui                 | <i>Gila bicolor ssp.</i>         |
|      | <i>Hot Creek Valley tui</i>          | <i>Gila robusta ssp.</i>         |
|      | Lahontan Tui                         | <i>Gila bicolor obesus</i>       |
|      | [ Moapa roundtail                    | <i>Gila robusta ssp.]</i>        |
|      | Newark Valley Tui                    | <i>Gila bicolor newarkensis</i>  |
|      | Virgin River [ roundtail]            | <i>Gila [ robusta ] seminuda</i> |
|      | <i>(Muddy River Population)</i>      |                                  |
|      | Railroad Valley Tui                  | <i>Gila bicolor ssp.</i>         |

|      |                                    |   |
|------|------------------------------------|---|
| Dace | Big [Smokey] Smoky Valley speckled | <i>Rhinichthys osculus lariversi</i>    |
|      | [ Clover Valley speckled           | <i>Rhinichthys osculus oligoperus</i>   |
|      | Independence Valley speckled       | <i>Rhinichthys osculus lethoporus</i> ] |
|      | Monitor Valley speckled            | <i>Rhinichthys osculus ssp.</i>         |
|      | Moapa speckled                     | <i>Rhinichthys osculus moapae</i>       |
|      | Relict                             | <i>Relictus solitarus</i>               |
|      | White River speckled               | <i>Rhinichthys osculus velifer</i>      |

Suckers (Catostomidae)

|        | Common Name               | Scientific Name               |
|--------|---------------------------|-------------------------------|
| Sucker | Meadow Valley Wash Desert | <i>Catostomus clarki ssp.</i> |

[ 2. The classification of a species of fish as sensitive is designed to bring attention to fish which may be classified more restrictively. As additional information is gathered, these fish will be placed in the appropriate class.]

Sec. 4. NAC 503.075 is hereby amended to read as follows:

503.075 1. Amphibians are classified as game, protected, *threatened*, *endangered*, or unprotected amphibians.

2. [ Game amphibians include ] *The following amphibians are further classified as game amphibians:*

| Common Name | Scientific Name         |
|-------------|-------------------------|
| Bullfrog    | <i>Rana catesbeiana</i> |

3. *The following amphibians are further classified as protected:*

| <i>Common Name</i> | <i>Scientific Name</i> |
|--------------------|------------------------|
|--------------------|------------------------|

|             |                       |                          |
|-------------|-----------------------|--------------------------|
| <i>Toad</i> | <i>Amargosa</i>       | <i>Bufo nelsoni</i>      |
| <i>Frog</i> | <i>Spotted</i>        | <i>Rana lutreivensis</i> |
|             | <i>Relict leopard</i> | <i>Rana onca</i>         |

4. Unprotected amphibians are all species of amphibians which are not classified as game or protected amphibians.