

LCB File No. R105-99

NOTICE OF INTENT TO ACT UPON A REGULATION Notice of Hearing of The Amendment 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 September 11, 1999, at the Humboldt County Convention Center, 50 West Winnemucca, Winnemucca, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 274 pertaining to Chapter 488 of the Nevada Administrative Code.

1. **The need for and purpose of the proposed regulation:** Establish boating regulations for new recreational water at the request of the City of Sparks.
2. **Text of the proposed regulation:** see attached.
- 3A **The estimated economic effect of the regulation on the business which it is to regulate:**
 - (a) Adverse effect - None, not applicable
 - (b) Beneficial effect - None, not applicable
 - (c) Immediate effect - None, not applicable
 - (d) Long-term effect - None, not applicable
- 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:** 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: Not applicable

7. **If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:** Not applicable
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 regulation 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

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

Region II Office
1375 Mt. City Highway
Elko, NV 89801
(775) 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.

**PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 274**

Authority: NRS 488.035, 488.045, 488.620, 501.181, 501.243

Notice of Intent: August 11, 1999

Commission Approval:

Workshop Date: September 10, 1999

EXPLANATION: Amends NAC 488.465 to include the Sparks Marina Park swim area and dive area to areas in which vessels are prohibited and amends 488.470 to add Sparks Marina Park to the area limited to vessels without motors and vessels with electric motors. Amends 488.470 to use the term vessel to be consistent with the defined term in NRS 488.035 and the rest of the Nevada Boat Act.

NOTE: Matter in *italics* is new; matter within brackets **H** is to be omitted

Section 1. NAC 488.465 is hereby amended to read as follows:

488.465 Vessels are prohibited in areas which are designated by signs and buoys as follows:

1. Within the Lake Mead national Recreation Area;
2. On the Colorado River:
 - (a) Below Davis Dam; and
 - (b) At the swimming area of Harrahs Casino in Laughlin.
3. On Lake Tahoe at:
 - (a) The main beaches at Sand Harbor and Divers= Cove within Lake Tahoe State Park;
 - (b) The swimming area of the Incline Village General Improvement District and Burnt Cedar Beach;
 - (c) The swimming area of Galilee at the Episcopal Camp and Conference Center;
 - (d) The swimming area of the Lakeridge General Improvement District;
 - (e) The swimming area of the Glenbrook Homeowner=s Association;
 - (f) The swimming area of the Hyatt Regency Lake Tahoe;
 - (g) The swimming area of the Zephyr Cove Marina; and

- (h) The swimming area of Crystal Shores West;
 - 4. At the dam and swim beach at the state recreation area at Rye Patch Reservoir;
 - 5. At Lahontan Reservoir Dam;
 - 6. At South fork Reservoir Dam;
 - 7. At Wildhorse Reservoir Dam;
 - 8. At Eagle Valley Dam at Spring Valley State Park;
 - 9. At Chimney Reservoir Dam in Humboldt County; and
 - 10. At the county swim beach at Topaz Lake;
- 11. At the swimming area and dive area at Sparks Marina Park.***

Sec. 2. NAC 488.470 is hereby amended to read as follows:

488.470 1. Only ~~boats~~ *vessels* without motors are permitted on the following waters:

Waters	County
(a) Angel Lake	Elko
(b) Blue Lakes.....	Humboldt
(c) Schroeder Reservoir	Lincoln
(d) Spooner Lake	Douglas
(e) Marlette Lake	Washoe

2. Only ~~boats~~ *vessels* without motors and ~~boats~~ *vessels* with electric motors are permitted on ~~Groves Lake in Lander County.~~:

Waters	County
<i>(a) Groves Lake.....</i>	<i>Lander</i>
<i>(b) Sparks Marina Park.....</i>	<i>Washoe</i>